



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**10 MAY 2017**

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**Wednesday, 10 May 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.

## **Petitions**

*The following e-petition and petitions were lodged for presentation:*

### **Criminalisation of a non-consensual sexual image—petition 5-17**

*By Ms Le Couteur, from 520 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly that there is no specific criminal offence prohibiting the non-consensual disclosure of a sexual image (the phenomenon colloquially referred to as “revenge porn”).

Your petitioners, therefore, request the Assembly to consider filling this gap in the law by criminalising the non-consensual disclosure of a sexual image.

### **Public housing in Wright—petition 8-17**

*By Mr Hanson, from 464 residents:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

Wright has no existing or planned shops, town hall, school, church, child care centre, or any other such community facility for residents use and that the ACT Government has planned to build public housing on Section 29, block 1, the only block zoned for “community use” in Wright.

Your petitioners therefore request the Assembly to:

1. Overturn the decision of the ACT Public Housing taskforce to build public housing on Section 29, Block 1 in Wright; and that
2. the ACT Government build a community facility of the kind mentioned above, on Section 29, Block 1 in Wright which can be used by and of benefit to the entire community in Wright and Molonglo.

### **Public housing in Mawson—petition 9-17**

By **Mr Hanson**, from 169 residents:

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

*There has been no consultation with the community on the proposed location of public housing in Mawson and the location and proposed development is not suitable for public housing tenants or the Mawson community.*

Your petitioners therefore request the Assembly to:

*Stop progressing plans for the Mawson public housing development and undertake full and proper consultation to find alternative locations.*

### **Public housing in Holder—petition 10-17**

By **Mr Hanson**, from 729 residents:

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

*There has been no consultation with the community on the proposed location of public housing in Holder and the location and proposed development is not suitable for public housing tenants or the Holder community.*

Your petitioners therefore request the Assembly to:

*Stop progressing plans for the Holder public housing development and undertake full and proper consultation to find alternative locations.*

### **Public housing in Chapman—petition 11-17**

By **Mr Hanson**, from 872 residents:

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly the fact that the Public Housing Renewal Taskforce has proposed building on Darwinia Community Park (Block 1 Section 45), Chapman.

This block has been officially identified as a Bush Fire Prone Area: For this and many other reasons it is entirely unsuitable for the proposed development. Your petitioners therefore request the Assembly to withdraw this proposal.

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

*Pursuant to standing order 99A, petitions having more than 500 signatories are referred to a relevant committee. Accordingly, the petitions in relation to public housing developments in Holder and Chapman stand referred to the Standing Committee on Planning and Urban Renewal with the petition relating to criminalising the non-consensual disclosure of a sexual image standing referred to the Standing Committee on Justice and Community Safety.*

**MR HANSON** (Murrumbidgee) (10.03), by leave: Firstly, in relation to the public housing petitions, I note that this is a significant number of signatories. In my time in the Assembly I do not recall four petitions being tabled with such a significant number of signatures. I would like to commend those members of the community who have been out in their communities speaking to people by doorknocking and at shopping centres. As I think we all understand, there is significant concern in the community about what has been proposed by the government. I commend the members of the community for instigating this action.

Madam Speaker, it is important to talk about what is happening here and to take some of the emotion out of it. We saw that in the chamber yesterday. I am speaking on behalf of the community because I have been speaking to many members of the community. It is great to see that a number have made it here today. I know that there are many people from the Weston Creek, Wright and Woden communities, including Mawson, who are watching this via webstreaming.

What is happening—this is all factual—is that the government is selling off every single public housing block on Northbourne for tens of millions of dollars. It is selling that to developers for what will be solely privately-owned accommodation. This is something that Ms Berry, back in earlier days, warned about—that it would only be there for “posh people”. They were her words. That has come to fruition under this government.

They are evicting every single public housing tenant from Northbourne. In doing so, they are desperately trying to find new sites for them. What they are doing is looking for cheap land. The cheapest land that the government can find is community-zoned land, because residential land costs more. Residential land is what this public housing should be built on but, clearly, community land comes at no expense to the government.

What they have done, as we are all aware, is sneak through something that has been described as deceitful and dodgy. It is a hidden change, a secretive change, an

incorrect change to the Territory Plan to enable the government to build large public housing tenancies, residential buildings, on the community's land. That is what has happened.

I make the point that this is all about the money. This is not about the best interests of public housing tenants. It is all about the money. At this stage I refer to some correspondence that has been provided from the Greens relating to this. The Greens have provided to their constituents in response to this issue a rather long piece. I will quote from it. This is from Ms Le Couteur. It states:

We support the traditional salt and pepper placement of small numbers of public housing throughout Canberra.

As we all do, Madam Speaker; as we all do, including residents from Chapman, from Holder, from Wright and from Mawson. It goes on:

The time pressures to get people out of the ageing and substandard housing on Northbourne Avenue and other sites have necessitated some larger developments being considered.

There are a number of points to what Ms Le Couteur is saying here. Firstly, she supports salt and pepper. That is the way to go. We all agree with that. She is then acknowledging in her correspondence to constituents that what is being proposed by the government is not salt and pepper. It is not what we all support. It is something entirely different.

She also makes the point that there are time pressures. The time pressures are not about trying to get people into better accommodation. People in Northbourne flats have been there for decades. This government has been in power now for 16 years, as they often remind us. The time pressure Ms Le Couteur is talking about relates to asset recycling. It is about getting money from the commonwealth government to fund light rail. That is the only time pressure.

In Ms Le Couteur's own words, on these sites we will be proceeding with something that she does not support. This is not salt and pepper. These are inappropriate complexes. We have heard from Minister Rattenbury and Minister Berry before that we should not have complexes of these sizes. We are doing it on community zoned land because that is cheaper and easier for the government. But it is the wrong solution not only for the tenants but also for the community.

This lecturing that we hear that this is somehow all about public housing tenants and that the community are being ungracious and unwelcoming is not true. That is just smearing the very good people, the hundreds of very good people, that have signed those petitions. Ms Le Couteur says that we do not want these bigger complexes of 30 units. Mr Rattenbury is also on the record saying that 12 to 15 units is as big as you want to go. This is not salt and pepper.

The location is also very questionable on each of the sites that have been considered. Not only is the Chief Minister taking away the community's land and taking people

away from the Northbourne corridor—I note where Mr Rattenbury owns three properties and Ms Fitzharris owns a property—he is also putting people out into large complexes where they are dislocated from employment, from public transport and from amenity. This is not the way to go.

I also make the point, as the minister and the Chief Minister have been attacking constituents, attacking residents, that there is an acknowledgement that the consultation process has been appalling. You cannot on the one hand acknowledge that, yes, we have got the consultation wrong, very badly wrong, and then on the other hand attack residents when they actually complain about the very process that you acknowledge is wrong.

This process has also been deceitful. I make that point in terms of the consultation. For example, Mrs Jones wrote twice to the Chief Minister about the site in Holder. She said with regard to that site, “Are there any plans for the PANDSI site?” This is where the public housing is being built. The Chief Minister said no, in writing, twice. What we know from FOI material received last week is that this planning has been occurring since 2014. That was hidden not only from us but from the community.

I make the broader point that this is not the end of it. That same FOI request makes it very clear that the current sites that we are discussing today are only part of what is being considered by the government. There is a long list of other sites, other CFZ land that is going to be used. Mr Parton has written a good article about that that is available on RiotACT.

There is significant frustration. I think it is very unhelpful when we have Mr Barr and Ms Berry characterising the hundreds of residents as nimbies, in effect sneering at them and saying, in Ms Berry’s words, that the residents are telling the public housing tenants to “bugger off”. They were her words.

**MADAM SPEAKER:** Mr Hanson, that language was withdrawn yesterday.

**MR HANSON:** I withdraw. I was simply quoting the minister from yesterday, Madam Speaker. I withdraw. This is not a concern that just the Canberra Liberals have. I remind you of the number of signatures that the Clerk just read out. There is significant concern in the community. Certainly the feedback that I am getting from people who are working on these petitions is that just about everybody is signing them. There would be many more if they could knock on more doors. What we are talking about here is local mums and dads and pensioners, people going out and knocking on doors, working as they should in the community. There are only so many people whom they can actually have contact with. The vast majority of the signatures come from the affected suburbs.

Let me be very clear: we, and the residents affected, are very supportive of public housing. That is not the issue at stake here. The attempts by the government to twist it like that I think are very unhelpful for the debate. I ask, as we have this debate today in the Assembly on Ms Lawder’s motion that follows, that the government play the issue, not the person, and treat the residents, and particularly those who have signed the petition, with respect.

I will turn briefly to each of the locations that have been of concern. If you have not been out to the sites I invite you to do so. These are very special places in our community. Dealing firstly with Chapman, that is a beautiful piece of land. It is used by the community. There are kids out there playing. It is an open space in our community that is zoned for the community's use. There are significant concerns we are aware of with regard to bushfire mitigation. We have seen that evidence in the FOI as well.

I commend the people of Chapman who signed the petition. In response to the walk from Chapman to the Assembly on Saturday, it was disappointing that only the Liberal members—I, Mrs Jones and Mr Parton—turned up to receive that petition. Whether you agree with what is being said in that petition or not, whether you agree with those residents or not, when they walked 15 kilometres from Chapman into the Assembly, it would have been nice if Ms Le Couteur, Mr Steel or Ms Cody had made the effort to turn up and say, "Well done on engaging in the democratic process." I thank the organisers and the walkers, some of whom are here today, for the work they have done. I also thank the Weston Creek Community Council for facilitating a number of discussions on this process.

With regard to Holder, I have already mentioned the PANDSI site. The post and antenatal depression group have been there for a long time. It has been evicted from this site to put this public housing complex there. The Chief Minister denied twice that there were any plans, although we know from the FOI that that is not the case. That was hidden from the community. Equally, the people from Holder have been working hard doorknocking out there, letterboxing, informing the community because it is very clear that the government did not want to. The consultation is happening now but if it were not for the members of the community, it never would have. I thank Jody and her team.

In respect of Wright, these issues are unique to Wright. It is a new suburb, as we all know. Wright is so overbuilt. There is virtually no space there for the community. Everybody expected that this block that had been there was going to be used for the community. Everybody expected that. What is very clear now is that it is going to be taken away from the community to be used for residential. Whether it is private or public does not matter; it is going to be a residential complex. That is not the intent of that site. I thank the community members in Wright for doing that. I note that there is no community council in Wright. So the people of Wright did that themselves. Christine and your team, well done!

Equally for Mawson, that is a very inappropriate site. If you go out there, you can see this from the lie of the land. This is a site that has been considered before for other developments and been rejected. Nicole and the team in Mawson have been going out working very hard. I thank the Woden Valley Community Council who facilitated a public meeting.

Members, I will conclude there. I will leave you with this point: we are talking about hundreds and hundreds of members of the community who have signed petitions to say, "Stop this. It is the wrong way to go." The Canberra Liberals, the Canberra

Liberals' leader, Mr Parton, who is the shadow minister for planning, local members, Giulia Jones and I have engaged with the community, have talked with the community and have listened to the community, and we agree with them.

**MRS JONES** (Murrumbidgee) (10.16), by leave: I rise to add my voice to that of Mr Hanson in saying that there are now a number of residents who have put on the record that they would like this process to change: Chapman, 872 residents have signed a petition asking for a stop for the minute to be put on the plans; Holder, 729 people; Mawson, 169 people; and Wright, 464 people. Each and every site has its own issue, but at the heart of it is a change to what the community expected. Some people have bought their houses only in the past few months when suddenly this unexpected announcement was made which totally changes how they view the space around their own homes, and that is reasonable. It is not an affront to people in public housing.

I do not know anybody in Weston Creek who does not have someone in public housing living nearby or in their street. There are some streets that already have five or six all up in a row, like the street behind where I used to live when I was in Hindmarsh Drive. We reach out to people. We try to be good neighbours. The people of Weston Creek are kind. I find them warm and open and kindly and doing the best they can for local people.

But the heart of the problem the government has is not a rejection of people who are living in community housing. We are open to the people who moved into Rivett on the old school site and we work with them. I have done lots of representations for them on break-ins and the like. That is our job and we love to be able to represent those people and do the best we can so that they can have a good experience of life in Canberra and have the housing that they need.

But for community facility zoned land I think everybody in this place would understand that the main expectation people had was that facilities would be opened to the use of the whole community. People would not have been shocked if there was suddenly a plan to put a scout hall on it. I think people would not have been that shocked if there was a plan to put a church on it, although there have obviously been issues with consultation around those types of buildings in my area as well. Even though change happens, people accept it if it seems reasonable. What we are struggling with here is a reasonableness element.

I know the minister has acknowledged that the consultation was not great and that people feel that a decision was made without their input. The problem we are now facing is that not only was the decision made without their input but that there seems to be zero interest in the possibility of even discussing whether these are the right places for these sites. I empathise with the government: they do not want to spend all the money that is coming in from the Northbourne sales on buying up land. But we have had plenty of community meetings where people from the area have said, "Put another one of these properties in my street. Put a dual occupancy. Even put four or five households on a reasonably sized block. Have these people in our community. We will do everything we can for them."

It is not just the initial shock; as the shock wears off people are starting to feel distressed about the fact that that was not what they thought that land was for. I realise there have been changes made to the legislation to technically make it possible, but people were not aware of that. Part of our job in this Assembly is that when we make these sorts of changes, if they do have to happen, they need to be well publicised so the expectations in the community match them. People who bought houses in Mawson were being told at the point of sale when they were buying properties from the LDA that that land would be for community facilities, and I do not think residential properties of any sort cut the mustard.

If you drive around the block in Mawson, it is one square of grass surrounded by housing, and high-density housing. I think people knew it was not going to be a kids' park, but they did not think it was going to be units, and I think that is reasonable. People spent a fair bit of money to build houses in Wright. They are not all rich people; some of them are going to be paying them off for 30 or 40 years.

The problem we have is that really significant damage has been done to the relationship between these people and government. Healing cannot take place unless there is not just an acknowledgement of the damage but reparation made to that relationship. That has not happened yet, and there does not seem to be much interest in that particular element, which would be to really question whether these sites and this type of land are the right way to go ahead.

I acknowledge the hard work of community members who do not get paid and who have felt so passionately about this issue that they have gone door to door. I know in some of the areas they have talked to public housing tenants in their own areas who are not that keen for these developments. I would be interested to know how many properties were together in Red Hill, which we know has been a problematic development over the years close to the shops there. There were reasons why that did not work perfectly. I think probably it is about the concentration. I think we can do better, even if a little more money has to be spent. You would not get any pushback from this side of the chamber if additional money had to be spent in order to make these developments much smaller and at a different location.

I encourage the government to have a look at the intent of these petitions and to act to restore the relationship to say, "We're not going to go ahead right now with this plan," and to revisit whether it is the right thing to do by the community. I hope proper consultation will take place, a two-way conversation, not just "You can pick the colour of the tiles," or "You can pick the style of the housing," or "You can have a say on that", but whether this is the right site. If we do it quickly we may not run into deadline problems, but it does need to be done.

What other sites were considered? How can cabinet have another look at that? How can we consider what is in the best interests of everybody in the community—housing tenants and also the broader community who are suffering not only from shock but also this break in the relationship.

**Public housing—petitions 8-17, 9-17, 10-17, 11-17**  
**Criminalisation of a non-consensual sexual image—petition 5-17**

**MS LE COUTEUR** (Murrumbidgee) (10.22), by leave: I will speak briefly about the public housing petitions because obviously we will be speaking a lot more about that through my bill, which is about to be presented and which deals directly with technical amendments; and some of the issues with public housing are down to the flawed technical amendment process.

But first off I want to acknowledge, as our Liberal colleagues have done, the incredible concern and interest in the suburbs affected by the public housing. We have to realise it has been a toxic mix of poor consultation. People have been concerned about any sort of development on those plots which have been vacant since the suburbs were developed, and for Holder and Chapman and Mawson that is a long time. The neighbours had, justifiably or not, an expectation that that was going to continue, so what we are seeing is partly just a reaction to infill rather than just a reaction to the sort of infill.

We have ended up with a very toxic situation which I know we are going to be debating at greater length in Ms Lawder's motion so I will not go through much more. Mr Hanson quoted from a letter that I wrote. As he said, it was a long letter and he did not quote the two paragraphs which followed what he did read. With your indulgence, I will quote that:

Good design is the key to the success of new public housing developments, not density alone. Design should look beyond bricks and mortar to facilitate community integration. Considerations such as light, warmth, connection to the outside and social space are essential. Public housing, like all housing, needs to suit the site and the likely tenants—some degree of flexibility in the size of proposals is useful, as good design and layout can help ensure better outcomes for tenants and the community, so proposals should be assessed on a case by case basis.

For optimal social outcomes, public housing should be well integrated with the local community as well as specific support being given to residents. The size of developments will vary, for instance aged care often needs to be larger to allow services to be brought in. The social outcomes of very large developments such as those on Northbourne Avenue are often very poor – for individuals and the neighbouring community.

But we will be talking more about this shortly. I actually intended to speak about the petition that I lodged about revenge porn. Organised by Mr Rhys Michie, this has around 500 signatures on the criminalisation of revenge porn in the ACT. We cannot afford to wait and pretend this is not a problem for the ACT. We saw only last year how many schools in Canberra were linked to a ring of students from over 70 high schools around Australia orchestrating the distribution of pornographic materials of hundreds of young women behind their backs and without their consent. This year we saw a man take his own life after being extorted over his use of Grindr.

Our new technology with selfies, webcams and cameras everywhere as part of our phones makes it easy to get more images with or without the knowledge and consent of the person pictured. Social media and the internet make these images easy to share and distribute widely. We know our laws do not deal with this new technology.

Behind the scenes we know from recent research that one in five Australians are victims of image-based sexual abuse, whether that is upskirting, downblousing, so-called revenge porn, “sextortion” or threats of abuse. One in 10 Australians have had a nude or semi-nude image of them posted online or distributed without their consent. More people are choosing to share sexual selfies, with nearly half of the respondents in a recent RMIT study reporting that they had shared a sexual image of themselves. So we need strong laws to say that non-consensual sharing of sexual images is simply unacceptable.

This is often called revenge porn, and some of the images shared undoubtedly could be classified as pornography, but others would not be as clearly so. Because of this, the term “image-based abuse” has been created to cover situations where people are abused using images inappropriately shared. This abuse massively and disproportionately impacts the most vulnerable groups in our society. The RMIT study found that one in five Australians are victims, but it gets worse: one in three young people, one in three members of the LGBTI community, one in two Australians with a disability, and one in two Indigenous Australians report being victims. This abuse is directly linked to high levels of psychological distress consistent with moderate to severe depression or anxiety.

We know our current laws have not caught up with social trends. Sometimes, for instance, young people are mistakenly at risk of being charged with child pornography offences when their images are shared with their consent. We know the ACT is now out of step with the rest of Australia. Both South Australia and Victoria have brought in offences related to image-based abuse, and New South Wales and Western Australia are both in the process of doing so.

My office has been working with Mr Michie in preparing a discussion paper that reviews relevant research and legislation. It also tells the stories of victims of revenge porn and image-based abuse and how this despicable behaviour has impacted the life of thousands of people in the ACT. Four in five Australians want sharing of sexual images without consent to be a crime. This is regardless of whether or not they have experienced this abuse themselves. Australia has a piecemeal and inconsistent response to this growing problem.

The ACT government is not acting on this issue, but it should be. The Greens are very proud to stand with Mr Michie on this, and I am proud to be able to work with him and other passionate members of the community to help stop revenge porn and other image-based abuse. I commend this petition to the Assembly and the government.

### **Public housing—petitions 8-17, 9-17, 10-17, 11-17**

**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) (10.30), by leave: Thank you for the opportunity to make a quick comment on the petitions that have been lodged today regarding public

housing developments announced recently on community facilities land in a number of suburbs across our city.

I want to remind members, and others that are present, about the public housing that we are replacing. This is public housing that was built at another time for another need and it certainly no longer meets the needs of public housing tenants. We are attempting to build, and have been building, new, higher quality housing that is much easier for Housing ACT to maintain and that, for our tenants, is much more affordable to heat and cool and much better meets their needs. It is more adaptable housing for people to live in over periods of their lives when they have increasing needs, regardless of what their abilities are.

Mr Hanson talked about it being about money. Yes, it is absolutely about money. It is about acknowledging that there are people in our community who do not have very much, who have very little or nothing at all, and our job as a government and a community is to acknowledge that and give them a hand up when they need it. We as a government are attempting to provide support to the people who need it most. Every person who lives in the city has goals and aspirations for a decent life.

*Members interjecting—*

**MS BERRY:** Madam Speaker, I listened very quietly while opposition members spoke on this. I sat here, listened and acknowledged everything they said while remaining quiet. They are still mumbling and muttering as I am trying to put my point across, and I think I am entitled to the same quietness afforded to them. Every person who lives in this city—

*Mr Wall interjecting—*

**MADAM SPEAKER:** Mr Wall, the minister has a point. Your side was heard in silence and I would expect the minister to be heard in silence.

**MS BERRY:** Every person who lives in this city has the same kinds of goals and aspirations for a decent life for themselves and their families. And it should no less be the case for people who reside in public housing. I strongly believe that the majority of people who live in these communities will be able to work with the government to reach a consensus. That consensus could be reached where there is a will to do that.

It has been reported back to me that some members of the Canberra Liberals have been using language in community meetings that is creating division in the community between neighbours across suburbs and across this city. That should not be the case, and it is not what I am hearing back from people whom I have been talking to in those suburbs. Certainly, when we have done work with the community to find out whether there is support for public housing, over 73 per cent said that they would support and would be happy to have public housing within their suburbs.

Mrs Jones has been the compassionate and considerate voice of the Liberal Party on this matter. I have heard her speak a number of times in this place and also at

community meetings when she has been very considerate in her comments and in her support for public housing and tenants across the city. Prior to that, I refer to Ms Lawder as well. The main concern through the renewal program was to ensure that public housing tenants were properly supported when they were moving out of their older homes into new suburbs and new communities. I acknowledge both of them in that regard. Perhaps women who are elected to this place bring a different perspective on how we deal with these very difficult and complex issues. I also did want to read out—

*Members interjecting—*

**MADAM SPEAKER:** Mr Hanson and Mr Parton, please be quiet.

**MS BERRY:** I want to read part of an editorial written by a public housing tenant who is moving out of the Northbourne flats. He said:

Since the Northbourne redevelopments were announced, our homes have been called eyesores, ghettos and drug-infested crime dens that should have been knocked down years ago; the people within called scumbags, drug addicts, dole bludgers, criminals and paedophiles among the many insults. Now we're told we're not wanted anywhere simply because of where we come from and based on the above assumptions.

We can't win either way. If they don't knock the flats down, we will continue to live in the 1950s-built development that everyone complains is a ghetto. If it's replaced with new housing and we are rehoused here, everyone will complain we're getting prime real estate in the city that we don't deserve. If we're moved ... anywhere where people live, they will complain about having us near them.

It gets to the point where people have proposed new suburbs for us way out somewhere isolated, or placing us in industrial areas. What comes after that?

He went on to say:

Every article, and every comment on the subject, affects us directly because it's about us. If we're not grouped under one label of "badness", we're told it's OK, not all of us are bad. I'm sure my neighbour aged in her 90s will be pleased to hear that.

You, your son, your daughter, your brother, your sister or anyone ... close to you could hit hard times, too. They might need to resort to social welfare and/or public housing—it can happen to anyone. Tenants in public housing are people struggling in an affluent society that often looks down on them, just because of where they live. Bad people are everywhere; they're definitely not confined to public housing.

I read that out because I feel absolutely that it is my role, as a member of this community and as a person who has always worked hard to strive for better equity within our community and social justice outcomes for everyone, to speak up for public housing tenants throughout this conversation, because if I do not, who will?

**MR STEEL** (Murrumbidgee) (10.36), by leave: I will make my substantive comments in relation to Ms Lawder's motion. I do not want to breach the standing orders in that regard by pre-empting debate on the motion. I want to respond to some comments made by Mr Hanson where he slighted both Ms Cody and me in relation to the march made on the weekend.

Before coming into this place, I made a commitment to the community that I would regularly engage with them through mobile offices, which I publish on my website. I had a longstanding commitment to a mobile office at Cooleman Court on Saturday morning with Ms Cody. We met with a range of different members of the Weston Creek community to talk about public housing issues, including one person who is in the gallery. We have also been meeting with public housing groups around each of the sites and engaging with them, as well as having regular correspondence. So I do not appreciate the comments made by Mr Hanson that we were not bothered to engage when, in fact, we were doing so on the exact day of the march, and while the march was taking place. But I will make my substantive comments during the debate on Ms Lawder's motion.

## **Planning and Development (Territory Plan Variations) Amendment Bill 2017**

**Ms Le Couteur**, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

**MS LE COUTEUR** (Murrumbidgee) (10.39): I move:

That this bill be agreed to in principle.

The Greens stand for open and transparent community engagement. This is one of the key principles we use whenever we are making decisions. This bill addresses an important loophole where community engagement has become at best less open and transparent than it should be and at worst non-existent.

This loophole in the Planning and Development Act has become more apparent over the past decade. It is an important loophole because it cuts off the community's rights to have a say on planning changes. It is intended to be used for "minor", "error" and "technical or non-policy" amendments, but it is a loophole that many in the community are becoming increasingly frustrated with and which needs to be closed.

To explain, I have to make a brief diversion into the detailed innards of the planning system. This is technical and complex but, as many in the community know, unfortunately when you want to have a say on planning and development issues you often have to become an expert in these technical details.

The Territory Plan sets out the planning rules that developments have to follow in the ACT government-controlled parts of the ACT. The Territory Plan has to be changed

from time to time, perhaps to implement a master plan or to rezone some land or perhaps something more minor like correcting a typo. These changes are made through Territory Plan variations.

Most members of the Assembly will be aware that these Territory Plan variations are sometimes very complex and sometimes very painful for communities. Most members can probably remember very clearly all of the difficulties and community upset caused by at least one variation that has affected them over the years.

Because of this potential for community and stakeholder concern, the main Territory Plan variation process includes a formal, statutory consultation period. It also includes a process by which the minister can refer a draft variation to the Assembly standing committee for further investigation. The committee inquiry will often involve public hearings. Ultimately, the Legislative Assembly can reject a variation, item by item, if it wishes to.

But this is not the variation process that is addressed in my bill. There is another process called a technical amendment. This process will have either no consultation or limited consultation. This is where my concern, and the concerns of many people in the community, lies.

The act provides a list of situations when the government can use a technical amendment. It is obvious from the list why this technical amendment process was included in the act. For example, it allows the government to fix a typo without needing to use the full-blown process. This makes sense. The Greens completely understand that the government will from time to time need to fix errors or make other technical paperwork changes.

The problem is that a creeping habit has developed of technical amendments, or chains of technical amendments over time, being used for Territory Plan changes that accumulatively are not minor and actually warrant a community debate. I will give two examples. The first is the building of public housing on land zoned for community facilities which, of course, is a current issue, as we have just seen through petitions presented about public housing being built on land zoned for community facilities.

I am a strong supporter of public housing. I am personally, and the ACT Greens are. We always have been. The ACT Greens believe that access to safe, secure, appropriate and affordable housing is a human right and essential to health and social equity. The ACT has the second highest rate of homelessness in Australia, and there is absolutely no question that Canberra needs more affordable and public housing.

But should it be built on community facilities land? We have a limited supply of this land, particularly as new suburbs seem to have much less than many older ones. This land supply is a long-term community asset. It needs to cater for all of the community halls and places of worship and schools and so on for many years to come. This is the question that should be open for the community to have their say on. We want more public housing, we want more community facilities and we have limited land supply. How we balance that is a difficult question.

The problem is that major changes were made on that question through two technical amendments. For many years the Territory Plan said that supportive housing, which is the technical definition that public housing may fall into, was allowed only in community facility land where it was restricted to “persons with special housing needs for reasons of age or disability”. Through two technical amendments, in 2014 and 2015, this was changed to “persons in need of support” and then “social housing” was added to the definition of supportive housing.

These changes may well have been a good idea that, after debate, the community mostly supported; or they may get the balance wrong and we will end up without any community land available for broader community use. The point is that whichever side of the debate you would have been on, had the debate happened, you did not get a say because these were only technical amendments with limited consultation. Limited, in this case, effectively meant none.

Now, of course, this is coming back to bite the government, because to many people in the community it looks like this was sneaking through a substantial change because the government was running a housing renewal program. I should say again that we strongly support the housing renewal program. We are not anti that. I also note that most of the housing renewal has not been done, to the best of my knowledge, on community facility zoned land. We are not in any way trying to say that we are anti public housing. We are very strong supporters of the public housing renewal program. In fact, it was Mr Rattenbury as housing minister who, I believe, got the government commitment for a one-for-one replacement of dwellings as part of this program.

But we could have had an open and transparent debate in which the government explained how important public housing renewal is; it is, of course, really important. It could have openly discussed the challenges of finding enough land and the community could have helped find a solution. Instead, we get bitterness and anger, with public housing tenants and people like me, who support public housing, stuck in the middle of a debate. That should not be about how the Territory Plan is varied. That really should not be the substance of a debate about public housing.

My second example is in Dickson. It involves three substantial strips of community facility zone land in the Dickson shopping centre, right next to the library, health centre and the Baptist Church. Technical amendments were used to convert this land to a commercial zone.

On the one hand you could see these re-zonings as “tidying up” of the zoning of government-owned car parks, which arguably are not community facilities. On the other hand, as a number of Dickson locals do—and I can see their point on this—you could see these changes as an inappropriate loss of a large area of land which could have been used to expand existing or new community facilities. Once the land is gone from the community facilities land supply it is almost certainly gone forever.

To me, and to many people, this is a debate worth having. There should have been a community discussion. Maybe it would have come down on the side of rezoning, or

maybe it would have been against it. But we will never know because these were technical amendments and no-one knew about them until it was far too late. In both examples the problem is that technical amendments are being used to change the Territory Plan without adequate consultation on issues where the Greens believe the community should have been able to have a say.

The bill I am presenting is a very short, very simple amendment to the Planning and Development Act to fix that problem. It inserts a new subsection into section 89 of the act to make sure that technical amendments cannot be used for Territory Plan variations where the community would want and would expect to have a say. In technical terms, the Planning and Land Authority will not be able to “make”—that is, “finalise”—a technical amendment unless “the variation is unlikely to (a) be contentious; or (b) otherwise cause adverse public comment”. If a variation could be contentious or cause adverse public comment, the authority would have to use the full Territory Plan variation process, which involves a process of public consultation.

In conclusion, changing the planning rules through a technical amendment means that the community does not get a say. This is absolutely fine for error corrections and procedural changes in which the community has no interest. However, the community is getting increasingly concerned that technical amendments are being used when they would like to have a say. I call on all members to listen to the community’s concerns on this issue and support this bill when it comes up for debate.

Debate (on motion by **Ms Lawder**) adjourned to the next sitting.

## **Community facility zoned land**

**MS LAWDER** (Brindabella) (10.50): I move:

That this Assembly:

(1) notes that:

- (a) the objective of Community Facilities Zone (CFZ) land is to:
  - (i) facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families and communities;
  - (ii) provide accessible sites for civic life and allow community organisations to meet the needs of the territory’s various forms of community;
  - (iii) protect these social and community uses from competition from other uses;
  - (iv) enable the efficient use of land through facilitating the co-location, and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use;

- (v) encourage adaptable and affordable housing for persons in need of residential support or care; and
  - (vi) safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy;
- (b) in 2005 an Assembly committee inquiry recommended the change to the definition of CFZ land to include “supportive housing”, for the aged and people with disability;
- (c) a technical amendment in 2015 added “social housing” as an example under supportive housing;
- (d) the Planning and Development Act restricts the use of a technical amendment to clarifications of language that do not change the substance of the Territory Plan;
- (e) plans for public housing in some suburbs are proceeding without a clear understanding in the community of the difference between social housing and supportive housing; and
- (f) the use of CFZ land for housing, public or private, except supportive housing as outlined in the 2005 change to the definition, is inappropriate and inconsistent with community expectations; and
- (2) calls on the ACT government to:
- (a) cease development or construction of any new social or public housing on CFZ land, except where specifically for aged or disability housing;
  - (b) list any instances where public or social housing has been built on CFZ land (except where specifically for aged or disability housing);
  - (c) outline clearly whether the 2015 technical amendment has significantly changed the Territory Plan;
  - (d) provide a definition of “social housing” and “supportive housing” to the Assembly, and outline where in legislation these definitions appear;
  - (e) explain to ACT residents why CFZ land is being used for residential purposes;
  - (f) explain to the Assembly and to the wider community why residents are losing access to land that was intended to provide them with suburban community facilities;
  - (g) provide to the Assembly a list outlining all CFZ land that is currently being considered for public housing developments in the future; and
  - (h) report back to the Assembly on these matters by the first sitting day in June 2017.

I rise today to speak to the motion I put forward in regard to community facility zoned land. It is a very important issue in regard to what is permissible for the government to include on community facility zoned land and is the subject of a lot of current debate in our community.

If we could go back and look at the reasons why we have zoning laws, they are there to improve the public health, safety, convenience and welfare of our citizens. They help us to plan for the future development of communities; to develop new community centres with adequate utility, health, educational and recreational facilities; to recognise the needs of industry and business for future growth; to provide residential areas with healthy surroundings for family life; and to ensure that the growth of the community is in accordance with the efficient and economical use of public funds.

The planning act explanatory statement from 2007 explains the importance of proper planning:

... the planning and development of the ACT provide the people of the ACT with an attractive, safe and efficient environment in which to live, work and have their recreation.

These are the underpinnings of why we have zoning laws in the first place. They are an important way that the government can promote the health, safety and general welfare of the community, protect and conserve the value of buildings and encourage the most appropriate use of the land. In practice, zoning is also used to prevent new development interfering with existing users and/or preserve the character of a community.

CF zones, community facility zones, are an important part of communities. People want and expect to have some community facilities near them and the way that our suburbs are designed generally allows for that. We have often heard the saying, “It takes a village to raise a child,” and if people are looking for a place to raise a family they want to make sure they have an area with community zones nearby for their children or even their pets to grow and flourish. That is why I chose to raise my family in Tuggeranong, because there are many community facilities nearby—schools, places of worship, recreation areas, parks and playgrounds—and it worries me that there is the potential that my grandchildren growing up will not have the same access to community facilities as my children have had.

Under the zoning laws, community facility zones include things like—and I will just pick out a couple because there is quite a long list—places of worship, childcare centres, libraries, outdoor recreation facilities and green spaces.

There are other types of zones: industrial zones and residential zones. For example, under an industrial zone you might be able to build something like—I will just pick out a few—a car park, a defence installation, a freight transport facility, a hazardous waste facility, light industry, a transport depot or a warehouse. Of course, any of these,

I think we would agree, would be inappropriate to build on community facility zoned land, because they are for an industrial purpose.

Similarly, these are some of the objections why people do not believe community facility zoned land should be used for residential land. However you dress it up, building houses—public housing, supportive housing, social housing, community housing, affordable housing, no matter what you call it—is still residential going onto community facility zoned land.

In practice what has happened here is that a technical amendment, which is allowed under section 87 of the act, where a variation or an error variation that would not adversely affect anyone's right, if approved, has as its only object the correction of a formal error in the plan, a variation to change the boundary et cetera, has been used. These are the things that technical amendments can be used for, and there is a lot of community concern that a technical amendment has been used to allow residential development on community facility zoned land. A variation is allowed to clarify the language in the Territory Plan if it does not change the substance of the plan. Everyone I have spoken to in relation to this technical amendment believes it does change the substance of the Territory Plan.

We have spoken about the fact that back in 2005 an Assembly planning and environment committee held an inquiry and recognised that some community facility zoned land was underutilised and had the capacity to provide greater benefit to the community rather than sit unused. At that time, after that Assembly inquiry, there was a change to the definition of community facility zoned land to include supportive housing. That was made so that housing for the aged and people with disability could be built on community facility zoned land.

Social housing and supportive housing have quite different definitions. The technical amendment in 2015, which was very quietly put through just before Christmas that year, allowing the government to use CFZ land for public housing, happened because the government knew from the public housing renewal task force—and we have seen this through the FOI information that has been released—that the proposed building of public housing was not allowed under the current Territory Plan. So they put through this technical amendment so that they could use community facility zoned land for public housing.

The documents discovered under FOI show, I believe, that the government knew that the changes were not just clarifying the language but in fact changing the substance and the intent of the Territory Plan, which goes against section 87, which is what a technical amendment is allowed to be used for. The FOI showed that questions had been raised and the government made these changes in the quietest possible way to limit public knowledge and in fact limit the knowledge of members of the Assembly that this change was going through. It did not come before the Assembly.

Under section 88 of the Planning and Development Act 2007 this type of technical amendment is subject to limited public consultation and in this case the public was notified through a newspaper notice.

**Mrs Dunne:** Nobody reads those.

**MS LAWDER:** I am not sure who does read those newspaper notices in this day and age. I know, from my previous time working in the housing sector, about supportive housing, social housing, public housing, community housing, however you want to talk about it. The government have some definitions of what that means as well. The government say in their particular websites et cetera, "What is social housing?" I quote from an ACT government website. The ACT government definition is:

Social housing incorporates Public Housing, Community Housing and Affordable Housing, offering low cost housing for people on low and moderate incomes, and/or for groups whose housing needs are not adequately met in other forms of housing.

Social housing is what we think of as an umbrella term. It encompasses public, community and affordable housing. Supportive housing is a very small subset of that under community housing. The way that this technical amendment has put through the wording to include social housing under the definition of supportive housing tries to imply that supportive housing is the umbrella term under which social housing may be found, which is absolutely incorrect and is not what is found in a range of ACT government and federal government legislation, acts, agreements and other documentation. It was quite an underhanded way, I believe, to put through this particular change and it certainly does not meet with the intention of a technical amendment, because it does change the intent of the Territory Plan.

Today my motion acknowledges that it is important that these issues and concerns about the use of community facility zoned land are considered and resolved before any more CFZ land is used for public housing and we are asking in this motion today for the government to cease development or construction of any new social or public housing on CFZ land except specifically for aged or disability housing, which was originally allowed following the 2005 amendment. This is important because we need to clarify for the benefit of our entire community that their community zones are intended for community facilities.

We are also calling on the government to list any instances where public or social housing has been built on CFZ land already, except specifically for aged or disability housing, to give the community that information so that they can truly understand the extent to which these issues already exist. We are asking the government to outline clearly whether the 2015 technical amendment has significantly changed the Territory Plan.

There are legitimate concerns from the public that the amendment was not a minor amendment, and the government should explain how the amendment changes the Territory Plan. It would seem that Ms Le Couteur and the Greens together agree, because this morning they put through their own bill to clarify the use of those technical amendments. I am sure Ms Le Couteur and hopefully the Greens as a whole will have no problem in supporting that particular clause, if not the motion as a whole.

We are asking the government to provide to the Assembly a definition of social housing and supportive housing and outline where in legislation these definitions appear. I have already picked several of them from various government websites and the legislation register but there are a range of definitions that appear, and I think it should be quite clear to the community whether the government in a legal sense believes that supportive housing is an umbrella term that includes social housing, or vice versa. I think it is only fair that the community is allowed to know what the government believes is the case.

We are asking the government to explain to ACT residents why CFZ land is being used for residential purposes when community facility zoned land is quite clearly intended for things like places of worship, recreational facilities, childcare centres, libraries and green spaces, to name a few. It is not intended for industrial or residential uses. Quite clearly many people want to understand why this land is being used rather than residential zoned land.

The government has done a poor job of consulting the community so far on this issue. Other speakers this morning, including Ms Le Couteur and Mrs Jones, have already spoken to that point about the lack of consultation and the loss of community faith, if you like, in the process the government has undertaken. It is time that the government answered to the people of Canberra about this community facility zoned land that is about to become housing.

The motion calls on the government to explain to the Assembly and the wider community why residents are losing access to land that was intended to provide them with suburban community facilities. The government have not stated the rationale for that. They are trying to make this more about public housing than the loss of community facility land, whereas in reality the loss of community facility land will impact just as much on new residents moving into the area, whether they are in public housing or not. They will no longer have access to that land that was zoned for community use. It is not only existing residents who are disenfranchised in this regard, it is the new residents moving in who will not have access to the same facilities.

We are asking the government to provide to the Assembly a list outlining all community facility zoned land that is currently being considered for public housing developments in the future. The freedom of information request that I received copies of last week shows a number of lines in the table that have been redacted or blacked out. This implies that there are many other areas throughout Canberra that are being considered for public housing as well, and I think that members of the public would like to understand whether this is being considered in their suburb as well so that they can think about the ramifications of losing access to what they believed was going to be a community facility such as a childcare centre, a place of worship, a library, a green space or an indoor recreational facility and that will no longer be the case.

We are asking the government to report back to the Assembly on these matters by the first sitting day of June 2017. (*Time expired.*)

**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) (11.05): The motion put forward by Ms Lawder and her recent public comments indicate that she may be confused about the development of community facility zoned land, CFZ land, particularly for supportive housing. In response to this, I wish to take the opportunity to clarify a few things. I would like to clarify what types of development are and are not permitted on CFZ land. I would also like to clarify when a technical amendment can be used to change the Territory Plan, including which types of technical amendments require community consultation. I have circulated an amendment to Ms Lawder’s motion that clarifies some of this, and I now move that amendment:

Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) the objective of Community Facilities Zone (CFZ) land is to:
  - (i) facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families and communities;
  - (ii) provide accessible sites for civic life and allow community organisations to meet the needs of the Territory’s various forms of community;
  - (iii) protect these social and community uses from competition from other uses;
  - (iv) enable the efficient use of land through facilitating the co-location, and multi-use of community facilities, generally near public transport routes and convenience services appropriate to the use;
  - (v) encourage adaptable and affordable housing for persons in need of residential support or care; and
  - (vi) safeguard the amenity of surrounding residential areas against unacceptable adverse impacts including from traffic, parking, noise or loss of privacy;
- (b) in 2005 an Assembly Committee inquiry recommended the change to the definition of CFZ land to include ‘supportive housing’, for the aged and people with disability;
- (c) a technical amendment to clarify ‘social housing’ as a common term was notified on the Legislation Register in December 2015. The technical amendment underwent public notification for 20 working days. There were two submissions as a result of the public notification, neither submission related to the clarification of ‘social housing’;

- (d) the Planning and Development Act allows a variation to clarify the language in the Territory Plan if it does not change the substance of the Territory Plan to be made with a technical amendment;
  - (e) the ACT Government is undertaking a major program of renewal to replace some of the Territory's oldest multi-unit public housing properties and has committed \$550 million to this project;
  - (f) to date, 388 homes have been delivered to Housing ACT through the renewal program located across the ACT in suburbs including Chisholm, Monash, Coombs, Moncrieff, Denman Prospect and Amaroo, and include a mix of detached houses, townhouses and small apartment complexes;
  - (g) as part of ongoing conversations with the community, the Public Housing Renewal Taskforce has met with almost 300 residents from across a number of suburbs and continues to engage with communities on the current sites; and
  - (h) based on ABS data used by the HIA and other industry groups, the program should result in the creation of an additional 1435 jobs in direct construction, 1115 in the wider construction industry and 3340 jobs across the ACT economy over that period; and
- (2) calls on the ACT Government to:
- (a) list any instances where public or social housing has been built on CFZ land (except where specifically for aged or disability housing);
  - (b) outline clearly whether the 2015 technical amendment has significantly changed the Territory Plan;
  - (c) provide a definition of 'social housing' and 'supportive housing' to the Assembly, and outline where in legislation these definitions appear;
  - (d) explain to ACT residents why CFZ land is being used for supported or 'social housing';
  - (e) outline why public housing is important for the ACT community's overall economic and social well-being, and how it assists Canberrans on low incomes to reach their potential, to make a contribution and to share the benefits of our community; and
  - (f) report back to the Assembly on these matters by the first sitting day in June 2017."

As Ms Lawder notes in her motion, the first objective of the CFZ zone is to facilitate social sustainability and inclusion through providing accessible sites for key government and non-government facilities and services for individuals, families and communities. Another objective of the CFZ zone is to encourage adaptable and affordable housing for persons in need of residential support or care.

The development tables in the Territory Plan specify what uses are permitted in a particular zone and what uses are prohibited. Permitted uses in the community facilities zone include childcare centres, community activity centres and education establishments. Equally permitted are residential care accommodation, supportive housing and retirement villages. These uses are all permitted if they meet the Territory Plan definition of that use.

The development tables also specify that uses such as boarding houses, multi-unit housing and single-dwelling housing are prohibited in the community facilities zone. Also prohibited are many commercial uses, as well as industrial uses. Some suburb precinct codes also specify some uses that are usually permitted as being prohibited on certain blocks.

This ensures that not every block of CFZ land is used for the same purpose. Ms Lawder is not correct in implying that social housing can or will be provided on every bit of CFZ land across the ACT. CFZ land is used, as its name and objectives set out, for a range of purposes that benefit the community.

I would like to clarify what type of development constitutes “supportive housing”. The Territory Plan definition of supportive housing is:

... the use of land for residential accommodation for persons in need of support, which is managed by a Territory approved organisation that provides a range of support services such as counselling, domestic assistance and personal care for residents as required. Although such services must be able to be delivered on site, management and preparation may be carried out on site or elsewhere. Housing may be provided in the form of self-contained *dwelling*s. The term does not include a *retirement village* or student accommodation.

Common terminology for supportive housing includes aged persons units, community housing and social housing. Public housing is a type of social housing, and therefore supportive housing. This definition has been in place since 2003, except for a change made in 2011 with variation 302 to specify that the term does not include retirement village or student accommodation.

To be clear, social housing, such as public housing, is only permitted in the CFZ zone if it meets the Territory Plan definition of supportive housing. The same applies to retirement village or residential care accommodation. These uses are only permitted in the CFZ zone if they meet the relevant definition in the Territory Plan. If any of these forms of development are determined to be multi-unit housing and not supportive housing, retirement village or residential care accommodation, they are not permitted on community facility zoned sites.

In the case of the current public housing proposals, the developments meet the Territory Plan definition of supportive housing because (1) they are for residential accommodation; (2) they are for persons in need of support; (3) the support is managed by a territory-approved organisation; (4) the support can be provided on or off site; and (5) they are not retirement villages or student accommodation.

The dwellings will be allocated under the Housing Assistance Act 2007 to eligible public housing tenants who are assessed as having support needs that cannot be met by the private rental market. Support services such as counselling, financial literacy, domestic assistance and personal care will be delivered both on and off the site depending on the needs of the tenants as identified in their individual support plan. The current proposals provide benefit to the community. They meet the objectives of the CFZ zone, they facilitate social sustainability and inclusion and they encourage adaptable and affordable housing.

I would now like to provide a brief explanation of technical amendments to the Territory Plan, including when they can be used and when consultation is required.

The Territory Plan provides the policy framework for the administration of planning in the ACT. The statutory requirements for how the Territory Plan is changed are set out in part 5 of the Planning and Development Act. These requirements include those for technical amendments which are minor changes to the Territory Plan. They include clerical, routine, language, technical, operational and other minor policy updates.

Proposals for technical amendments must satisfy the requirements of the Planning and Development Act. If a proposal does not meet the requirements, a full Territory Plan variation is required. Technical amendments to the Territory Plan are not required to be referred to the Legislative Assembly, although they must be notified on the legislation register.

Technical amendments to the Territory Plan broadly are grouped into two categories under the Planning and Development Act. The first is the administrative technical amendments that do not require public consultation. The second is substantive technical amendments that can involve relatively minor policy change and require a minimum of 20 days of public consultation. There are currently five types of administrative technical amendments: (1) the correction of errors; (2) zone or overlay boundary changes if the change is in accordance with the original intent of the boundary line and the affected property is unleased territory land; (3) the removal of a future urban area overlay, FUA overlay, once an estate development plan has been approved; (4) bringing the Territory Plan into line with the National Capital Plan; and (5) removal of redundant provisions. An example of a boundary change would be amending the boundary of a nature reserve to align with a property boundary or fence line if the reserve boundary did not already follow this line.

Given the number of greenfield estates being developed in the ACT, one of the most common types of technical amendment is the removal of the FUA overlay once an estate development plan has been approved. Before this time, the zoning applicable to the site is indicative only, but it is “locked in” once the FUA overlay is removed.

There are six types of substantive technical amendments: (1) code variations that are consistent with the policy purpose and policy framework of the code; (2) zone boundary changes where development encroaches onto adjoining territory land; (3)

rezoning within an FUA if it is consistent with the structure plan; (4) changes to a precinct code and/or map to include provisions that were determined in the estate development plan assessment as needing to be ongoing; (5) clarification of the language of the Territory Plan; and (6) relocation provisions within the Territory Plan.

Substantive technical amendments are usually used to make the provisions in the Territory Plan clearer or to clarify what the policy intent was. They are typically initiated in response to a request from the community, industry or development assessment officers to clarify what is meant by a particular provision. Clarification technical amendments can be used to adjust development tables and definitions if the current wording is not consistent or clear enough.

The technical amendment to introduce “social housing” was to clarify what was already permitted in the Territory Plan. It did not extend the definition. It did not change the Territory Plan in its objectives, nor did it increase the range of uses permitted on CFZ land. The technical amendment was undertaken not to sneak through public housing but, rather, to clarify that social housing is considered to be a form of supportive housing and therefore permitted in the CFZ zone.

The public housing renewal program is critically important for the ACT. Public housing assists Canberrans on low incomes to reach their potential, to make a contribution to and to share the benefits of our community. New public housing will be better designed, more energy efficient and less costly to operate and maintain than existing housing. Creating a greater choice of housing across the city makes it easier for people to age in place in their community.

To conclude, I would like to reiterate what I have said today. Community facility zoned land provides opportunities for various public and privately owned developments that benefit the community. This includes public housing where it is provided as supportive housing. The objectives of the community facility zone encourage adaptable and affordable housing for persons in need of residential support and care.

The technical amendment undertaken in 2015 did not significantly change the Territory Plan. It merely clarified that social housing is a common form of supportive housing and did not make any change to the definition itself. I trust that the information that I have provided today helps to remove any remaining confusion regarding this matter.

**MR HANSON** (Murrumbidgee) (11.16): I have already spoken extensively with regard to the tabling of the petitions, and Ms Lawder has outlined the case very well. I will deal specifically with the amendment and a proposal I have to send this matter to a committee.

Mr Gentleman has moved an amendment. Substantially, it makes a number of the same points that Ms Lawder is looking for, but the critical issue is that it does not stop this from happening. Yes, there will be information provided and there will be a discussion but, fundamentally, the point that Ms Lawder has made, that this not proceed, has been removed. Obviously, that is problematic for the opposition.

There is a lot of consternation about this. This has caused significant debate within the Assembly and significant debate within the community. As I noted when I spoke on the petitions, there are a lot of people in the community who are very concerned about what is happening to their community zoned land. I note also that community councils, Weston Creek and Woden, are equally concerned about what is happening with community zoned land. And as this program is rolled out further, as has been indicated to us in the FOI documents, I have no doubt that more residents across Canberra and more community councils will become engaged in this debate and be concerned about what is happening on our community zoned land.

Ms Lawder and others have outlined genuine concerns. Ms Le Couteur has just tabled a bill about the issue, about technical amendments. It is very clear that the government has been sneaky in amending the Territory Plan to now allow basically anything to be built on community zoned land. I do not think there is anybody other than the Labor Party, who are desperate to ram this through now, who does not acknowledge that there was a flawed technical amendment process—Ms Le Couteur acknowledges that—and that community zoned land needs to be considered very carefully before we see, not just in these sites but all across Canberra, big residential blocks being built on community land.

I have circulated an amendment to Mr Gentleman's amendment to Ms Lawder's motion. It does not change what Mr Gentleman said. It does not delete anything. All I have suggested, what I am calling for and what I think is reasonable, is that it calls on the Assembly:

... to refer the use of CFZ land to the Planning and Urban Renewal Committee for inquiry and report back to the Assembly prior to any development application being approved ... by the ACT Government.

There is a furore going on in this place and in the community. Let us press pause and have a look at this as Assembly members. I hear from those opposite in the Greens and in the Labor Party that we need to make better use of committees, that that is the venue where we should look at issues like this, that we should have a considered look, allow people to put in submissions and allow for public hearings so that the community can have its say. This committee, as I understand, has a Green member, two Liberal members and two Labor members, so it is not stacked in the Liberals' favour. It can go to the committee. I am not saying that this should drag out for a couple of years; the committee can determine how long this would take. What we say is, "Let's not sign off on any of this until we as members, the leaders of our community, acknowledge the significant concern that is in our community and say, 'Let's do this in committee. Let's look at it. Let's make a decision about what is going to happen.'" This is not just about these five sites; this is about the entire use of CFZ land.

I have heard Ms Le Couteur raise concerns about this. I have heard others raise concerns about this. I have heard the community raise concerns about this. I have heard numerous times in this place, as we all have, that the place to look at these sorts

of issues is in committee. Let us simmer this down and settle this down. Let us do our jobs here as parliamentarians and refer it to a committee. Let us do our jobs, members. Instead of ramming this through, riding roughshod over the community, let us do our jobs in committee and in the Assembly, and refer this for inquiry and report back.

My amendment says “prior to any development application being approved”. After some discussion with the Greens, I removed the words “development application being submitted”, so it allows a process to continue in terms of concurrent activity. I do not support that process, but I am trying to get this up. This is about saying, “Get together with Liberals, Labor and Greens to acknowledge the concerns of the community and refer it to a committee where we can do our jobs properly.” It removes the politics from this process as much as we can.

I will move my amendments to Mr Gentleman’s motion shortly, but I implore you, members, to acknowledge the concerns of the community. I implore you to acknowledge the fact that this is the community’s land and that the decisions we make here today will affect the use of the community’s land forever. Once this precedent is set, we are going to see the community’s land being built on with residential blocks forever. That will be on the heads of us in this place, particularly anyone who votes against it today. I implore you to use the mechanisms of this Assembly, principally the committee that has been established to look at exactly these things.

I move:

“(3) calls on the Assembly to refer the use of CFZ land to the Planning and Urban Renewal Committee for inquiry and report back to the Assembly prior to any development application being approved on CFZ land by the ACT Government.”.

**MS LE COUTEUR** (Murrumbidgee) (11.24): I will start by commenting on Mr Hanson’s amendment and I thank him for the brief discussion on it. In principle, the idea of the planning committee talking about CFZ zones has to be a good one. However, as chair and as a member of the planning committee, I make the comment that we already have two inquiries on the boil.

**Mr Hanson:** You are too busy, are you? Is that your answer—you are too busy?

**MS LE COUTEUR:** I am not really sure of the time line in which we could report. One of our inquiries is not planned to finish until October next year. I am seriously concerned about the practicalities of doing this.

*Opposition members interjecting—*

**Mr Gentleman:** On a point of order, Madam Assistant Speaker, most of the debate around this was heard in silence. Everybody had an opportunity, particularly Ms Lawder when speaking to her motion. Now Ms Le Couteur is speaking and the opposition are interjecting across the chamber.

**MADAM ASSISTANT SPEAKER** (Ms Cody): Thank you, Mr Gentleman.

**Mrs Dunne:** On the point of order, I was not interjecting; I was having a conversation with Mr Hanson. But I do note that it may have been a little on the loud side.

**MADAM ASSISTANT SPEAKER:** It was on the loud side and Mr Hanson was objecting quite loudly. Ms Le Couteur.

**MS LE COUTEUR:** Thank you, Madam Assistant Speaker, for that support. I am not against this in principle. I just cannot see in practice how this is anything other than another way of saying we are going to stop these developments happening.

**Mrs Jones:** Well, stop them for five minutes.

**MS LE COUTEUR:** I know I should not answer interjections, but the reality is that if we are going to do an inquiry that makes sense, it is not for five minutes. To illustrate that statement, I refer members to a committee inquiry which happened in a previous Assembly that my colleague Mr Rattenbury was on. It dealt quite extensively with CFZ zones. It was around community land and clubs and there was a lot of discussion about it. It was about the future of clubs in the ACT. As they pointed out, a lot of clubs were looking for de-concessionalisation and putting in development applications. There were big issues with windfall profits and the loss of community facilities, halls, open spaces and sporting facilities, particularly in the inner north and inner south where development pressure is greatest, because these are facilities that are most valuable to the community as urban development intensifies.

One amendment, which may have been Mr Rattenbury's—I do not think it was supported by all members—was that the government should identify any group centres across Canberra that do not currently have any community zoned land, consult with the community clubs in the area and then propose a variation of the Territory Plan to insert community zoned areas in centres that are currently without any.

One recommendation, which I am told was in fact agreed by all three parties, was that there be no net loss of land zoned in the ACT Territory Plan as CFZ and, in the case of a proposed rezoning of community land to another land use zone, an equivalent community land offset should be designated elsewhere, ensuring equitable spread of community facilities across the ACT.

The Greens' position is that it would be a very worthy inquiry, but getting it done in a time frame which is relevant to the existing issues is impossible. There was already an inquiry in the last Assembly which went through quite a number of the community facility issues. I think it is regrettable that that was not better finalised. It would probably be very useful if the planning committee wished to consider its workload and perhaps decided that this potential inquiry has a higher priority than some other inquiries. I am concerned that in this instance Mr Hanson's motivation is not so much about better consultation but ensuring that current public housing is stopped.

**MR STEEL (Murrumbidgee) (11.29):** I want to start my speech with a discussion about values. ACT Labor and our government will always believe in ensuring that the

most vulnerable people in our society are looked after. Part of living in an egalitarian city means ensuring that our most vulnerable people are supported. It is the measure of our community and what makes Canberra such a great place to live.

As a Labor candidate last year, one of the reasons I stood for election was to ensure that our most vulnerable people get the support they need. That is why now, as a Labor member of this place, I also support the government's public housing renewal plan and the proposed investment in developments in my electorate to build quality adaptive housing for existing public housing tenants on community facility zone land.

One of the ACT government's most important roles is to provide people with a roof over their head when they and their children cannot afford the private market. It is the first step in tackling any further aspects of disadvantage. That is why public housing and affordable housing are so important.

The ACT has always had a significant level of public housing as part of our housing mix. We were a city built on the back of our public housing stock. The salt and pepper approach to public housing in the ACT has meant that there are small pockets of collocated housing in almost all suburbs, although Wright, up to now, has been an exception, but for one property.

The supportive housing proposed by the government's Public Housing Renewal Taskforce will be built on parts of community facility zoned land, which is consistent with the permitted uses in the Territory Plan. The Public Housing Renewal Taskforce plans to subdivide some sites to ensure the remnant portion is of a useful size and shape for future use. The remaining portion of those sites will be retained for other community facility use in the future.

The community facility zoning covers a broad range of uses, including supportive housing. I note that other zones in the Territory Plan also cover a broad range of uses to make sure that our planning policies are flexible. The use of undeveloped sites in established areas provides an opportunity to further integrate public housing into established communities.

Supportive housing is residential accommodation for those in need of support, where the support is managed by a territory-approved organisation. The tenants will be carefully selected by Housing ACT, with assistance from community service organisations, on the basis of their suitability for this type of development in these areas and they will have ongoing support.

The small medium density developments proposed by the government are a world away from the unsustainable, high density concentrations of disadvantage along Northbourne Avenue. The Northbourne flats, in particular, have been hard to let to Housing ACT tenants for years, with many remaining empty because they are inappropriate, particularly for families, with many of them one-bedroom apartments. The public housing on Northbourne has reached the end of its useful life. The flats are simply unsuitable for residents. That is why I am very supportive of the redevelopment of these flats with residents moving to new, better quality homes throughout our city.

Already, as the minister for housing has mentioned, nearly 180 replacement homes have been located in suburbs close to Northbourne Avenue with more being spread throughout our city. This is consistent with our strategy which has been in place for years. The ACT government's public housing asset management strategy 2012-2017 had the goal of reducing concentrations of disadvantage through public housing redevelopment and aligning housing with changing social structures and tenant needs. Indeed, I believe this goal was in previous plans. Principle 1 of the 2012 strategy states:

The larger concentrations of public housing will be progressively redeveloped ensuring the stock is well located across the city, and in areas with good access to public transport, employment, education and services.

I read again from the 2012 document:

The Government will undertake a rolling program to dispose of poorly performing Multi Unit Properties (MUP), optimising the return of public housing units on the development site and in other developments, with the aim of:

reducing concentrations of disadvantage.

In the section marked "dwelling location":

The utilisation of undeveloped land throughout the older suburbs has also proved to be an effective strategy for the renewal of public housing stock.

For years we have pursued this goal, well before light rail. Members here may remember that this was successfully achieved in the past with the demolition of unsuitable, high density flats at Burnie Court in Lyons, and we have done so at other locations in the inner north and inner south. I quote again from our long-term strategy:

The success of the Economic Stimulus Package can in part be attributed to the utilisation of community facility sites in the suburbs of Bonython, Chapman, Conder, Curtin, Florey, Macquarie, Kambah and Rivett.

So this is not the first time that tenants have been moved into more suitable, lower density and better quality accommodation utilising community facility zoned land. In fact, as at 24 April 2017, there are now 342 public housing dwellings already constructed on community facility zoned land in the ACT. The task force has already completed construction on two sites in Chisholm and Monash, and construction is underway on a third site in Nicholls on the north side.

I want to speak directly to the Chapman and Kambah adaptive public housing developments which were built under the economic stimulus package by the ACT government. These were very similar in size to the current proposals and were also built on community facility zoned land, as I mentioned.

While these were just as controversial at the time in the community, the final result of these developments has proved the success of the supportive housing model on community facility zoned land. I doorknocked these housing communities during the election last year and asked the residents how they found living there. Overwhelmingly it was positive and the people were welcoming and friendly. I doorknocked the Chapman houses. I did not even know it was public housing initially because the quality of the housing was so high and it fitted in so well with the neighbouring community.

While I support more public housing on the south side, I also support genuine consultation taking place with the community. In the past, constructive consultation on public housing has led to some great outcomes in Kambah, Chapman and Greenway. For example, in Kambah, on the former Mount Neighbour school site, a community room and garden were developed to support the group activities of the residents. This is the sort of great outcome that can be achieved.

In this case the ACT government has assessed the suitability of the sites for supportive housing and has gone out to consult with the community on the form of the developments before any development application has been lodged. This feedback will be used to help shape the final form of any future developments.

My Labor colleague Bec Cody MLA, Minister Berry and I have all been meeting with community groups in Weston Creek, as has the task force. We are getting positive suggestions and feedback on the form of the development to best integrate with the existing suburbs while also enhancing community spaces. I hope that a respectful dialogue with the community through the consultation both improves the form of the developments and also builds a better understanding in the community about the needs and aspirations of public housing tenants.

I am very pleased to say that the large majority of all correspondence that I have received, as well as interactions at mobile offices and the like, has been fully supportive of public housing and the tenants. Many provide suggestions on how to best integrate the developments with our existing suburbs, but all acknowledge the need for greater public housing in our city and affirm their support.

However, the Liberals are seeking to paint all of these people as opponents to providing public housing in our city. This is simply not the case. By attempting to move the debate from a constructive one about the form of the development to one about the merits of public housing full stop, the Liberals are doing a disservice to the communities of Tuggeranong, Weston Creek, Woden and the Molonglo Valley.

It is a shame that the Canberra Liberals are attempting to co-opt the reasonable feedback made by residents on the form of the developments into their own anti-public housing campaign. Let us not forget where their values sit. The last time they were in government they cut 1,000 dwellings from our public housing stock. Unfortunately, today with this motion they seem to be stepping away from a long-held

bipartisan commitment to our public housing strategy, including reducing concentrations of disadvantage by spreading our public housing throughout Canberra, utilising land that is zoned for this purpose.

I encourage all Canberrans to support public housing tenants, because they are people. As our neighbours, they deserve to have quality shelter in a supportive community, sometimes even next door to us. I cannot support this motion because it does nothing to ensure that our most vulnerable can have a decent roof over their heads. It does nothing to improve the egalitarian city that we live in and just seeks to divide our community based on the type of house that people live in.

**MRS JONES** (Murrumbidgee) (11.39): That was an interesting little exercise from Mr Steel about the views that people have of what the Liberals do. He has gone from completely agreeing with our position, essentially, to turning it into some sort of political attack.

Ms Berry is smart enough to know that, with respect to the Liberals, some people in this place have spent their whole careers looking after people's housing needs, and we are absolutely in support of public housing. But that does not mean that we can never come into this place and have a discussion about how a majority government conduct their business. There is no reason why we should not come into this place and discuss the methodology that is being used.

Interestingly enough, the Greens, who like to come in here and lecture us about proper parliamentary process and how important committees are, because they know that committees can go into depth on things, are using this excuse: "I'm sorry, my committee is a bit busy to deal with the matter." It is a matter that has so exercised the community that this morning we had four very significant petitions submitted to this place. The matters will be dealt with by the committee, and I hope that Ms Le Couteur's statements do not mean that it will be pushed down the line and not dealt with in an appropriate way by that committee, on which she sits.

This motion is the result of a decision by the government, and their oversight regarding community consultation. Just because public housing has already been built on CFZ land does not mean that it is what the community would like. If facilities have been built and they are functioning, that is fine. But it does not mean that local residents should not have a say or have their opinion heard if they do not agree. That is what this place is for. That is what democracy is meant to be about. It is not about lining up with a team and saying, "Whatever the team wants, I will support, because it's the team and the team's good and everyone else is bad."

We should be able to come into this place and say that there is clearly an amount of disaffection with decisions that have been made at the cabinet level; consultation was not held beforehand, and the community has a right to have a view. People in Weston, Woden, Holder, in the new Molonglo and down in Woden, as I say, are not stupid. They are not without a heart and they are not unreasonable members of the community. And I do not approve of them being characterised as such.

With respect to the rules that have been changed and the goalposts that have been moved to allow this to occur, I think we can now see they have not been well understood by the community. Changes were made and the community was not aware of them. Mr Gentleman came in here and said, “Because technically we are allowed now to do this, it should go ahead.” That is not actually good enough. If you come up against significant disagreement in the community, you should not then say, “We’ve got the rules, we’ve got the numbers. We control the parliament, so we can do whatever we like; and at any rate we’ve changed the rules plenty of times beforehand, even though people generally weren’t aware of it.”

Certainly, the LDA were not promoting that when they were selling blocks in new Molonglo to the residents of Wright, who scrimped and saved to buy a block and to build a house that they might live in for the next 10 or 20 years, opposite what they thought would be community facilities, and which now is just going to be more residential, essentially.

The government should not question the intelligence of the people of Canberra and show a lack of respect for the electorate. Majority government comes with its dangers—don’t we know it? People talked about the dangers that the Howard government faced when it controlled both the lower and upper houses. We can all say that there were unfortunate consequences of that. This government has had full control of this chamber for a very long time, and perhaps a certain element of hubris and arrogance has crept in. “We can do it because we’ve got the numbers.”

It is perfectly reasonable that residents of Chapman, Holder, Wright and Mawson are distressed about the way that the development has been announced. They trusted the government that community facility zoned land was what it sounded like, and that it was for facilities that the whole community could use: community facilities such as a scout hall, a place of worship or a childcare centre. Residents of Wright have every reason to be shocked and disappointed when they are informed that the only block in their suburb set aside for community facilities will be more than three-quarters used up on medium density housing in an already very population-dense suburb.

I am watching this government not respond properly to the perfectly legitimate arguments against the proposed sites, in a way which affords no social justice to local residents and little social justice to those who will move in if the plans are just pushed through and continued. Instead, to accuse those against the proposal of being nimbies, which seems to be the preferred mechanism that the Chief Minister has used of late about anybody who does not like a proposed development, means that the only view of development in Canberra that is acceptable is that of the government. Isn’t this a democracy? Isn’t this meant to be where the people have some say on what happens?

I oppose the name calling or any insinuation that local residents are haters, which is simply untrue. I know Ms Berry is smart enough to know that that is the case. Locals distressed by these decisions are not nimbies. They do not dislike housing tenants. They are good people and they want just outcomes. But they have as much of a right to just outcomes as anybody else. I have not heard a single person fighting against

public housing. In fact previous salt and peppering of public housing means that almost every resident I know in Weston Creek already lives next door to or two doors down from a public housing tenant, and there are no problems with that.

It does not mean that there is never any work for us to do regarding any community coming together or assistance. Of course, we do that. In the house that I lived in before my current one, I had a St Vincent de Paul house on one side and a government house on the other. We were involved in those people's lives, sometimes for their own benefit, and they were sometimes grateful. That is what I would do with any neighbour, and with neighbours who live in houses that they own as well. I have done that as well.

As I have said many times in this place, knowing your neighbours, who they are and how they are going is the key to social capacity, it is the key to social cohesion and it is the key to a great city. It is not about government schemes or people in this place lecturing others about who they should or should not welcome or how they should behave. If individual residents take it upon themselves to know how their neighbours are going, this city is a better place for that. I know it happens all the time now. It has happened to me when I have moved into new houses, and I think it is very important.

Weston Creek residents are good people. After the 2003 bushfires, which we will discuss later today in this place, the people of Weston Creek showed how good they were. There was nobody with a blanket left in the cupboard at the end of that process. There are people in Weston Creek and on the western fringe still walking around suffering from post-traumatic stress disorder from that event. There are people who are still suffering anxiety from that. One lady who lives in Percy Crescent in Chapman said to me that every summer she packs a bag in case a fire comes. She probably feels she does not have a lot of choice about her housing to some extent because she has invested her money there and that is where she lives. She probably does not have the capacity to move at a later stage in life, once her income has more or less shrunk. So there are many who are still suffering.

I can understand that the minister does not want a debate that labels tenants as problematic, and I agree with that. But there must still be a way to debate the substance of the matter, which is whether these blocks are appropriate for this or not. I am sure there are other blocks. Many people have come to me and said, "Why don't we buy back Mr Fluffy blocks and put dual occupancies on them?" I know that is an expensive suggestion, but it shows how keen the community is to have these people housed in their own neighbourhood. Everywhere, all over Weston Creek, there are Mr Fluffy blocks. The government actually owns them at a point in time. I know they have to recoup the money that has been lent from the federal government for that project. I understand that might be impossible, but the fact that locals are saying that to me shows how keen they are to see these people in every street in Weston Creek, Woden and new Molonglo.

Therefore it is a worthy debate to discuss what CFZ land should be used for, and how that is communicated to the community. I suspect there is a better understanding of it now than there was a few weeks ago. The use of this land has clearly moved well

outside the expectations of the community and that, in and of itself, should be addressed by the government. The community is clearly saying that the redefinitions have gone too far, and that it has well and truly gone beyond their expectations. Perhaps they should have been renamed from community facility zoned land to whatever zoning the government needs in order to build on land. If that is what it is then rename it. Be honest; do not keep calling it community facilities land when it is not something that the whole community can use. I support the motion and the amendment from Mr Hanson.

**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) (11.49): Thanks very much for the chance to speak on this motion and the amendment. I will pretty much stick to public housing because that is what I come to in this conversation.

Of course, we have all been talking a lot about how important public housing renewal is in the ACT, for this government and for the broader community. The renewal program is a reflection of this government's values, and it is important that this government demonstrate our commitment to maintaining and promoting the inclusive nature of our city. The proposals which I recently announced for six public housing sites across Canberra, in Wright, Holder, Chapman, Mawson and Monash, are just one part of this program of renewal. These sites are consistent with our objectives of spreading public housing more evenly throughout this city. We are providing a mix of public housing types in a range of locations to support tenants from all walks of life to meet their different needs.

These six sites are not the first instances of public housing being developed on community facility zoned land. The public housing renewal task force developments in Monash, Chisholm and Nicholls are located on community facility zoned land, and Housing ACT already has more than 300 supportive housing properties in their portfolio on community facility zoned sites.

Public housing is supportive housing. It serves a purpose for our entire community. Community facility zoning is about social sustainability and inclusion. By using some community facility zoned land for public housing, we are providing support to those who need it, and we are complying with the requirements of the Territory Plan.

The ACT government is also building and purchasing replacement housing on other sites throughout the city, in both new and established suburbs, on residentially zoned land and on community facility zoned land, from Gungahlin all the way over to Tuggeranong. We are securing nearly 180 replacement homes in suburbs close to Northbourne Avenue and more than 400 homes have been delivered to Housing ACT through this program.

I cannot emphasise enough how significant and important the renewal program is for our community and our public housing tenants. The improved quality of the new homes constructed through this renewal program makes a major difference to the lives

of tenants. I have heard stories from tenants who have felt that this has given them a new lease of life, tenants who have been glad that they could stay in an area where they had connections, tenants who have been given a great boost in confidence by moving into a home that they can be proud of, and tenants who have been happy to move into an area that is closer to their home or their work.

The modern amenities design and minimum six-star energy efficiency ratings of these new homes make a major difference for the tenants who are relocating, helping to reduce heating and cooling costs. Builders have also been impressed by the quality of the homes. A number of the builders involved in the program have informally advised the public housing renewal task force that they now believe that the quality of the construction is higher than what can be found in the private sector.

The impact of this program on the ACT's development industry is significant. We are setting expectations about quality amongst the builders who have been involved, and we have established processes to give the private market opportunities to assist with the supply of replacement housing. We are improving awareness and understanding amongst the construction industry about the requirements for livable and adaptable housing, and the program has also resulted in the creation of hundreds of jobs. We have heard from builders and their subcontractors who have been able to employ more apprentices, and from developers who have been able to get other projects off the ground.

The construction of new public housing properties on sites throughout Canberra supports us in delivering these benefits to the ACT economy, as well as providing choice for public housing tenants. Tenants have aims and hopes for a good life, and in many cases these can be found in the security of a safe home that meets their needs. The proposals that have recently been announced support our delivery of low density public housing that is a mix of free-standing homes, small groups of townhouses, units and compact homes.

These groups are far smaller than the existing concentrations of public housing where, in some cases, there are hundreds of dwellings in clustered and single complexes. The design and layout of these proposals is something that we are keen to work on with the community. The consultation sessions held last month were well attended, with hundreds of people coming along to hear about the proposals and provide their feedback. There have since been many more meetings with local residents and community groups, including some which I have hosted, as well as with members of the Assembly.

The government has received hundreds of pieces of written feedback, and we are working through all of those to provide a response and information for the community. The conversation with the community is ongoing, and over coming weeks these community groups and representatives of the community councils will be meeting with the public housing renewal task force to continue these discussions.

Public housing is critically important for our community, and the new homes constructed as part of this program, including those on community facility zoned land, will be allocated to eligible tenants who have housing and support needs that cannot

be met by the private rental market. A multidisciplinary team assesses the support needs of individual tenants and those who are relocating as part of the renewal program, and there is a range of community agencies helping them during their move to a new community.

Housing ACT also conducts regular visits to public housing properties to help tenants establish and maintain effective and sustainable tenancies. We are improving the quality of homes and the range of locations available for Canberrans on low incomes, and we will continue to deliver our commitments to public housing in the ACT.

I want to comment on what the Canberra Liberals are proposing in their amendment. The Canberra Liberals are calling on the ACT government, particularly at paragraph (2)(a) of this motion, to “cease development or construction of any new social or public housing on CFZ land, except where specifically for aged or disability housing”. That completely cuts out—

**Mrs Jones:** It is in the original motion.

**MS BERRY:** Sorry; it is in the original motion. It completely cuts out housing for a whole group of people who desperately need the support of our community. That would mean no housing for women and children escaping domestic and family violence, no housing for young people who have nowhere else to go, and no housing for people who might be living with a mental health issue where other private rental could not possibly accommodate them. We could not possibly agree to anything that would discount housing for people who most need it.

The ACT government is in an interesting situation where we find ourselves often in an unwinnable position. On the one hand we are criticised for having the highest level of homelessness in the ACT, even though it is only slightly above the national average of about two people per thousand. On the other hand, when we talk about ways to try to address that and support people into better and newer housing that meets their needs, we come up against these kinds of blockages. We want to try to find a way through it by reaching a consensus with the community.

The government is asking, in existing communities with community facilities land, to use a small piece of that land to build public housing for people who most need it. We are asking existing communities to include these people in their communities, share this small piece of land, and give these people a chance to have a decent and fulfilling life within their suburbs. We want to continue to have that conversation with communities. The ACT government, Housing ACT and the task force hope that the community groups and associations will continue to talk to us about outcomes that can meet the needs of existing communities as well as the needs of our public housing tenants, and build stronger and more inclusive communities in the ACT.

**MS CODY** (Murrumbidgee) (11.59): Thank you to all my colleagues who have spoken on Ms Lawder’s motion, the amendment and then Mr Hanson’s amendment. I am a product of public housing, and that is something I hold very dear. Every conversation I have had with the public housing tenants has been very emotional for me as well as for them. I feel their emotion, I feel their fears and I feel their concerns.

As Mr Steel quite rightly talked about, we have been meeting with the members of these communities and meeting with them as often and as openly as we possibly can. We have had some fabulous and very productive meetings, and we have talked about some wonderful opportunities that could come with the development of public housing on the community facility zoned land.

I want to talk a little bit about me and my public housing upbringing because hopefully it will mean something to some of our residents who have raised some concerns with the opposition and with me and Mr Steel and Ms Berry. We grew up in a street that was 100 per cent public housing; there were no owned houses. This was in Kambah, and this was not an unusual story in Kambah. It was quite usual that your neighbour, your neighbour's neighbour, your back neighbour, your-six-streets-over neighbour and all the streets in between were 100 per cent public housing.

We made some amazing friendships. We made some wonderful connections and we had those same interactions that Mrs Jones has mentioned as well. We had barbecues of a Saturday afternoon, we had dinners of a Friday night, and we still see a lot of those people that I grew up with. Some still live in public housing around the suburbs in the ACT. Some have moved on to other public houses across Australia and others have managed, with the help of the start of public housing, to buy their own properties, which is wonderful for them, and I could think nothing more.

These suburbs were very humble. They were very normal. There were none of the great big mansions that you see being built in some suburbs today. They were just everyday, ordinary, wonderful family homes.

Mr Steel has already said that in my suburb of Kambah we have a wonderful large public housing development that was completed some years ago. It was built on my primary school, Mount Neighbour primary school, which also raised major concerns with the community, but we got past it. We worked with the community. We built these houses, and the tenants there are wonderful. They enjoy living in their houses. They enjoy the assistance they get and they enjoy the fact that they were given an opportunity to have somewhere to live.

There is also as part of that land a park so that people can still access the green space that was there. This is not out of the realms of possibility in this case, as Minister Berry has mentioned on several occasions. These consultation processes are about looking at how we can support public housing developments on community zoned land and make life hopefully better for some of the most vulnerable members of our community.

As Minister Berry has also said, public housing tenants are just ordinary, everyday, wonderful people like we here in this Assembly are. They can be single mothers, they can be people with a disability, or they can be people who, not necessarily of their own making, have had a misfortune in life where they have just needed a slight extra helping hand to make things better for them. It is really important that we support these people and we give them the opportunity to get their lives together and make

themselves feel worthy with a roof over their heads and so they are able to enjoy living in a wonderful community.

I will say something that could be slightly controversial, that is, the Northbourne flats were something that we as a government have watched, and we let ourselves down by allowing them to be there for as long as they were. They were damp, they were cold and they were not very comfortable for the tenants. We have done something about that. We have finally moved those tenants out and re-homed a lot of them in the suburbs very close to that area. We are now looking to build new houses for these people to have warmth, wonderful facilities and engagement in communities where people are loving and caring and wonderful. It would be a shame if we did not see these housing developments go ahead. There are so many people in our community that rely on them so heavily.

I understand that it is quite distressing to have change in your suburb. As Ms Le Couteur mentioned earlier, some of these suburbs have had these vacant blocks of land since they were established 40 or 50 years ago. We know change can be difficult, and that is why the minister, ACT Housing and the task force have been working with the community on consultations about how we can make the most of these developments to ensure that we are supportive of everyone in our community.

I thank Ms Lawder for raising this matter today. It is really important that we all sit here and have a conversation, calmly, peacefully and in this wonderful chamber that we have all been elected to, to make the lives of our local Canberrans as good as we possibly can. And I thank you for allowing me to say a few words about that.

**MS LE COUTEUR** (Murrumbidgee) (12.06), by leave: I thank members for their indulgence. It seems that with the timing of the various amendments and such that this is the only way I can speak on matters other than Mr Hanson's amendment. Of course, worthy though Mr Hanson's amendment may be, there are other issues to discuss.

This is a really complex issue, and that is why we are talking about it for so long. We are looking at good planning. We have probably fairly adequately canvassed the issues around Territory Plan amendments, but the technical amendments are significant to this tangled tale. I think it is very unfortunate that there has been a whole series of amendments. In fact, on my reading of it, it goes back to 2003 in terms of changes to this part. The definition of "supportive housing" was in variation 200. I think very few of us knew that; I always called it the garden city variation.

Part of that variation said that public housing at that stage was possible in community facility zones, assuming you considered ACT Housing to be an organisation that supports its tenants. But, in practice, it was virtually impossible to build any housing, even aged care, on community facility zones at that time because the relevant code made the proponent demonstrate that the land was not needed for any other community facilities.

The other variations in 2014 and 2015 have been canvassed already in this debate. I think it would have been really helpful if ACTPLA, through the planning minister,

had provided a chronology of the changes to this, which I did on a couple of occasions ask for from the planning minister.

That brings me to my second point: one of the issues with this has clearly been good consultation. As I have said before, residents in the various locations all have legitimate concerns. All of these are areas which have not been built on before. I guess at Holder there are the school and the PANDSI building but, in general, these are areas which have not been built on before and, legitimately or otherwise, the residents did not have any thought that this was going to happen next door to them.

It is quite reasonable for people to be concerned about that level of change, particularly where they have lived next to that land for a long period of time. In the case of the residents of Chapman, some of whom lived through the 2003 bushfires, I am sure they would not wish that experience on their worst neighbour let alone public housing tenants. We have to recognise that there are legitimate concerns that have all been put together, as I said earlier, in a toxic mix here.

I also think it is really important to recognise what I believe is coming from most of us as a shared commitment to public housing throughout Canberra. If I had been in a position to move my amendment it would have said what I believe to be the case: that all three parties represented here and most, if not all, members in this place have expressed through this ongoing debate shared support for public housing. That is probably the most positive thing we can get out of this unfortunate situation.

I respect Ms Lawder's work in bringing forward the technical amendments which we have adequately canvassed. Ms Lawder, of course, has a long background of work in the community sector, particularly in this area. And I have to say that I agreed with almost all that Mrs Jones said in the speech she just gave. However, the motion moved by Ms Lawder has a tone in it that the Greens cannot support. It is a tone that is probably more representative of some other MLAs rather than Ms Lawder, but it is still there. The Greens just cannot support any motion that hints at two classes of public housing tenants: the deserving aged and disabled and the undeserving rest.

The message from some of Ms Lawder's motion is that seniors and disabled people have a right to public housing and the rest should probably be out on the streets because we do not want them living near us. That is why we cannot support Ms Lawder's motion. It is not acceptable to me, and I do not believe it is acceptable to the majority of the Canberra community. I also think it is probably not acceptable even to the majority of the Canberra Liberals. That is our problem with Ms Lawder's motion.

I acknowledge that it has raised some very real issues about technical amendments and also, as we have canvassed, that community facility land is in short supply. It needs to be carefully managed because there are a range of uses. And housing, however "supportive housing" is defined, clearly should not be the only thing that should happen on community facility space. The potential for a committee investigation on this is something that I certainly do not dismiss. In talking about Mr Hanson's amendment, I was referring to major concerns about time and workload.

My concern with Mr Gentleman's amendment is that it really does not acknowledge the considerable issues in this. It is not just a matter of saying, "Yes, there was a technical amendment and, yes, there were only two comments on it so don't worry about it, folks." That is a bit too blasé and positive for this situation. I am very hopeful it will end up being positive for the potential new residents of these suburbs and positive for the community in the long run, but at this stage it is contentious. That is one of the reasons I tabled my bill earlier today; hopefully it will put a halt to any other inappropriate technical amendments until the Assembly has considered my proposed solution. Obviously I will not be moving my amendment, suffice to say that I have considerable concerns with the motion and all the suggested amendments.

**MS LAWDER** (Brindabella) (12.14): I would like to speak to Mr Hanson's amendment and Mr Gentleman's amendment. I would like to thank all members for their comments and make a few general remarks about some of the debate we have had so far. Firstly with regard to a referral to a committee, it would appear from the petitions presented earlier this morning that there may well be some work for the committee there anyway. I feel that it is important for us to consider that it is relevant and useful to refer this matter to the planning committee. As a member of that committee I can assure you all that I have no concerns about an additional workload in regard to that because that is, in my view, exactly what we are here for, to address community concerns. It is one thing to talk about it but it is another thing to actually put your money where your mouth is. I am quite prepared to do that.

I could refer you to other instances where committees of this place with heavy workloads have undertaken additional work and in very short time frames. One example was the inquiry into the eradication of the loose-fill asbestos insulation which was undertaken by the public accounts committee in a very short and tight time frame. It was a lot of work not just for the committee but for the secretariat, and a lot of pressure was put on the public to make their submissions in a short time frame as well. It was a lot of pressure for everyone involved. But when you have important issues it is important to address them.

We have had quite a bit of discussion and a number of people talking about public housing and you will see from the original motion that the intent was to discuss the planning and the zoning laws and whether it is appropriate to put public housing on CFZ zone land. It was not intended in any way to be a debate about public housing or public housing tenants.

My husband was a public housing tenant for 25 years. When I first arrived in Canberra the first, and in fact the only, person in the street we moved into to come across and say hello and have a cup of tea was the single mother across the road who was in a public housing property. I was friends with her, and my kids were friends with her kids for years. I do not mean this in a rude way but big deal! That is Canberra.

We have public housing all through our suburbs. We all know people, if we are not those people ourselves, who have grown up or lived in public housing. Big deal! They are people just like you and I, our brothers, our sisters, our friends, our colleagues, our aunts and uncles. They do have, as Ms Berry talked about this morning, the same

goals and aspirations as we do. That is one of the reasons why I think it is important to maintain the community facility zones, because they have the same aspiration to have community facilities in their vicinity as I do, instead of taking these areas away for premises, for residences.

*Members interjecting—*

**MS LAWDER:** Someone earlier referred to the fact that people were heard in silence. I listened in silence to Ms Le Couteur. It might be nice if I had the same courtesy extended to me.

**MADAM SPEAKER:** Yes, members; no interchange across the floor, thank you.

**MS LAWDER:** Thank you, Madam Speaker. Ms Le Couteur referred to the fact that she thought there was a bit of a tone to my motion about the deserving and the undeserving. Actually that tone goes back to that 2005 committee inquiry that decided that supportive housing would be allowed on CFZ. That was not my decision. That goes back well over 10 years. It is not the tone of my motion. It is actually the tone of the committee inquiry as to who may be able to be accommodated in the CFZ zoned land. I did not appreciate that aspersion that it was the tone of my motion that there were deserving and undeserving people. It was not my decision.

What I am looking at, however, is this 2015 change which I and many people in the community who have spoken to me believe substantially changed the Territory Plan. I will read to you from the FOI documentation. I am sure you can all see that there is a lot of information redacted here. There is not a lot of text that is left. There are a lot of black areas throughout the documentation, the information that the government does not want us to see.

Back in April 2015 a directorate meeting of the public housing renewal task force reported that potential existed for the development of portions of existing sites in established areas designated community facility, that a number of these sites had overlays excluding supportive housing, that no site allowed general residential use and that the Territory Plan currently limited residential development on community facility land to supportive housing. Confirmation was being sought as to whether this definition can include public housing. The use of community facility zoned land would require the Environment and Planning Directorate to support a Territory Plan variation.

It was quite apparent to the department that a change was required. Furthermore, on 10 September 2015—and this goes to the comments we have all talked about, including Ms Le Couteur this morning—another meeting of I think the same committee talked about the definition of the community facility zoned development code providing for the development of supportive housing on community facility sites and that the Territory Plan only permitted people who are older or who have a disability to live in supportive housing. Again, not my decision and not my tone, Ms Le Couteur, but it has existed for a long time. But it does say that this definition fits with the purpose and use or allocation of public housing as administered by Housing ACT.

It goes on to say that community objection to the use of community facility land for the public housing renewal program is likely, that it is anticipated that there will be strong opinion regarding the loss of a quantity of unleased territory land designated for community use and that a proactive and strategic communication and engagement plan will be required for these sites. I think that is exactly what we have all been saying this morning. It has not happened, despite the fact that it was flagged a year and a half ago by the directorate as being required. Instead, it has been done very quietly and with no consultation whatsoever.

This is what the amendment to the amendment to my motion is trying to achieve: that there is proper scrutiny, there is proper accountability, there is proper transparency and there is the opportunity for members of the community to understand what is going on with regard to this community facility zoned land.

That is why, despite the fact that Mr Gentleman's amendment brings in quite a bit of discussion about public housing, which was not the intent of my original motion, with the addition of Mr Hanson's amendment referring it to committee, we are prepared to support the amendment to Mr Gentleman's amendment, because we do all support public housing; we do need to support vulnerable people in our community, because they are our people and we are those people. We are not against public housing. What we want to do is make sure that the community is involved in these decisions and have the opportunity to have their say, not feel like they have been shunted aside and their views ignored. It is not about public housing.

We would be having this discussion if there were a proposal to build a defence installation on community facility zoned land, a hazardous waste facility on community facility zoned land, a liquid fuel depot on community facility zoned land or, indeed, on residential zoned land.

I will go back to what I started with this morning. We have zoning laws for a reason. Let us use them as they are intended to be used. For that reason, I support Mr Hanson's amendment to Mr Gentleman's amendment to our motion.

Question put:

That **Mr Hanson's** amendment to **Mr Gentleman's** proposed amendment be agreed to.

The Assembly voted—

Ayes 10

Mr Coe  
Mrs Dunne  
Mr Hanson  
Mrs Jones  
Mrs Kikkert  
Ms Lawder  
Ms Lee

Mr Milligan  
Mr Parton  
Mr Wall

Noes 13

Mr Barr  
Ms Berry  
Ms Burch  
Ms Cheyne  
Ms Cody  
Ms Fitzharris  
Mr Gentleman

Ms Le Couteur  
Ms Orr  
Mr Pettersson  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith

Amendment negatived.

Question put:

That **Mr Gentleman's** amendment be agreed to.

The Assembly voted—

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

Amendment negatived.

**MS LAWDER** (Brindabella) (12.29): I will speak briefly. I am very disappointed that this argument has descended into a debate about whether people support public housing or not. We all know we all support public housing. That was never the intent of this motion.

By calling people names the conversation has degenerated rather than having an examination of the argument itself. What name-calling tries to do is imply that you have the moral or intellectual superiority rather than actually address the issue at hand. This is what we have seen in this debate, the use of “nimbyism” et cetera. It is not addressing the issue about the use of community facility zoned land.

I am very disappointed that we are not taking advantage of our much-lauded committee system to address this really important issue and I am sure the residents of many suburbs of Canberra will be very disappointed that that is the case as well.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 10		Noes 13	
Mr Coe	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 Rattenbury
Mrs Kikkert		Ms Cody	Mr Steel
Ms Lawder		Ms Fitzharris	Ms Stephen-Smith
Ms Lee		Mr Gentleman	

Question resolved in the negative.

**Sitting suspended from 12.32 to 2.30 pm.**

**Questions without notice  
Canberra Hospital—electrical systems**

**MR COE:** My question is for the Minister for Health. Minister, when did your directorate first identify safety problems with the Canberra Hospital switchboard?

**MS FITZHARRIS:** ACT Health, as I have mentioned on a number of occasions, has certainly identified that there needed to be improvements and upgrades to the electrical systems at the Canberra Hospital. I would not characterise those as being safety concerns.

**MR COE:** As I just said, when did your directorate first identify safety problems with the Canberra Hospital switchboard, and when did your directorate decide that the switchboard needed to be replaced?

**MS FITZHARRIS:** Again, I reject the linkage between the necessary work done to upgrade switchboards and Mr Coe's characterisation that there were safety concerns. I will take the detail regarding the date on notice.

**MRS DUNNE:** Minister, what maintenance or repair works were undertaken in the past five years to keep the hospital's switchboard safely operational?

**MS FITZHARRIS:** As I mentioned yesterday, and as Mrs Dunne has put a motion before the Assembly which I believe we will be discussing tomorrow, I will take the detail of the question on notice around the significant number of pieces of work that have been undertaken. I think five years is too long for me to go back to now. So I will take the specifics on notice.

**Canberra Hospital—electrical systems**

**MRS DUNNE:** My question is to the Minister for Health. I refer to your statement of 9 May 2017 in relation to the fire in the hospital switchboard. Minister, you referred to, and I quote, "a subsequent incident with the cardiac catheter lab back-up power arrangements on 9 April 2017." Minister, your statement on the fire lacked any detail about the events of 9 April in the catheter lab. What are details of the incident in the catheter lab?

**MS FITZHARRIS:** The subsequent incident was not entirely linked but was obviously in the same time frame. I will get the details of that for you, but I would note that I gave a lengthy interview about that, I believe on Thursday, 13 April, the details of which I do not have in front of me right now. I am happy to provide those to the Assembly.

**MRS DUNNE:** Minister, why did it take five days to restore the cardiac catheter lab to full service?

**MS FITZHARRIS:** I will take the question on notice. I note that 50 per cent, I believe, of the functionality of the lab was up and running within the five days. We also, of course, had arrangements with other health providers, notably Calvary and also, I believe, National Capital Private Hospital, during that period to make sure that those services were available to patients who needed them in Canberra.

**MS LEE:** What action has been taken to ensure that there are no more incidents related to power supplies at the cardiac catheter lab?

**MS FITZHARRIS:** Further work has been undertaken as part of the \$23 million infrastructure upgrade work to our electrical systems at the hospital. Again, I will take the detail on notice.

### **Planning—Phillip**

**MS LE COUTEUR:** My question is to the Minister for Planning and Land Management and relates to the multistorey car park approved on Monday for 49 Furzer Street, Phillip, immediately next to Woden town square. Given our shared commitment to the town centre, please can you outline how the multistorey car park is going to impact on the town square and the actions you intend to put into the town centre master plan and variation 344 to offset the negative impacts.

**MR GENTLEMAN:** I thank Ms Le Couteur for her question. It is important, of course, as we go through these master planning processes, to engage the community as much as we can, and we did that through the master planning process for Woden and, indeed, for Mawson at the same time. We are now going through those territory plan variations for those plans.

In regard to the specific question on the multistorey car park, I will have to take the detail of that on notice; I do not have anything on the brief for that.

**MS LE COUTEUR:** What changes are you intending to make or considering making to the master plan and variation 344 to make sure that the town square and other critical open spaces are not surrounded by multistorey car parks?

**MR GENTLEMAN:** I thank Ms Le Couteur for the supplementary. Draft variation 344 proposes to amend the territory plan map by rezoning several of the RZ4 medium density residential zone blocks located directly to the north-east of Hindmarsh Drive and Callam Street, and also parts of the Woden town park in PRZ1 urban open space to CFZ—community facility zone. Ms Le Couteur has raised an important question in regard to car parks and whether they can service some of the accommodation in the town centre. I will have a look, as I mentioned, at the particular application for the multistorey car park and see how that fits in to this master plan and TPV.

**MS LAWDER:** Minister, do you have any commitment from Westfield about external or offsite capital works in that area?

**MR GENTLEMAN:** I thank Ms Lawder for her supplementary. There was some discussion with Westfield in regard to another part of the area that it leased off the ACT government in regard to parking but that was quite some time ago. I will take the detail of that on notice as well and come back to the Assembly with that.

### **Education—school funding**

**MR WALL:** My question is to the Minister for Education and Early Childhood Development. Minister, last Tuesday the federal government announced changes to the way schools across Australia are funded through the newly dubbed “Gonski 2.0”. These changes will mean that 35 schools across the ACT will receive less funding than they do now in 10 years time, with many other local schools receiving only marginal increases in their funding over the 10 outyears. Minister, what is the government’s position on this new funding model for the ACT?

**MS BERRY:** On Tuesday, prior to the announcement being made by the federal government, I had a 10-minute conversation with the federal minister for education about the federal government’s funding proposal. It was very light on detail—and it continues to be very light on detail—about the funding and how a reform program would be implemented as a part of that funding agreement.

Immediately after that phone call my office had a conversation with the independent schools association and the Catholic Education Office just to touch base with them following the announcement as it was made. It was a surprise to everybody, because nobody knew that the announcement was going to be made in that way, with very little consultation with anybody across the country or with anybody in any of the school systems.

Following on from that the federal education minister did a big presentation at the Press Club on what it was all about. Again, there was very limited detail on what kind of reform program the federal government had come up with as part of this funding agreement that they want to implement across the country.

My office then had a further conversation with the Catholic Education Office on Friday. I am meeting with the Catholic Education Office today to get some more detail about their particular concerns with the proposal that has been put on the table by the federal government, which is still yet to be discussed in parliament and still yet to be legislated.

At this point in time we are still trying to get to the bottom of the detail. We will continue our conversations with the ACT community, with state and territory ministers and the federal education minister.

**MR WALL:** Minister, what action are you, your office and your directorate taking to ensure that Catholic and independent schools in the ACT get a fair deal when it comes to funding those schools in the ACT?

**MS BERRY:** I think I have identified the number of conversations I have already been having with independent schools and the Catholic Education Office. The forum that was held earlier this week at St Clare's was very well represented by the Labor Party with the federal opposition leader, the federal deputy leader and two ACT representatives of the federal Labor Party there.

**Mr Coe:** Where were you?

**MS BERRY:** I am speaking with the Catholic Education Office this afternoon. This is trying to score cheap political points over something that is a very serious issue, something that has been implemented by the federal Liberal Party. I think everybody just needs to keep a cool head on this. This is not a time for different parts of the education community or for the Liberal Party in the ACT to start pitting systems against each other when we are very clearly on the same path here about what is going on with the federal Liberal Party's announcements around education funding.

It is very low on detail; we do not know what the reforms are that will be connected to that. There is no commitment for a national partnership on universal access. That is worth \$70 million over 10 years in the ACT. So whatever funding increase or adjustment that makes any kind of difference to public schools or Catholic schools or independent schools will be completely wiped out and will mean nothing if the reforms that come with that are not discussed and are not discussed in a way that meets the needs of our community.

**MR COE:** Minister, have you expressed concern or requested a better deal for non-government schools in communication with the commonwealth government?

**MS BERRY:** What I have asked the federal minister for education, Simon Birmingham, to discuss with the ACT is the detail. The devil is always in the detail with all of these announcements and there has just been very little detail, as I said: a 10-minute conversation; no mention of any announcement that was to come after that; a national partnership agreement that expires in a year's time; no talk of what the reforms are that are connected with that funding model. So all of those things I have raised on behalf of all schools in the ACT with the federal minister.

### **Federal government—budget**

**MS CHEYNE:** My question is to the Chief Minister. Chief Minister, last night the federal Liberal government handed down the commonwealth budget and for the first time in four years the territory has been ignored instead of attacked. What does the latest Liberal budget mean for Canberrans' jobs and our economy?

**MR BARR:** I thank Ms Cheyne for the question. It is particularly timely, immediately following the question from Mr Wall in relation to education funding. It is very clear that the ACT was overlooked in last night's federal budget. That will come as small comfort to Canberrans who are perhaps getting used to being attacked by the federal Liberal government. But Canberrans have every right to feel short-changed by this budget.

It was branded as a big infrastructure budget with figures of \$70 billion being bandied about. That figure is in fact over 10 years and represents a reduction in the level of commonwealth funding for infrastructure across the country over the 10-year period when compared with the previous 10 years. But even more disappointing was the complete absence of any significant funding for projects in the ACT or, indeed, in the surrounding Canberra region. Even important election commitments like funding for the Barton Highway were overlooked.

We have already heard the line of questioning from Mr Wall about the impacts on the education sector and that, overall, Canberra schools, all schools in the territory, will receive less commonwealth funding, it would appear at this stage. The Deputy Chief Minister is right. There is an absence of detail and we look forward to hearing more from the federal government on that question.

Our tertiary education sector will suffer further cuts. The \$2.7 billion being taken out of universities certainly will hurt our territory's single largest export earner, and that is the higher education sector. The ANU, the University of Canberra, the University of New South Wales, Canberra, and the other higher education institutions will suffer from this budget. (*Time expired.*)

**MS CHEYNE:** Chief Minister, what will the ACT government be doing to ensure that Canberrans get their fair share of new policies announced in last night's budget?

**MR BARR:** We will look to work with the New South Wales government on an opportunity for the Sydney-Canberra rail corridor. There is a commitment within the federal budget to allow state and territory governments to put forward bids for major rail projects that connect capital cities and major regional areas. A dedicated fast rail link between Sydney and Canberra certainly would bring major benefits for both cities and the major towns along that route. So we hope that with support from New South Wales the three governments could work together and play a constructive role in delivering an important transport infrastructure project for the region.

We will also look at opportunities that emerge from the city deals initiative, and the new investment that has been foreshadowed for metropolitan rail could indeed deliver for our city. Clearly, stage 2 of light rail is a major infrastructure project that the ACT government will be pursuing in this parliamentary term. Its direct route through the parliamentary triangle and areas of significant national importance mean that the commonwealth government, through the National Capital Authority, will be a partner in the delivery of this project.

We will work closely with the commonwealth and the New South Wales government on those regional and local rail initiatives. I think they do present an opportunity for Canberra to attract even just its population's share of the national infrastructure spend.

**MS CODY:** Chief Minister, given that infrastructure and rail were significant features of last night's commonwealth budget, how does this align with the ACT government's priorities? Are there any alternative views?

**MR BARR:** The Canberra community clearly endorsed our vision for the city through investment in light rail. We have won two elections now on that question. Canberrans clearly see the benefits of our plan to link the north and the south of the city through a single light rail public transport spine. Last night's budget shows that the federal government also now sees the value in rail investment in cities; investment that creates jobs, lifts productivity and cuts congestion.

Of course, we see every time this topic is mentioned that the level of excitement rises in those opposite who, one could only hope, are content to go to a third election opposing light rail in this city. Every instinct of the Canberra Liberals is to oppose public transport investment. We see this time and time again, but long may it continue, because we will continue to invest in our light rail network. There are now opportunities, as outlined in the federal budget last night, for the commonwealth to continue its support for metropolitan rail projects.

The fact that Tony Abbott invested in light rail stage 1 tells you something about the capacity of state and territory governments to be able to work constructively with the commonwealth through initiatives that the commonwealth put forward for infrastructure. We did it with asset recycling. We see another opportunity here with the announcements from the Prime Minister and the Treasurer last night. We will work towards that.

### **Aboriginals and Torres Strait Islanders—bush healing farm**

**MR MILLIGAN:** My question is for the Minister for Health. Minister, yesterday the Chief Minister said that the Indigenous community failed to understand the nature of the bush healing farm. Yet in direct communications with members of the community, your directorate asked and funded Winnunga to develop a model of care for an alcohol and other drug residential rehabilitation service in accordance with ATODA standards. Minister, can you tell the Assembly why your directorate wrongly asked them to develop such a model if there was never an intention to deliver that model to the Ngunnawal bush healing farm?

**MS FITZHARRIS:** I thank Mr Milligan for the question; I think he has misquoted the Chief Minister in his response to his question yesterday and took his quotes from media reporting. Certainly, my office has been in contact with Winnunga, with Julie Tongs, since she sent her email yesterday.

I would note that there was a workshop held, as the Chief Minister mentioned yesterday, with a number of key stakeholders on Monday afternoon. There is some disagreement amongst some of the stakeholders about the purpose of the Ngunnawal bush healing farm. My intention is to have that facility open as soon as possible. We need to have a service there. There has been some confusion, which I regret and which I am seeking to now understand, about the type of care and the types of services that will be provided there.

At the very least, we need to absolutely make sure that this facility—which has been constructed, but there remains an access road still to be completed, which I believe should be completed in the coming weeks—be opened as soon as possible. In relation to the type of care and the types of services that we will now provide at this centre, at the Ngunnawal bush healing farm—which have, and I certainly acknowledge it, been a long time coming—we need to make sure that we provide services there as soon as possible, because it is so important to our local Aboriginal community to have a place of healing that recognises in its earliest stages that a clinical model of care is not sufficient to provide the level of support and services that Indigenous people need and wish to have in our community.

**MR MILLIGAN:** Minister, why did it take the ACT government so long to tell leaders of the Indigenous community that the Ngunnawal bush healing farm was not able to be used as a rehabilitation centre?

**MS FITZHARRIS:** It will be able to be used as a rehabilitation centre; what it will not be able to be used for is a detoxification centre. Again, as I mentioned earlier, I am seeking to understand better how there was confusion and why there was confusion. But, most of all, I will be focused on making sure that we have an agreed model of care and model of service delivery so that the Ngunnawal bush healing farm can open as soon as possible and start to provide these really important services that we owe to our Aboriginal community.

**MRS DUNNE:** Minister, how will you, and when will you, deliver on the promise made by the ACT government in 2004, and reiterated by subsequent governments, of a full alcohol and drug residential rehabilitation centre so desperately needed by the community?

**MS FITZHARRIS:** As I reiterated, it is my intention to have this facility open as soon as possible. It will be a residential rehabilitation facility. We do need to work out the precise model of care and the precise nature of the service being delivered.

### **Public housing—ministerial consultation**

**MR PARTON:** My question is to the Minister for Housing and Suburban Development. Minister, in relation to your attendance at the last Weston Creek Community Council meeting, it was reported that you decided to attend only half an hour before that meeting; or at least to advise the Weston Creek Community Council only half an hour prior to attending. Minister, why did you decide to attend this meeting at such short notice, given that public housing was not on that meeting's agenda?

**MS BERRY:** Thank you for the question. I had had a conversation with the chair of the Weston Creek Community Council. We talked broadly about the meeting and about public housing more generally, and I asked him if he thought it would be a good idea if I came along. He said it was not on the agenda, but if I could make it, that would be fine and he would make space for me. Unfortunately, I had other responsibilities that evening that I had to manage, which I then did, and I informed the

chair that I would give very short notice of whether or not I could come. I informed him, and that is the reason why. I can tell you exactly what my other movements were on that night at another time, if you are interested.

**MR PARTON:** Minister, given that, would you agree that your very short lead-up time in terms of confirming that you were attending that meeting gives a perception to the community that you were not interested in speaking to members who were interested in the housing issue?

**MS BERRY:** That is completely not true. I have tried at every opportunity to have a conversation with individuals who have contacted my office. My office, the task force and Housing ACT have been meeting and consulting with individual members of the community in all of those different suburbs at every opportunity that we can. We have held consultations and have had hundreds of individual conversations, myself included, with individuals. I absolutely have been taking this seriously. Of course I take it seriously. What a silly thing to assume or even to suggest that I do not take seriously the issue of where public housing tenants live in our community and ensuring that the existing community has the chance to have a conversation with us about how that project could go ahead.

**MRS JONES:** Minister, did you, as claimed by a Holder resident at the meeting that night, take with you to an onsite meeting with constituents at Holder a security guard? That is what was claimed.

**MS BERRY:** No, I did not.

### **ACT Fire & Rescue—recruitment**

**MS CODY:** My question is to the Minister for Police and Emergency Services. Can the Minister please advise the Assembly on the current status of recruitment initiatives in ACT Fire & Rescue?

**MR GENTLEMAN:** I thank Ms Cody for her question and for her interest in our fire service. The ACT government is committed to making our community safer. This was confirmed by the funding increase for emergency services in the last budget.

I am very pleased to inform the Assembly that today I announced that the coming budget will include a recruit college for ACT Fire & Rescue. The college will see 16 new firefighters join our highly professional urban fire and rescue service. As the Assembly is aware, ACT Fire & Rescue performs extremely well by national standards. In the 12 months to 30 June 2016, Fire & Rescue recorded the best major city and state-wide structure fire response time—10.2 minutes—in the country, measured at the 90th percentile.

This government is proud of the work of our men and women in our emergency services and gives thanks for the professionalism of all the staff who work tirelessly to deliver the services around the clock. We are committed to giving our emergency services personnel the resources they need to do their job and continue to look after

the people that we care about. We know that working in emergency services is tough but rewarding work and hiring and retaining staff to keep our rosters filled is a vital challenge faced by all emergency service agencies around the country. Having worked shiftwork for 11 years, Madam Speaker, as you have too, we understand the needs around rostering in this area.

Alongside the recruit college, ACT Fire & Rescue is also currently undertaking a recruitment round for additional firefighters who already have qualifications and experience from other states and territories in Australia. Together, these recruitment initiatives will result in an injection of talented, committed individuals to our fire and rescue service.

**MS CODY:** Can the minister give some more information on how the women in emergency services strategy is being implemented via recruitment?

**MR GENTLEMAN:** I thank Ms Cody for her supplementary question. The government is committed to building an emergency services workforce that reflects the diversity of our community and that has an inclusive culture that respects and supports all of its members.

As the Assembly is aware, the government committed in November 2015 to the women in emergency services strategy. I was very pleased to see Ms Cody join me today for the announcement out at our ESA training headquarters in Hume. The strategy was developed in consultation with our emergency services staff and key stakeholders with the intention to create an ACT emergency services agency that is inclusive, diverse and supports all staff to thrive.

Recruiting, retaining and developing more women in our emergency services are key actions to achieve that goal. We know that diversity and inclusion result in better decision-making and better outcomes. This is no different for emergency services. Diverse and inclusive workplaces improve our understanding of our different needs, vulnerabilities, interests, capabilities and contributions of people within our community.

I am pleased to confirm that we will once again focus on attracting more women to apply for positions open in the ACT Fire & Rescue recruit college. Up to half of the 16 positions will be set aside for female recruits who meet the required entry qualifications and standards. This follows the employment of four female firefighters under the same arrangements in the most recent recruitment process in 2016. This practical measure will encourage and support women to pursue careers in emergency services and contribute their skills to keeping our community safe.

Our message is that women and men alike can and do thrive in our emergency services. By reflecting the diversity of the Canberra community we are ensuring the success of these organisations into the future.

**MR PETTERSSON:** Minister, could you provide an overview of the selection process and training for our urban firefighters?

**MR GENTLEMAN:** I thank Mr Pettersson for his question. The recruitment process for our urban firefighters is understandably a very thorough process which assesses the suitability of applicants against a wide range of skills, knowledge and abilities. ACT Fire & Rescue seeks intelligent, fit, community-minded people from all backgrounds who are looking for a unique challenge. ACT firefighters are ACT public sector employees, and the Emergency Services Agency seeks to employ people who reflect the required professionalism and values of the public service along with the diversity of our society.

I can advise the Assembly that the recruiting process is managed by a contract recruitment agency using the following staged process. In stage 1, applications are sought from individuals seeking employment as firefighters. Advertisement will be placed in the *Canberra Times*, on the ACT Fire & Rescue website and Jobs ACT. Following the closing date, all applications will be assessed against the general recruitment requirements and response to the selection criteria, with successful applicants proceeding to stage 2 of the process.

In stage 2, qualifying applicants will be invited to attend an aptitude test session. The session lasts three to four hours and includes tests of a range of skills, including verbal numerical, mechanical, abstract reasoning and spatial relations.

In stage 3 candidates who reach the required standard in the aptitude test will attend a cardiovascular challenge test known as the beep test. We all have strong memories of those. This test has a requisite level of attainment for the applicant to progress further into the recruitment process.

### **ACT Fire & Rescue—equipment**

**MRS JONES:** My question is to the minister for emergency services. Minister, I understand that ACT Fire & Rescue attended a fire on 3 May this year and its sole ladder platform, the Bronto, had broken down, creating difficulties in fighting the fire. Can the minister advise the Assembly when the ACT government will ensure that crews have the necessary equipment to fight fires?

**MR GENTLEMAN:** I think the overt answer is: as soon as it is practicable and as soon as we have the finance to do so. We did commit, in the election campaign last year, to support our fire and rescue services across the territory, which includes providing a new aerial device. We are going through the process now of how we go about ordering that device and placing the necessary requirements in that tender process to get the best results in an infrastructure sense.

**MRS JONES:** Minister, what is the expected time line to deliver this Bronto?

**MR GENTLEMAN:** As I said, it will depend of course on budget cabinet, but there is a process regarding the ordering of it. I understand it is about 12 months to order the chassis for the firefighting equipment and then another probably eight to 12 months to actually install the components for the aerial firefighter.

**MS LAWDER:** Minister, what changes will you make to maintenance, procurement or other processes to ensure that such problems as the Bronto not being available will not happen again?

**MR GENTLEMAN:** I have had discussions with our fire service staff on the maintenance that occurs with our materiel and our infrastructure. There is an opportunity to gear maintenance up to ensure that we do not have breakdowns or we limit the number of breakdowns that occur. It is very important that we can get all of our machinery out and about when it is needed. I will keep the Assembly updated as those review processes go forward and come back with maintenance schedules for that important equipment.

### **Bimberi Youth Justice Centre—staff training**

**MRS KIKKERT:** My question is to the Minister for Disability, Children and Youth. Minister, in the statement on the blueprint for youth justice, you note that “over 90 per cent of available Bimberi staff had undertaken the responding to critical situations refresher training within the past 10 months”. You further state that Bimberi has a “goal of everyone receiving refresher training over each 12-month period”. Numerous current and former Bimberi staff members, however, have told me that they received no responding to critical situations refresher training after their inductions until about 10 months ago. Minister, when exactly did Bimberi management establish the goal of annual refresher training for staff?

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

**MRS KIKKERT:** How frequently did Bimberi staff receive responding to critical situations refresher training in the five years before May 2016?

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

**MRS DUNNE:** Minister, how will the Assembly know that this annual refresher training goal is being met in the future, and can you tell us when in the past refresher training has been provided to Bimberi staff since the opening of Bimberi?

**MS STEPHEN-SMITH:** The second part of the question I will take on notice. I am happy to provide regular updates to the Assembly on this matter.

### **Public housing—site density**

**MR HANSON:** My question is to the Minister for Housing and Suburban Development. Minister, in documents relating to the public housing developments in Holder, Chapman, Wright and Mawson, there are several email correspondences that refer to instructions to increase yields at these sites, including increasing yields to 30 and 32 dwellings on two of the sites. Minister, who gave the instructions to increase the yields on these sites?

**MS BERRY:** I am not sure what the emails are that Mr Hanson is talking to. I have always been very clear that the size of the developments on those sites was something that we wanted to talk with the community about.

**MR HANSON:** Minister, how can ordering that sites increase yields to 30 or 32 in a single development be described as “salt and pepper”?

**MS BERRY:** “Salt and pepper” is how we describe the city’s public housing being distributed across the city in every suburb. I think the whole idea behind this program is to renew public housing that is old and unsustainable, moving high concentrations of disadvantage and spreading them out through the suburbs all across the city.

**Mr Hanson:** The whole purpose is to free up Northbourne for asset recycling.

**MS BERRY:** You can say what you like about it, but we already know that—

**MADAM SPEAKER:** Minister, I wouldn’t respond to interjections.

**MS BERRY:** It is important to note—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, stop interjecting.

**MS BERRY:** the conversations that we were having here this morning, when Ms Lawder, Mrs Jones, Mr Hanson, Mr Steel, Mr Coe, Ms Le Couteur and I were all talking about it this morning. We were all in firm agreement that we support public housing. But the comments coming from Mr Hanson today are kind of indicating that maybe he does not support public housing, and does not support public housing in the way that we are trying to—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, can you be quiet.

**MS BERRY:** have a conversation with the community about. I have said, from the very beginning, that the size of the dwellings would always be something that we wanted to talk about with the community. We are encouraging people to continue that conversation with us, so that we can ensure that the existing community—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, please.

**MS BERRY:** can better support new residents who move into their suburbs in newer, more sustainable, better quality housing.

**MR STEEL:** Minister, how large are some of the developments being replaced?

**MS BERRY:** Thank you for the question, Mr Steel. We are replacing 1,288 dwellings that have hundreds and hundreds of people living together in unsustainable, poor quality housing that was built for another time. It is no longer suitable for our public housing tenants. It no longer meets their needs. We want to make sure that we provide better quality housing that better suits the needs of our tenants, that is easier to maintain and easier to cool, and to heat in Canberra's winters. I do not think there is any denying that that is the best outcome for our public housing community here in the ACT, particularly in those high density areas within the city.

We know that advantages come when you bring people together and you have people who can provide support to people who need it. That is part of the reason why, importantly, the conversations that I have been having with people in the community in some of these suburbs show that that is what they want to do. They want to make sure that people who move into their suburbs and are part of their neighbourhoods get the support that they need, the same way that we all came together and supported the public housing and community housing tenants at Gungahlin Common Ground. That is what we want to see happening across the community, because we know that it makes an absolute difference in people's lives.

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

**MR PETTERSSON:** I have a question for the minister for housing. Minister, can you please outline to the Assembly the broad economic and social benefits of the ACT government's public housing renewal program?

**MS BERRY:** I thank Mr Pettersson for the question. As we have been discussing in this place yesterday and today, as part of the public housing renewal program, the ACT government will be replacing 1,288 dwellings from multi-unit public housing complexes along Northbourne Avenue and in other areas of Canberra. The new public housing in established and new suburbs is adding to quality choices available to Canberrans and boosting the economy in the local centres.

As well as providing safe and accessible homes for those who need them, this investment flows to many other sectors across the economy. The \$550 million investment in the construction of replacement housing will see a greater level of social inclusion and equality. It will boost economic activity by creating short-term and long-term jobs for a wide range of people, including contractors and people who are working in other sectors.

For example, as part of the program, Housing ACT has been working with a number of removalist firms to facilitate the relocation process for tenants. The program has also provided a boost to that particular industry. The sale of the older multi-unit sites once tenants have moved homes stimulates the development industry and supports the renewal and rejuvenation of Canberra's urban areas.

I look forward to this program building an even stronger and more supportive community into the future and delivering for those who are most in need in our communities.

**MR PETTERSSON:** Minister, what feedback have you had from the housing sector on these new dwellings?

**MS BERRY:** The Public Housing Renewal Program Task Force has received feedback from builders involved in the program about the high standards required for construction projects through this program. Several builders have reported back to the task force that their prior perceptions of product quality have shifted significantly during the course of their involvement in this process. Many of the builders working on renewal sites have commented that they believe the quality of construction is higher than that found in the private sector.

Certainly, this seems to be reflected in the feedback from public housing tenants, who are much happier in their new homes. A tenant who had been living in his Northbourne Avenue home for over a decade reflected on his recent move when speaking recently to the media:

It was time to go. They had nothing going for them. They were old, dilapidated, run down.

This tenant, choosing to stay in the city's inner north and now living in Braddon, was very happy with his new apartment with two bedrooms and a balcony facing out onto nearby parkland:

This was the first place that they showed me, and I don't think it is going to get any better.

The Master Builders Association ACT in their submission on the 2016-17 budget consultation process called on the ACT government to maintain and increase if possible the current renewal program for public housing with new public housing stock.

**MR PARTON:** Minister, in regard to those developments, the community understanding of salt and pepper public housing is just like salt and pepper—a grain here and a grain there. Why do not your plans meet those expectations?

**Mr Gentleman:** Point of order, Madam Speaker; preamble.

**MADAM SPEAKER:** Point of order?

**Mr Gentleman:** Preamble.

**MADAM SPEAKER:** Can you repeat the question, Mr Parton, mindful of no preamble?

**MR PARTON:** Why do not those developments meet the community expectations of salt and pepper public housing?

**MS BERRY:** I have been describing for some time now the salt and pepper approach to public housing in the ACT. It is described as public housing being available in every suburb across the city. That is the salt and pepper approach that the government is delivering.

### **Liquor Amendment Bill—reforms**

**MR STEEL:** My question is to the Attorney-General. Minister, what impacts will the Liquor Amendment Bill 2017 have on small cafes, family-owned restaurants and similar businesses?

**MR RAMSAY:** I thank Mr Steel for his question. The reform package that the government promised to deliver has a suite of measures that are focused on small businesses. Not only does Canberra's night time economy offer a wide range of great experiences for people who want a night out, but it also provides a wide range of employment and business opportunities for members of this community.

The liquor reform package will support business owners to focus on running their businesses, whether they are restaurants, cafes or boutique-style clubs, while ensuring a safe, enjoyable experience for customers. This will be achieved by a combination of fee reductions, red tape elimination and improved safety measures. Other changes will further assist hospitality business owners to maintain safety and ensure the responsible service of alcohol in their venues.

Small businesses have been very vocal in supporting these measures. One small venue owner in Civic was quoted in the *Canberra Times* on the importance of red tape reduction saying that, "As owner operators, we're with customers and on the floor. We don't sit in offices all day, so for us red tape is hours of extra work that needs to be done."

Each measure in this package has been carefully assessed for its impact on small business in particular. Taken as a whole, the package will help promote a vibrant, safe and fun hospitality sector in Canberra. The government's liquor reform package will mean more opportunities to do business and more opportunities for Canberrans to enjoy a night out.

**MR STEEL:** Minister, can you explain how the changes will affect people who work for these small businesses?

**MR RAMSAY:** I thank Mr Steel for his supplementary. The red tape reduction and improved safety measures proposed in the Liquor Bill will do more than just improve the small business environment. If you work in hospitality in Canberra, there is a series of changes that will benefit you directly.

One example is that interstate responsible service of alcohol certificates will be recognised in the ACT, which means that hospitality workers with an interstate RSA can more easily gain employment in our restaurants, bars and cafes.

Other safety measures in the new legislation will assist workers who oversee safety in Canberra's pubs and clubs. Staff will benefit from greater clarity around the ejection of unruly or disruptive patrons from licensed premises. This will be supported by a new offence for patrons who do not comply when they are asked to leave.

Workers in the industry play a central role in ensuring that a night out in Canberra remains safe and fun. The government recognises this role and values and supports these workers. Every person has the right to safety at work. These changes are a concrete way of enhancing that safety in our small businesses and in our hospitality industry.

**MS ORR:** Minister, how will how will the liquor legislation reforms help people to start new businesses?

**MR RAMSAY:** I thank Ms Orr for the supplementary. This legislation will absolutely support the creation of new businesses in Canberra. Red tape reduction is fundamentally about reducing unnecessary costs and time burdens. A lower cost of entry and a lower cost of compliance mean that people who are thinking about starting a business will have a greater incentive to do so. Fee reductions are just one example of lowering the cost of running a small hospitality business.

From a business perspective, easier and more effective regulation of the licensed industry helps to create conditions for success. Other changes coming will mean that in venues where safety risks are lower, like restaurants, the regulatory burden will also be lower to apply for and to maintain a liquor licence.

The community safety measures in the bill that benefit workers help businesses as well. Greater safety helps to make the customer experience better, which will encourage more people to enjoy Canberra's vibrant night life.

The owner of BentSpoke brewery in Braddon, a rather popular venue, has said that the new power to move on unruly and disruptive patrons would make his bar safer. The owner of Polit Bar in Manuka, which is notable for providing performance opportunities for a significant number of emerging Canberra dancers, singers and other artists as well as supporting various community causes, says that the fee and red tape reductions will allow her to focus on her community activity rather than paperwork.

By fostering an industry that is vibrant and safe, by helping to provide a night time environment that is also safe, this government is creating the conditions necessary for new businesses to succeed. And every successful new business means more opportunity for Canberrans to enjoy nightlife in this city. Taken as a whole, the liquor reform package is good for Canberra's business and good for Canberra's consumers.

**Canberra Hospital—emergency patient discharge**

**MS LAWDER:** My question is to the Minister for Health: were any patients hastily discharged from the Canberra Hospital because of, during or immediately after the recent fire?

**MS FITZHARRIS:** As I have mentioned previously on a number of occasions, 60 patients were discharged on the evening of the fire. It is certainly not my understanding that any of them were “hastily discharged”. They were all discharged under clinical guidance and only on the advice of a doctor.

**MS LAWDER:** Minister, what reports have you requested and/or received about the clinical implications resulting from the fire, or what assurances have you been given that all patients were managed to clinical standards?

**MS FITZHARRIS:** I sought clear assurances that the safety of patients, their families and staff was the number one priority of ACT Health on the evening. It is always the number one priority of clinicians, nurses, midwives and other health professionals working in our system. I sought assurances at every point available to me that that was the case and received those assurances at every point. I certainly acknowledge that it was an unsettling evening for people who were in Canberra Hospital at the time. The only patients discharged were discharged under clinical guidance on the advice of a doctor.

**MRS DUNNE:** Minister, were all discharge procedures done in accordance with clinical standards? Have you received assurances on all of the 60 cases or are there any that you have concerns about?

**MS FITZHARRIS:** I believe that they were all discharged under clinical guidance, as I have noted on a number of occasions, and no concerns have been brought to my attention.

**Canberra Hospital—electrical systems**

**MS LEE:** My question is to the Minister for Health. Minister, in response to a question from Mr Hanson on 16 September 2015, Mr Corbell advised the Assembly:

... the circumstances in relation to 9 September related to a malfunction in an electrical safety switchboard at the Canberra Hospital which was overheating and was causing potential disruption to electrical supply to significant parts of the hospital.

Minister, did an investigation following this incident indicate that parts of the Canberra Hospital’s electrical system were extreme or high risk?

**MS FITZHARRIS:** I am sorry; I did not follow the initial part of the question referencing September 2015. Could you repeat the question?

**MADAM SPEAKER:** Ms Lee, could you repeat the first part of the question?

**MS LEE:** Yes, Madam Speaker. It was in response to a question asked by Mr Hanson of Mr Corbell in September 2015, where Mr Corbell advised the Assembly:

... the circumstances in relation to 9 September related to a malfunction in an electrical safety switchboard at the Canberra Hospital which was overheating and was causing potential disruption to electrical supply to significant parts of the hospital.

The question is: did an investigation following that incident indicate that parts of the Canberra Hospital's electrical system were extreme or at high risk?

**MS FITZHARRIS:** Given that was a question asked and answered nearly 18 months ago, I would have to take that on notice.

**MS LEE:** Minister, how often were operations at the Canberra Hospital disrupted by electrical faults between September 2015 and April 2017?

**MS FITZHARRIS:** I will take the question on notice.

**MRS DUNNE:** Minister, were there any disruptions to the hospital caused by faulty electrical systems before September 2015?

**MS FITZHARRIS:** I will take the question on notice.

### **Transport—light rail**

**MS ORR:** My question is to the Minister for Transport and City Services.

*Members interjecting—*

**MADAM SPEAKER:** Ms Orr, we will wait for the room to be silent and you can start your question, thank you.

**MS ORR:** Thank you, Madam Speaker. My question is to the Minister for Transport and City Services. Can the minister update the Assembly on work being done to extend the light rail to Woden and if Canberrans will get their say on the route selected?

**MS FITZHARRIS:** I thank Ms Orr very much for the question. Indeed, I am delighted to update the Assembly on work being done to extend light rail to Woden and, of course, respond to all members' ongoing interest in the next stage of our city-shaping light rail network.

As members know, last year Canberrans voted overwhelmingly for an integrated public transport system, which included a light rail network, with a north-south spine

extending from Gungahlin town centre, through Civic and on to the Woden town centre.

Construction is progressing well on stage 1 and a range of work is now being undertaken to support planning for stage 2. This includes establishing the light rail stage 2 project team within Transport Canberra, recruitment of project team resources and completion of a tender process for specialist advisory services. I am pleased to update the Assembly that all these advisers have now commenced and are providing technical and commercial advice, as well as undertaking the detailed transport modelling required in this critical planning phase.

This government undertook extensive community consultation as part of planning for the first stage of light rail and we will continue to build on this ongoing consultation process for stage 2 to Woden. Last year, following community feedback, Woden was selected as the preferred second stage for light rail. The government made that commitment in the election and Canberrans are now having a say on the route that the government will select.

Light rail to Woden involves crossing Lake Burley Griffin and potentially navigating the parliamentary triangle. Last week the Chief Minister and I launched the community consultation on the route and the alignment of the corridor. This consultation remains open for six weeks and will close on 11 June. Woden, as we know, is a key growth area in Canberra with an employment population of more than 120,000 by 2041 and almost 90,000 people expected to be living within one kilometre of the corridor from Civic to Woden. Light rail will support this growth and help to revitalise parts of Woden and its surrounding southern suburbs.

This will be the first of many opportunities the community will have to help inform the project. I encourage all Canberrans to have their say at [yoursay.act.gov.au/LRS2](http://yoursay.act.gov.au/LRS2).

**MADAM SPEAKER:** Just before I call Ms Orr: members of the opposition, you have been in conversation for the last two questions and it is quite distracting for the person asking and the person answering.

**MS ORR:** Minister, who will be able to be involved in the consultations, and what issues will be considered?

**MS FITZHARRIS:** It is noteworthy that the opposition are not listening to the question on consultation with the community, but who would be surprised about that?

The suggested routes being presented will be workshopped by community members and a range of stakeholders to ensure we get the best outcome for Canberrans who will use this service every day. This engagement will inform our technical and expert planning to determine the stage 2 route. Anyone who would like to have their say on stage 2 is invited to participate in the consultation process. Feedback can be provided online or in person at market stalls or community drop-in sessions or, indeed community council meetings, like the one that took place yesterday evening at the inner south community council.

These face-to-face consultations on stage 2 of light rail are taking place not only on the route but right across our city. Market stalls were held on 4 of May in Gungahlin, 5 May in Civic, 6 May at Westfield Woden, 8 May at the Canberra Hospital, 9 May at Belconnen and today at Tuggeranong.

A community drop-in session was held yesterday at the Novotel on Northbourne Avenue; tonight people can have their say at the Hotel Kurrajong; next Tuesday, 16 May, Transport Canberra will be at the Gungahlin Library to hear locals' views on stage 2 of light rail; and on the 17th a drop-in session will be held at the Hellenic Club in Woden.

Transport Canberra representatives attended the Woden Valley Community Council meeting on Wednesday, 3 May and the inner south community council meeting yesterday evening. They will also be attending the Molonglo Valley community mingle event tomorrow night at Charles Weston School and will present to the Weston Creek Community Council at the Raiders Club, Weston on 31 May.

This extensive round of consultation is seeking input on the route and the stop locations as well as any items of community, cultural or environmental importance to assist us with the design of the light rail route. This is the first stage of a consultation journey with the ACT community for light rail stage 2. There will be plenty of other opportunities, as there were on light rail stage 1. We are committed to engaging with and seeking the input of the community.

**MS CHEYNE:** Minister, what routes are being considered by government?

**MS FITZHARRIS:** It is terrific to hear the feedback and the level of community engagement and debate on the routes that the government is considering. Stage 2 of the light rail network from the city to Woden will extend this very important light rail transport spine for Canberra, connecting employment hubs, community services and commuters from the south to the north of our city.

The proposed routes demonstrate a commitment to serving future populations and employment centres in the south of Canberra. We really do want to hear from Canberrans during all stages of the project, with this initial consultation focused on options for the route and selection of alignment and stop locations. We also want to identify any items of interest along the route to assist us with our design and development of the business case.

I can see that the opposition remain deeply interested in the development of and the consultation on stage 2 of light rail. They have chosen not to oppose it but just to tune out. I guess that is fine for us. We are more than happy with that approach from the opposition.

There are, of course, two primary route options being considered, both with potential end points at the Woden town centre or at the Canberra Hospital. One potential route goes around Capital Circle while the other goes through Barton and the parliamentary

triangle. All options, of course, use Commonwealth Avenue Bridge to get across the lake.

The proposed options will consider and weigh up different aspects, such as livability, travel times, passenger convenience and transport integration. I really encourage everyone interested to download the map on the your say website, which outlines the route options and potential stop locations from the city to Woden.

We have already had terrific interest from Canberrans in the potential routes and we are very keen to continue to get feedback on which routes the community favours and why. We are also seeking the community's views on the route alignment, for example, does the community prefer the light rail track to be on the verge or the median? The community can also share their views about the proposed stop locations: are they in the right place? Are there other stops we should be considering? (*Time expired.*)

**Mr Barr:** I ask that all further questions be placed on the notice paper.

## **Questions without notice**

### **Statement by Speaker**

**MADAM SPEAKER:** Before I ask if there are matters arising from ministers' answers, standing order 117 states:

(c) questions shall not ask Ministers:

(i) for an expression of opinion;

Some members are prefacing their questions with "would you agree". I think they have to be careful that they are not asking for an expression of opinion of the relevant minister. Be mindful of that in all questions.

## **Supplementary answer to question without notice**

### **ACT Fire & Rescue—equipment**

**MR GENTLEMAN:** I just want to clarify a situation regarding Mrs Jones's earlier questions regarding the Bronto not being available for an incident on 3 May. ACT Fire & Rescue received multiple 000 calls to a flat alight and a person trapped. Due to the information received via 000, a decision was made to increase the weight of the attack and three pumpers, a breathing apparatus van, commander and aerial appliance responded. The Bronto aerial appliance was in the workshops at the time having the starter motor replaced due to an intermittent fault with the starter motor. A decision was made by ESA mechanics to replace the starter motor as a precaution.

The appliance was tagged in the computer-aided despatch system as being "delayed available", with a response time of 15 minutes to have the appliance on the road. Upon the arrival of the first crews, offensive fire attack commenced within the building to find a person reported trapped and to extinguish the fire. Upon the arrival of the commander, a decision was made to stand the aerial appliance down from

responding due to the location of the fire and because the aerial appliance would not have been effective on this particular fire.

ESA mechanics had the aerial appliance on the road and responding within the agreed time frame. It was released from further duties, as noted above, by the scene commander. The aerial appliance would not have been effective in this particular fire.

## **Decentralisation and relocation of commonwealth agencies**

**MS CHEYNE** (Ginninderra) (3.33): I move:

That this Assembly:

(1) notes that Canberra:

- (a) plays an essential role as our nation's capital and is the national centre of public administration, driven by the expertise and hard work of public servants who are highly capable, diligent and committed in their service to the entire Australian community;
- (b) is an excellent example of successful long term decentralisation of the public sector from overcrowded and increasingly congested east coast cities such as Sydney and Melbourne;
- (c) is a successful regional centre and partner with the surrounding NSW councils to strengthen economic growth, encourage tourism and foster export opportunities; and
- (d) has recently been the subject of ignorant and malicious commentary by some tabloid commentators that residents of this city are "smug", "entitled", "live high on the hog", are "well educated wombles" and "don't know what real work is";

(2) also notes the success of continuing efforts by the ACT Government to create and protect jobs in the ACT, including:

- (a) supporting our local workforce through a strong pipeline of major infrastructure projects;
- (b) promoting Canberra as an education destination, and supporting education and training opportunities for all Canberrans;
- (c) developing innovation programs and supporting entrepreneurialism to create private sector jobs and bring new opportunities to the ACT;
- (d) encouraging international investment and opening doors for international trade and tourism; and
- (e) advocating for, and acting to protect and support, public sector jobs in the ACT;

## (3) further notes that:

- (a) more detail has now been released by the Federal Liberal-National Government as to its efforts to forcibly relocate public sector workers out of Canberra to other regional centres;
- (b) federal public sector agencies are currently being compelled to justify their continued existence in Canberra, subject to final federal decision over coming months;
- (c) no cost benefit analysis has been released by the Federal Liberal-National Government regarding the recent forced relocation of the Australian Pesticides and Veterinary Medicines Authority and no commitment has been given that it will release such analysis for any future relocation; and
- (d) so-called “decentralisation” of significant components of the Australian Public Service out of the ACT will have dire, detrimental consequences for Canberra’s and Australia’s economic, social and cultural fabric, including:
  - (i) increasing investment uncertainty and undermining continued economic growth;
  - (ii) disrupting the lives of Canberrans whose familial, social and work networks are firmly established in the ACT; and
  - (iii) jeopardising the efficiency and expertise of the Australian Public Service; and

## (4) calls on the Government to continue to:

- (a) use all tools at its disposal, including public advocacy, representation at local and national forums, and tripartisan action with other political parties as appropriate, to protect and support Canberra’s public sector workers;
- (b) seek Federal Government recognition of Canberra as the appropriate home of the Australian Public Service, and a reversal of its policy of forced public sector relocation from Canberra to regional towns and centres around Australia; and
- (c) vigorously refute attacks on Canberrans’ collective integrity, work ethic, and service to the wider Australian community.

I rise today to speak for Canberrans and I rise today to speak for Canberra—the nation’s capital and our cool little capital, the nation’s centre of administrative expertise and our workplace, the home of federal government and its work, but also our home. We are an inextricable mix of local and national. It is the reason for our success as a thriving regional centre. Any attempt to disentangle the two is utterly misguided and destructive.

Three weeks ago the federal Liberal-National government put the policy of decentralisation on the table. Decentralisation represents a threat to our social fabric, to our economic wellbeing and to the vivacity and dynamism of our home. Since then, many people have approached me to tell me about the uncertainty this is causing them and how disruptive it has been, from those public servants who might have to move but who have to spend months and months waiting to find out, to those whose businesses and work might be caught up in the ripple effect. Hundreds have signed my petition.

Mr Assistant Speaker, you know that six months ago I too was a federal public servant. My story is a familiar one to many because it is also many other people's story too. I moved to Canberra to join the federal public service, and I fell in love and stayed. It is important for me to bring forward this motion today to stand up for, and with, all Canberrans against this policy. But I especially do so for the federal public servants who cannot speak up and, indeed, for those who have been told that they cannot speak up.

Canberra is the nation's capital. We are the national centre of excellence in public administration. This is why we were created; and it is no accident. Contrary to what some ignorant and misinformed commentators might say, I know from personal experience that the public servants working in Canberra are of the highest calibre. They are intelligent and resourceful professionals who are committed to delivering the best outcomes for Australia. They serve the entire Australian community quietly and proudly, resilient in the face of repeated attacks from a federal government to whom they work.

One of the strongest arguments for decentralisation is to boost the economies of regional centres, to create jobs. But Canberra is a regional centre itself. In fact, we are arguably the greatest regional success story there is in this country. Canberra is the hub in a region of close to one million people. Our region covers the city, the coast, the alpine regions and the tablelands. We have partnered with surrounding New South Wales councils to strengthen economic growth, encourage tourism and to foster export opportunities. The region is linked through transport, education, health services and retail. So moving people from a successful regional centre like Canberra to another regional centre does not make sense.

I am all for job creation. I grew up in towns of around 5,000 people and I know the importance of it, but this is not job creation. It is robbing Peter to pay Paul: robbing one regional centre to pay another regional centre. What would make sense is to move jobs out of increasingly congested cities like Sydney and Melbourne to Canberra, injecting even more life into our thriving region and easing issues of transport and housing affordability along the east coast.

It is worth noting at this point that, unlike the federal Liberal-National government, the ACT Labor government is absolutely committed to creating and protecting jobs in Canberra. We do know what job creation means and how to go about it.

The ACT is currently seeing the benefits of many years of focus on bolstering our economy and protecting jobs. Business confidence is the highest in Australia; unemployment is at national lows; and our economy is strong, with growth in the university, retail and construction sectors. We are investing a record \$2.9 billion in infrastructure to deliver a strong pipeline of major infrastructure projects. These are projects that will bring local jobs and enhance our city, making it an even better place to live, work and relax.

We are leveraging our strengths by continuing to promote Canberra as an education destination. The university sector alone contributes \$2.6 billion annually to our economy and brings 16,000 jobs into Canberra. We know the importance of diversifying our economy, which is why we support cutting-edge programs and incubators to encourage entrepreneurs and innovators in the ACT.

Just last month Entry 29, Canberra's biggest start-up community, opened a satellite hub at the University of Canberra. On top of that, we are attracting record numbers of international visitors and we are now working hard to establish Canberra as an international trade hub for our region.

As you can see, Mr Assistant Speaker, the ACT government is utterly committed to a strong job market. However, the reality remains: the Australian public service is a key element of our economic security. Our strong economy comes off the base of a strong public sector. The fact is that decentralisation will pull the rug from under our feet. And for what?

No cost-benefit analysis has been done. There was no cost-benefit analysis for the move of the Australian Pesticides and Veterinary Medicines Authority either, and that move is currently mired in a mass staff exodus. Decentralisation will undermine the ACT's economy and what we have worked and fought so hard for. It will disrupt the lives of Canberrans whose familial, social and work networks are firmly established in the ACT, and it will jeopardise the efficiency and expertise of the Australian public service.

The decentralisation option is already causing uncertainty in Canberra, casting doubt on investment decisions and causing public servants to enter limbo as they wonder what the future holds for them and their families. If decentralisation occurs, thousands of federal public service jobs in Canberra are at stake. As a result, the viability of many Canberra businesses will be jeopardised.

When the proposal to move the Department of Immigration and Border Protection from my electorate in Ginninderra in 2015 was on the table, it was estimated to rip \$30 million from small businesses in the Belconnen town centre alone, threatening hundreds of jobs. The finance minister said at the time:

We are very mindful of the fact that the Commonwealth is a major tenant across the ACT, but also individual departments are major tenants and major contributors to local economies in specific areas in and around Canberra. As such, obviously, when certain decisions are made, it is important to appropriately consider relevant local impacts.

That was just about moving a department to the other side of the city, let alone out of our entire region. What has changed in 18 months? I urge the federal government to heed its own words. Decentralisation will affect our economy across the board. Every industry will feel the blow of uncertainty, population decrease and drain of expertise out of the city that it will cause.

As I mentioned, this is more than political for me. Just six months ago I too was a federal public servant. Arriving in Canberra for a graduate program in 2008, I had no idea what I was in for. I did not expect I would be here for long to be honest. But, to my surprise, I quickly fell in love with Canberra. The more I fell in love with Canberra, the more I put my roots down here. I made more and more friends, both in and outside the public service. I bought a house and introduced two dogs into my life.

Canberra is not just a workplace. It is a home. Canberrans are not chess pieces. We have lives we have built here. Couples will be forced to make hard decisions under this policy. Children and families will have to consider uprooting their lives, their schools, their sporting clubs, their friends. Families will be forced to choose between their jobs and their communities. You cannot put a price on how much Canberra means to Canberrans. But there is a real, human cost to the political games the federal government is playing.

There is a real impact on the efficiency and expertise of the Australian public service as a result. No good for the Australian public service will come of decentralisation out of Canberra. Federal public sector agencies are currently being compelled to justify their continued existence in Canberra, that is, justify why they would want to stay in the city where they have ease of access to the parliament and to their minister; justify why they would stay in the city where they have built a workforce with invaluable corporate knowledge; and justify why they would stay in the city where they benefit from collocation with other public service departments.

Am I missing something here? In the words of Tony Boyd's article in the *Australian Financial Review* earlier this month:

Wise heads familiar with the symbiotic relationship between the public service and government understand that the main federal policy and service delivery departments should be co-located to strengthen the opportunities for collaboration and information exchange.

That does not even taken into account the cost in travel alone, which will be astronomical as public servants are flown back and forth, to and from Canberra, from whatever region they end up in. That also does not count the cost of public servants forced to choose, who might quit their agency and try to find another job here in Canberra. These public servants might be in highly skilled, highly technical jobs. The capability and core competencies of that agency, and of many agencies, is then at risk.

This policy does not create one job. Instead, it speaks to the failure of the federal Liberal-National government to create jobs in rural and regional areas. This policy is

lazy. Canberrans are not chess pieces to prop up a failing government running out of ideas and quickly running out of time. This policy is destructive and ill conceived. It has dire detrimental consequences.

I am proud to be part of a government which will continue to use all the tools at our disposal to fight decentralisation out of Canberra and to protect and support Canberra's public sector workers. And I am proud to be part of an Assembly which is united on this.

**MR COE** (Yerrabi—Leader of the Opposition) (3.46): I, too, rise to speak in support of Canberra as our national capital and as the home of the federal parliament and the federal public service. Let me be clear from the outset: the Canberra Liberals are opposed to any proposal to take more public service jobs out of the ACT regardless of whether the proposal is from a coalition government or from a Labor administration.

Canberra was designed and established to be the home of democracy and the capital of Australia. A fundamental part of that is the public service being here in the national capital. It is also important to note that part of the reason for the federal city was to avoid having this debate at all. Having a federal city was meant to remove any doubt about where the federal capital was to be based. Unfortunately, it seems that, despite the courageous and, I think, wise, decision of over 100 years ago, we have not quite escaped that bickering the used to occur between Melbourne and Sydney and other capitals and other colonies.

Before any expense is incurred in relocating or establishing a public service agency outside the ACT and away from the parliament and government, a meaningful process must be undertaken. If the process is fair, if it is objective, I have no doubt that the value of public service agencies being located in Canberra will be proven in a quantitative way.

We Canberra Liberals were vocal in our opposition to the recent relocation of the Australian Pesticides and Veterinary Medicines Authority from Canberra to Armidale. We expressed our strong views, both publicly and in private, to our federal counterparts.

As well as understanding the impact that decentralisation would have on the ACT economy, we appreciate the likely impact on Canberra's social fabric as people are forced to move away from their families and their support networks or stay put in Canberra and seek other employment. Either way, it has the potential to be a very tumultuous period. We empathise with the difficult decision that many in the APVMA would have faced as to whether to remain in Canberra or move their career and their family to another city at a time not of their choosing.

We have lobbied hard to ensure that the federal public service remains in the ACT. It is important to note that less than half of the federal public service is located in the capital, but it is a very important component that is located here, and it is a component that is critical for the country but critical for the ACT as well.

Whilst personally I am disappointed by the recent statement by the Minister for Regional Development that all federal departments would be required to justify their continued presence in Canberra, I was pleased to see that Senator Zed Seselja stood up for the ACT and demanded that local impact assessments be considered as part of the process. The Canberra Liberals will continue to push for federal public service positions to be based here in Canberra.

It is important to note that governments of both colours have been guilty when it comes to putting public service agencies in regional locations, perhaps at the expense of Canberra. When there was talk about the creation of the NDIA, I think most people would have just assumed that it would be in Canberra. Prime Minister Gillard's decision to put it in Geelong was surely to help shore up the electorates of Corio and Corangamite. I do not think anyone could deny that. There were also decisions to locate Infrastructure Australia and other agencies outside Canberra.

Further to this, we know that local governments—and, I believe, some federal Labor MPs—have been lobbying the government as part of this process to have public service agencies relocated to their towns, their cities or their regions, including Ballarat, Bendigo, Corio, Cunningham, Lingiari, Paterson and other areas. The submission from the Maitland City Council, which adjoins the Hunter electorate of Joel Fitzgibbon, said that decentralisation would help address skills shortages in regional Australia and ease cost of living pressure in capital cities. We have to be mindful of the fact that whilst we in this chamber are all of one mind, there is a variety of views on both sides of the chamber up on the hill.

As I just mentioned, it is important to remember that 37.2 per cent of the federal bureaucracy currently are in Canberra. That reflects about 57,500 public servants, so we have more than 60,000 federal public servants already based outside the Australian Capital Territory.

In conclusion, I want to reiterate the opposition's support for this issue and for this motion. But I would also like to touch on the fact that the principle of decentralisation is something that this ACT government supports, albeit it in the ACT. We hear Mr Barr talk about how it is good to decentralise the ACT government service to Tuggeranong, Gungahlin, Woden or Belconnen. Indeed, the mover of this motion spoke about the importance of decentralisation here in the ACT with regard to having a public service agency in Belconnen. We agree with that principle here in the ACT, but perhaps we are walking a tightrope when we say that on the one hand we like decentralisation in our jurisdiction but on the other hand we cannot have decentralisation in other jurisdictions

I very much support the sentiment and the actual motion which is on the table today, but in terms of the rhetoric we have to be careful that we do not tie ourselves in knots with regard to the word "decentralisation" when we are talking about the public service here in the Australian Capital Territory.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (3.53): I thank Ms Cheyne for bringing this matter forward. I acknowledge the contribution of the Leader of the Opposition. It was interesting advice at the conclusion of his speech, although I think one could easily mount an argument that decentralisation in a city-state is a lot different from what would apply across a continent like Australia. And one could equally argue that the public service is already decentralised, as the Leader of the Opposition observed, with more than 60 per cent of it located outside Canberra anyway.

Those points aside, it is clear that our city is the heart of the Australian public service, and it has been that way since construction commenced on the first permanent administration building, now known as the John Gorton building, in 1927. In the 90 years since that day, Canberra has steadily grown as a range of public service departments were consolidated here. I think it is fair to say that our city is the single most successful example of regional decentralisation in the country's history. We are now the hub of policymaking, research and government innovation and a place people come to when they want to be part of building a better Australia.

Bringing together agencies that were previously scattered across Sydney, Melbourne and other capitals has brought real benefits. Close proximity means departments can share ideas more easily and deliver joint projects more effectively. They can recruit from a deep pool of skilled public service professionals who can easily move between departments to build their experience and broaden their knowledge of the range of big policy challenges that face our nation. And there are many practical advantages in having policy experts delivering the commonwealth government's agenda located near the executive and the commonwealth parliament.

Having the Australian public service headquartered in Canberra also brings real benefits to our community. There are around 58,000 Canberrans currently employed by public service agencies, a little over a quarter of all the jobs in this city. Commonwealth government spending in the territory economy totals some \$36 billion annually. This, of course, is a huge source of income for the near 26,000 businesses that operate in the territory. When we have vague and detail-less plans announced by the federal Nationals, the Deputy Prime Minister and a federal minister recently at the Press Club suggesting that a decentralisation agenda, however defined, is about to take place, it is a serious worry for Canberra, but it is also a serious worry for the Australian public service.

Admittedly, we do not yet know how many agencies may move or where they will go. As is so often the case with thought bubbles from the federal government, this grand decentralisation plan may well end up going nowhere. The fact that in the budget they have tried to add some further conditions and rules around the movement of agencies just weeks after the original announcement tends to indicate a bit of policy on the run occurring here.

As Ms Cheyne has said, there is absolutely no justification for ripping public service agencies out of Canberra, or the tens of thousands of local jobs that come with those

agencies. This government—and, it would seem, this Assembly—will oppose any move to do so, not just because it would represent a further attack on the city’s economy but because it would fundamentally compromise the strength and capability of the APS.

The classic case study here is what is happening with the Australian Pesticides and Veterinary Medicines Authority’s forced relocation to Armidale. The agency has already lost its skilled and experienced chief executive, although I note that the agency’s loss is the ACT government’s gain in this instance. Twenty of the 100 scientists who work for the authority have already quit. Only a handful of the current staff are planning to make the move to Armidale, depriving this agency of a huge wealth of experience and corporate knowledge. That cost is completely separate from the tens of millions of taxpayer dollars that will be wasted physically moving the agency, breaking leases and finding new accommodation. This move, the first case study in this new policy, does not stack up economically or operationally.

We will continue our engagement with the federal government and the senior leadership of the Australian public service to reinforce this point, and we will keep fighting for public service agencies to remain in Canberra, where they belong. Let’s face it: this decentralisation push is the latest, but certainly not the only, example of Canberra-bashing by people whose only exposure to our community comes on the road between the airport and Parliament House. We have all got pretty used to it over the years, I guess, with federal politicians like Joe Hockey joking about tanking our housing market and tabloid commentators labelling Canberrans as paper-pushers, shirkers and Wombles. Just last week we were, somewhat oddly, accused by the Premier of New South Wales of being too effective at the COAG level.

It is time to change the conversation. Attacking Canberra is tired, it is cliched and, frankly, it is now just deeply boring. It is what politicians, journalists and other commentators fall back on when they have run out of other ideas or journalists have gone on strike. We need to start calling this for what it is. The proposal to take jobs out of Canberra and decentralise them is a clear sign that this federal government has no other ideas on growing good, secure jobs in Australia’s regions. It would seem that kicking Canberra is what you do when you cannot come up with a positive and proactive agenda of your own.

Despite this, the ACT government will continue to deliver our positive agenda for this city. Whether that is investment in public transport through stage 2 of light rail, the delivery of our 10-year health plan, the building and renewal of our city’s local schools or pursuing new opportunities for Canberra businesses in export markets, the ACT government will continue to focus on growing and maintaining local jobs whilst building a better city.

We will, and we should always, be the true home of the Australian public service. But that does not mean that we should not aim to develop our own industries, develop our own business hubs, and build on our reputation for creating high value exports. Canberrans can see the difference this focus is making. Jobs growth was up a solid 1.9 per cent in the year to March. There were 4,100 more Canberrans in employment. Business confidence is up since the territory election in 2016. Our local businesses are

now the most confident in the country. New housing starts have more than doubled over the course of 2016, not only generating jobs and economic activity but contributing to increased supply to assist with housing affordability.

Amidst all of this negativity from the federal government about Canberra and our role in the nation, locally we have a positive plan for our city. We will get on with the job of delivering it. It starts with our budget next month. And we can perhaps invite our federal counterparts to spend a bit more time here in Canberra to learn how good government is done.

**MS ORR** (Yerrabi) (4.01): It is my pleasure to speak in support of Ms Cheyne's motion today, and I thank her for moving it. My colleagues in the Assembly will no doubt recall I recently moved a motion opposing the federal government's decision to relocate the Australian Pesticides and Veterinary Medicines Authority, the APVMA. I spoke in opposition to what amounted to a pork-barrelling exercise for Barnaby Joyce's electorate of New England.

In trying to move the APVMA to Armidale, the federal government has wasted \$25.6 million of public money. And what did we get for this price? We have had 20 regulatory scientists and 28 staff members resign, taking with them 204 years' of experience, and the number of unfinished assessments has grown eleven times over in the space of a year. Given this, perhaps we should have heralded the concerns of the agricultural chemical peak body CropLife in their submission to the Senate inquiry where they stated the relocation posed a real and genuine threat to the APVMA's ability to perform its function and would cause delays for at least three years.

You do not need a cost-benefit analysis to know that this apparent "trial" is a complete and utter failure that should be put to rest. But rather than putting the trial down to bad judgement and moving on, the Liberal-National Coalition is determined to expand on their error, requiring all departments to justify why they should not be moved to regional areas.

Not content with the embarrassment caused by having 20 Australian public servants working out of a fast food restaurant, the tail of the coalition has once again wagged the dog. The great myth of the virtues of decentralisation ignores the previous failed attempts we have made in Australia. Just as we witnessed in the APVMA case with staff refusing relocation packages and the resignation of the chief executive, similar problems were experienced when decentralisation of industry was attempted in the 1970s.

If the Nationals had done their research on this, they would have understood they were setting themselves up for abject failure. But should we be surprised by this lack of detail in policy development by the conservatives? When asked for a response to a Productivity Commission report warning against the federal government's decentralisation policy, the Hon Mr Joyce responded by saying:

If you had a Productivity Commission report into Canberra back in 1900, they would have said don't build Canberra.

This gives us some insight into the logic behind the policy formulation of the coalition government and why they are only too happy to repeat the mistakes of the past. The leader of the Nationals believes that if you think what precedes your decision was a mistake, you have free rein to make another even bigger one against all sound advice.

We all sit here aghast at the way conservatives dream up policy and the way in which the federal counterparts of those opposite have bowed to the will of the Nationals. Indeed, the former leader of the Canberra Liberals, Zed Seselja, sat idly in support of the APVMA bill as it was passed in the Senate. But this is unsurprising given the Canberra Liberals themselves only managed to organise to oppose the policy just last week.

While we sit here in stark disbelief, there is a very important point that this entire debate has missed, a point that everyone from Miranda Devine with her inspired dalliance with a Kingston Foreshore socialite to the Hon Mr Joyce with his sound policy logic have all missed. The debate over the Turnbull government's decentralisation policy has failed to highlight that the original idea of Canberra is one of decentralisation. Whether it be Canberra, Washington DC, Brasilia, Abuja or Islamabad, a purpose-built, planned national capital is intended to move the national parliament away from the major city centres to a centralised point.

Brazil moved its capital to a more neutral location to better balance the interests of its rural inland and industrial coastal regions. Nigeria moved its capital from the major economic centre of Lagos to deal with congestion and to establish a capital with a greater mix of ethnicities. Pakistan opted to change the location of its capital to make it more accessible to the nation as a whole. And here in Australia we decentralised our capital in order to achieve federation and to bring our nation into being.

While it is easy to dismiss the notion of Canberra as simply a solution to political gridlock, the benefits of a purpose-built capital far exceed the initial impetus. A purpose-built capital offers the opportunity to move the decision-making process of national government away from the major centres. This distance is intended to allow the machine of government to carry out the task of initiating, developing and implementing policy separately from the day-to-day functioning of the economy. This distance, too, allows for economies of agglomeration to take shape around the government, as it clearly has here in the ACT.

Canberra functions as the national capital, the seat of government and a city-state that is home to 400,000 Australians. It also acts as a regional hub to the surrounding parts of New South Wales, offering employment, education, health care and social services to many residents. Within these structures the ACT has developed into a regional centre that specialises in governance and public administration, as any purpose-built capital is intended to. Our educational institutions enable us to produce high quality graduates, ready to take on public policy and administration challenges that face everyday Australians.

The ACT accommodates four universities, unmatched by any other city of relative size in Australia. Within these universities are schools and research centres such as

the Institute for Research and Action in Public Health, the Crawford School of Public Policy, the Centre for Aboriginal Economic Policy Research, the Centre for Gambling Research, and the National Centre for Social and Economic Modelling among many more, all targeted towards designing better outcomes in public policy.

From the time our students leave these world-class institutions, they are immersed in the world of public policy in one form or another. Our graduates and those graduates who arrive here from elsewhere quickly learn detailed administration tasks, such as the application process for the approval of active constituents and registration of Agvet chemical products, as our recently relocated friends at the APVMA do. They develop an understanding of how the various elements of departments, parliament and government combine to pass policy into law, and they begin to implement it, and it may seem at times that our graduates quickly acquire the ability to construct full sentences using acronyms, a very special skill.

The specialist knowledge our public servants develop is learned and expanded upon from the time one enters the public service to the time they retire. Most public servants will know at least one old hand who took the entrance exam straight out of school and has devoted their entire working life to the service. These individuals can recount countless tales of their time in that service. The stories they share may be lost on some people as forlorn nostalgia, however, they serve an incredibly important purpose: they provide context, understanding, and history to public policy and the process of government, the kind of background that, if listened to, prevents the mistake the federal government is so eager to make with its decentralisation policy.

It is this shared experience, this shared knowledge, that a purpose-built capital creates and that enables a specialist workforce that is actively engaged in improving the lives of all Australians. Carving departments and agencies out of Canberra and planting them in marginal electorates destroys this interconnectedness. It destroys Canberra's capacity to be part of meaningful reform and outcomes that can take Australia forward.

Canberra is not just the national capital; it is the apparatus which facilitates the ongoing running of the country. It is an island of faithful public servants, sharing stories and experiences that can further progress public policy outcomes. It is a network of public sector professionals charged with the day-to-day running of the country. To attack Canberra is to attack the provision of essential services to Australians everywhere. To slice it up willingly is to willingly deny Australians the best services we can offer. To carry on decentralising agencies away from it is to ensure we as a nation go backwards.

I again thank Ms Cheyne for moving this motion and implore the Assembly to support it because decentralisation is not the stuff of sound government, but the failed policy of a misguided government.

**MR RATTENBURY** (Kurrajong) (4.10): It is a pleasure to speak in support of this motion brought forward by Ms Cheyne in defence of Canberra's role as the national capital and particularly the recognition of the national capital as a hub for federal political service. Canberra, of course, is home to the bulk of the Australian Public Service workforce for good reason. As the national capital, Canberra is uniquely

placed to deliver the services and outcomes asked of it by the federal government, with the largest share of the public service located together with the federal parliament. The Australian Public Service has long been recognised as one of the most effective services internationally, including by measures produced by the World Bank, and I think the collocation of the workforce in Canberra has a lot to do with that.

I am concerned by the apparent moves to pilfer such public service jobs by the current federal government to artificially boost employment outside of the territory. However, I do think the federal government could be overlooking an opportunity to generate new jobs in regional areas without the need to dismantle Canberra's public service workforce.

Recently I had the great pleasure to inspect the Sapphire Wind Farm. The wind farm, located between the towns of Glen Innes and Inverell in regional New South Wales, is set to be New South Wales's largest wind farm upon completion. The wind farm was a successful project under the ACT's second wind auction, with approximately half of the wind farm's output contributing towards achieving the 100 per cent renewable energy target that we have in the ACT.

The reason I mention the wind farm is that the project is expected to deliver a significant number of new jobs, right in the heart of Deputy Prime Minister Barnaby Joyce's New England electorate. The project has been estimated to generate up to \$10 million in new economic activity for the local area and will create up to 200 new jobs during the construction phase. This is roughly double the number of jobs anticipated to be uplifted out of Canberra and transplanted into Armidale through the relocation of the Australian Pesticides and Veterinary Medicines Authority, also coincidentally located in Mr Joyce's New England electorate.

Having been up there and seen the absolute hive of activity—bearing in mind this is only one wind farm and another wind farm literally across the other side of the road is also generating significant economic activity—it is clear that a significant number of the local community welcome these initiatives. Of course, there are some who do not, but they recognise the skills that are being brought to the area and the job opportunities in the short term and also the lasting economic impact these wind farms have.

I took the opportunity while I was there to have lunch with some of the farmers involved in the project. They were certainly very positive about the ongoing economic impact. Those able to have turbines located on their properties receive an ongoing source of income which, of course, being for locals, will flow through to the local economy. A range of ancillary projects are being built in the community as part of the arrival of the wind farms and a range of other economic developments. These create real and extra jobs, new jobs, rather than pilfering them from Canberra.

In terms of what we have seen in the way this decision has been taken—and there is a range of comments you can make about it—I was particularly struck by a recent media report on the ABC about public servants who have been forced to work from a McDonalds after moving to Armidale. This probably underlines the lack of strategy. Because they did not actually have anywhere to work, they were required to go there

to access the wi-fi network, according to the media report. This and the relocation proceeding without any proper examination of the cost-benefit analysis being conducted into the move underlines the fact that this has not been about a strategic placement of the public service but rather matches the allegations that have been made in a range of quarters that this is a pork-barrelling exercise in the Deputy Prime Minister's electorate.

Of course, comparing the number of jobs created by the Sapphire Wind Farm and the relocation of the veterinary and medicines authority is not completely appropriate because, as I said earlier, the ACT's investments in renewable energy are actually creating new jobs and opportunities in the electorate of New England as well as in the ACT. By contrast, the relocation of the APVMA does not create any new jobs; it simply takes them from Canberra and moves them somewhere else.

The federal government's solution to job creation appears to be to simply raid Canberra's public service offices and relocate the staff into their own electorates. The Greens reject the notion that Canberra's workforce is another means of pork-barrelling by federal ministers. Rather than searching for public servants to transfer out of the national capital, away from colleagues and the organisational infrastructure that exists around the federal public service, the federal government should instead focus on getting their act together when it comes to energy policy.

As the Sapphire Wind Farm experience shows, a strong commitment to the transition to cleaner sources of energy can create real opportunities for regional and rural communities, creating more jobs and economic activity. That is a really valuable point to underline because we are seeing, as these projects are being developed across Australia—and there is significant investment going on despite and perhaps in contrast to the efforts of the federal government—that they are largely being constructed in regional and rural areas, bringing jobs and skills to areas that desperately need them and providing ongoing sources of economic opportunity as well as an expansion of different skills to come to these areas.

In addition to supporting this motion—many other members have spoken to it today and I do not have any further comments to add in terms of the text of the motion; I think it is perfectly self-explanatory—I am keen today to highlight the economic opportunities that the ACT is creating through our strong support for the renewable energy sector. The fact that we are striving to have 100 per cent renewable energy electricity provision in the territory is seeing a range of investments taking place in rural and regional areas.

That is another benefit: not only are we doing a great job here in the ACT of getting a good environmental outcome for our energy sources, not only are we getting steady prices over the 20 years through the contract processes that have been used, but the transition the ACT is making is providing economic opportunities in areas that really need them. I am pleased on behalf of the Greens today to support the motion brought forward by Ms Cheyne.

**MR PETTERSSON** (Yerrabi) (4.17): I appreciate Ms Cheyne moving this motion today and giving this Assembly another chance to consider the importance of the Australian public service to Canberra and to Australia as a whole. Many Canberrans are rightly worried for the future of our city. They worry about their jobs, and they worry about their family's future above all else. These are uncertain times. The decentralisation agenda and the Canberra-bashing are right to give Canberrans pause.

The decentralisation agenda being pushed by the federal Liberal government is simply a bad idea. It is bad public policy. It is bad for Australia and it is bad for Canberra. We thought we had seen the worst of it with the relocation of the APVMA, but here we are. Despite the fact that the large majority of the staff did not want to relocate, despite the warnings from industry stakeholders and despite the warnings from their independent advisers—Ernst & Young, of course—the Liberals proceeded with this foolish and haphazard plan to move the APVMA.

Now we hear from the Deputy Prime Minister, Barnaby Joyce, that decentralisation is core business for the Liberal national government. We have heard that the Liberal government will now force all federal departments to justify their continued presence in Canberra. If they fail to do so, they will be forced to move to rural or regional Australia. That is right; all federal departments are on notice. Most of the time, when you try to justify a significant policy change, the onus is on you to demonstrate the benefits to the country for why you should proceed. But when it comes to pork-barrelling—in Liberal and National regional seats, of course—it would appear that no expense can be spared.

I am a member for Yerrabi. I proudly represent the residents of Gungahlin and eastern Belconnen in this place. Caught up in this mess of decentralisation is the promise from the Liberal national government to bring a federal department or agency to Gungahlin. We were told to expect more detail in the budget. Well, the budget has come and there is no detail. The people of Gungahlin want a department in their town centre. They were promised a department in their town centre. It appears, however, that promises do not count for much if you are talking about Canberra.

I would also like to thank Ms Cheyne for drawing attention to the—I am almost hesitant to say it—ignorant and malicious comments some of the less informed commentators make about our great city. Some of the comments cited in the motion itself refer to an article by Miranda Devine, a long-time columnist for the *Daily Telegraph*. I had to go and have a read of the article in question; I do not make a habit of reading such publications and columns of that nature. What strikes me about this article is not the negative comments about our city but some of the more glowing things she has to say about Canberra. The article starts by stating:

There's something seriously wrong with Australia when Canberra is our fastest growing town, boasting the highest wages, near record job growth—

She goes on to discuss how Canberra is a “cashed-up boom town on steroids, with cranes all over the skyline, boasting the highest paid citizens” in Australia. I have to say it is hard to take these comments as anything but an endorsement of the

ACT Labor government and the policies we have pursued. She is quite right: wage growth is better in Canberra, job growth is higher and people do, indeed, want to move here.

Leaving aside the commentary around the use of performance-enhancing drugs, she is right to point out the significant amount of infrastructure and development we are seeing in Canberra, providing jobs to thousands of local construction workers, not just public servants.

She goes on to talk about the high quality of Canberra's restaurants and the number of cafes that have popped up around the city. Again, I think she has done well to capture the incredible improvements in amenity that Canberra has seen under this Labor government.

But here is the problem: Ms Devine does not think job growth and high wages are good for Canberra. No, when it is Canberrans that benefit, these typically positive outcomes are actually a negative. Ms Devine goes so far as to say that Canberrans are fat cats. I kid you not. The evidence for this is apparently by 5.30 many Canberrans can be found in their gym gear going for a run or walking the dog. I ask: what is wrong with that? This is all part of the world view that unless you are working 14 hours a day then you are not doing your job. I think it is great that people in Canberra work reasonable hours. I also think it is great that they enjoy outdoor activity after work. This is something that we should be encouraging in more workplaces and in more cities.

It is also probably worth noting, given we are just a day after the federal budget, that I think many officials at treasury or finance and, generally speaking, across the entire federal public service would scoff at the idea of finishing work at 5.30 pm. I would also like to add that I think there is an incredible level of hypocrisy when a news columnist of any variety goes around referring to the people of Canberra as having fat cat lifestyles. But this hypocrisy is all too common from the critics of Canberra. I think it is vital that we in this chamber and, indeed, everyone in this city stand up to the bullies.

The Australian public service is crucial to our city. And our city is crucial to Australia. The expertise that we have in Canberra is second to none. The Liberal government should be looking to foster and strengthen this expertise rather than strip it away. I commend this motion to the Assembly. I hope it receives the full support of all members of this chamber.

**MR STEEL** (Murrumbidgee) (4.23): I thank Ms Cheyne for bringing forward this motion. Our Labor government will always stand up for Canberra's role as our national capital. Canberra is the seat of government and a place where people from all around Australia come to contribute. It is a place in our nation that we can be proud of. This motion continues the advocacy and leadership that our government has taken to stand up for our city.

We have, of course, discussed this motion in the context of last night's 2017-18 federal budget—a budget that, as the *Canberra Times* has reported, will see

an additional 244 public service jobs cut or 5.3 per cent of jobs at the Department of Health. As the Department of Health is based in Woden town centre, we can assume that this will mean more jobs lost there, and it is expected that there may be similar cuts in future years in the same department. This is on top of the cuts and relocations under the federal Liberal government in budgets past that have left commercial buildings empty in Woden town centre, or virtually empty. From June 2013 to December 2016, the Liberal government cut nearly 13,000 public service jobs. This means that one in 13 public servants have lost their jobs, and the budget confirms that there will be more.

It is one thing to cut the public service to the bone, as the Liberals do every time they take office, with devastating effect on our city, but it is quite another thing to actually undermine the whole underpinnings of the Australian public service and the establishment of Canberra. That is what the Liberal Party have done in government federally, declaring full-scale war last month on our national capital and its public servants, forcing our fundamental agencies of government to justify their continued existence in Canberra. As our member for Canberra, Gai Brodtmann MP, has said, Sir Robert Menzies would be turning in his grave.

Aside from the ethical concerns regarding the undisguised pork-barrelling that this policy represents, decentralisation of government departments is just bad policy. First, the cost-benefit analysis does not stack up. We have seen the local example of the problems that decentralisation brings with the Australian Pesticides and Veterinary Medicines Authority, the APVMA. The official cost of that authority's relocation was \$26 million, but federal Labor estimates this to be closer to \$60 million.

Secondly, the Liberals' relocation legacy to Canberra will also leave our public service haemorrhaging corporate knowledge with jobs and communities dislocated. We know this will happen because we have a really great example overseas where relocation policies have been pursued. The Republic of Ireland government actually attempted to pursue relocation out of Dublin over the past decade, and it was a complete disaster. The policy objective has now been abandoned as an abject failure for the same reasons that Labor has been putting forward in relation to the federal Liberal government's current policy.

Decentralisation in Ireland badly damaged the civil service. According to a report on the review of the Department of Public Expenditure and Reform organisational review program, decentralisation led to a major haemorrhaging of corporate knowledge. In some cases, key knowledge on some important national policies became dependent on a small number of key officials and, on occasion, just one public servant. It found that decentralisation also resulted in major staff churn or turnover. The turnover of staff was around two and a half times the number of posts earmarked for transfer. The resulting travel and subsistence costs, along with the time burden, were substantial. In some cases policy decisions resulted in staff in decentralised offices not having enough work. It also saw low morale amongst staff who had forgone promotion or sold property to avail themselves of decentralisation that had not gone ahead. Decentralisation impacted on internal shared understanding within the organisation,

especially where face-to-face interactions with Dublin-based ministers were required. There was a detrimental effect when a function was geographically dispersed over a number of locations.

The report cites cases where principal officers and assistant secretaries were having to work out of two locations, typically the headquarters in Dublin and a new decentralised location. Staff could end up spending between 20 and 50 per cent of their time in one or other premises. The resulting travel and subsistence costs, along with the time burden, were very substantial. There were also significant other additional costs from decentralisation in Ireland.

You can imagine what the extra challenges will be if this policy is pursued in our wide brown land. In fact, since the Liberals have opened up the possibility of relocation of public service departments and agencies, there have been proposals put forward to move Indigenous affairs in the Department of the Prime Minister and Cabinet to Alice Springs, which would be a great way to disconnect the important function of this government agency from government policy development in Canberra with the entire public service. It would also be a further blow to Woden town centre as many public servants in Indigenous affairs in the Department of the Prime Minister and Cabinet are based at 16 Bowes Place and in the virtually empty Lovett Tower—and there are a 190 people in Indigenous Affairs based in the ACT.

I am glad to hear that the opposition supports this motion today. I did say in my last speech in relation to Ms Orr's previous motion on the APVMA that we all need to continue to advocate to make sure that our federal colleagues understand the importance of Canberra and its role in supporting the public service. Our government will continue to stand up and advocate against this relocation policy which the federal Liberal Party is pursuing in government. It will have a devastating impact here in the ACT if it continues, particularly in Woden town centre in my electorate.

**MS CHEYNE** (Ginninderra) (4.30), in reply: I thank all the members from all sides of this chamber who have spoken in such strong support of this important motion today. While the Chief Minister is right in that we do not know and we may not know for some time how many departments and how many public servants will leave the ACT, the sad truth is that the threat of decentralisation, or this thought bubble, is already causing uncertainty in Canberra, casting doubt on investment decisions and causing public servants to enter limbo as they wonder what the future holds for them and their families and what lives they might have to uproot for the sake of a job.

If decentralisation goes ahead, our economy will suffer across the board. Our hospitality and retail sectors will suffer reduced patronage. Our university sector will suffer as the rich source of senior public servants who contribute to academic dialogue and speciality course offerings in public administration are forced out of our city. Our construction industry will feel the blow of a reduced population. As my colleagues right around the chamber and I have pointed out today, there is no reason for this drastic move.

This is not about creating jobs; the federal government needs to come off it. This is about moving jobs. If the federal government is serious about creating jobs, as

Minister Rattenbury pointed out, it needs look no further than the home of the public service, the nation's capital right now, to see how we are creating jobs and how we are stimulating the economy. The ACT is leading Australia in terms of business confidence and it would be prudent for the government to look a little bit more closely at this city that it spends some time in.

It is increasingly clear that the policy has not been properly thought out. No cost-benefit analysis has been done here, just like it was not done with the APVMA. A proposed template for ministers to complete has not yet been drafted. The justification has to occur by August, but decisions will not be made until December. Fiona Nash says all portfolio ministers need to be part of this process, but her colleague Barnaby Joyce says whole departments will not be moved and has already named some which are staying. Confusion and uncertainty reign.

I have already highlighted the costs to the Australian public service in terms of the inevitable brain drain and inefficiencies that come with silo organisational structures. No good for Canberra will come of decentralisation, and no good for the Australian public service will come out of decentralisation.

Again, I thank my colleagues on all sides of the chamber for their support of this motion. People out in the community have said to me, particularly when they have been signing my petition, that this policy is so absurd that surely it will not go ahead. Well, I sure hope it does not go ahead, but you cannot trust the federal government. As long as it remains a live option, it adversely affects our great Canberra community. The sooner it is killed off, the better. That is why I will not stop speaking up about this and neither, I hope, will this chamber.

I will conclude by again emphasising the words of the finance minister just 18 months ago when he said, "It is important to appropriately consider relevant local impacts." He was talking about moving a major public service department. If this is true—and there is no reason why it should not be—then they should heed their own advice; they should look at this advice right now and apply it. In considering this proposal, in considering this thought bubble, they would be dropping it like it is hot.

Question resolved in the affirmative.

## **Child placement and care plans**

**MRS KIKKERT** (Ginninderra) (4.35): I move:

That this Assembly:

(1) notes:

- (a) that the 2004 Vardon Report ("The Territory as Parent") and the 2016 Glanfield Inquiry ("Report of the Inquiry") both recommended that decisions made by ACT Child and Youth Protection Services (CYPS), or its predecessor, regarding a child's placement or care plans be subject to external scrutiny or review;

- (b) that the ACT remains the sole Australian jurisdiction where such decisions are not reviewable;
  - (c) that numerous constituents, including parents, carers and agencies, have expressed frustration, both in submissions to inquiries and directly to Members of this Assembly, that no pathway exists for aggrieved persons to seek external review of these decisions; and
  - (d) that the ACT Government in its 2016 “Response to Family Violence” acknowledged that “some important decisions are not subject to external review in the ACT while they are reviewable in other jurisdictions” and promised to undertake a JACS-led assessment of this situation; and
- (2) calls on the ACT Government to:
- (a) recognise the importance of ensuring that decisions regarding a child’s placement and care plans be subject to external review, both to ensure the quality of such decisions and to engender confidence in the system;
  - (b) provide a detailed outline of the following:
    - (i) what recommendations, if any, have come out of the JACS-led review; and
    - (ii) what specific steps the Government will take to bring the ACT into line with all other Australian jurisdictions by providing for external review of these decisions; and
  - (c) report back to the Assembly on these matters by the last sitting day in August 2017.

I am pleased to move this motion today, because it deals with a very important matter that several constituents have raised with me personally. It has not been just constituents who have raised concerns, however. This matter has also been addressed over a number of years in reports that have looked into the ACT government’s provision of care and protection for children and young people in the territory.

In May 2004 a report was submitted to the government entitled *The territory as parent: review of the safety of children in care in the ACT and ACT child protection management*, often known as the Vardon report. The stated purpose of this report was to secure the safety of children and young people in care in the ACT, and to redress deficiencies in current policies, procedures and practices for children and young people.

One of the main issues raised in the Vardon report was the lack of external scrutiny of decisions made by family services, the predecessor to what is now known in the territory as child and youth protection services, or CYPS, including external review of things such as placement decisions and care plans. The report noted that submissions to the commissioner highlighted the lack of an independence grievance structure, and that “parents, carers and agencies all relayed stories of frustration about having nowhere to go when they disagreed” with these decisions. The report further noted:

The consensus was that an independent mediator was needed to deal with these disputes.

The report did not identify a specific external review mechanism, but, amongst others, noted that the Childrens Court magistrates and most of the legal representatives with whom the review spoke had expressed support for an administrative children's tribunal supplemented by a judicial appeal process. One possible option was to create the position of a commissioner for children and young people, who would have the power to convene an independent tribunal, the decisions of which should also be subject to judicial review. The report concluded that this would "complete a comprehensive statutory framework for external scrutiny of services dealing with children and young people in the ACT".

Thirteen years later, the ACT has a Children and Young People Commissioner, for which I express gratitude, but still no independent tribunal or access to judicial review. These points were made clear in a report that was submitted to the ACT government in April last year entitled *Report of the inquiry: review into the system level responses to family violence in the ACT*. It is often referred to as the Glanfield inquiry, and it was prepared by a board that was appointed on 22 February 2016 following the tragic death of Bradyn Dillon one week earlier.

This report noted that important decisions such as care plans are not merits reviewable in the ACT. It quoted from a Legal Aid ACT submission that explained that, for example, a caseworker can drastically vary a Childrens Court issued care plan, but if a mother is dissatisfied with this variation Legal Aid can only advise her that "there is no pathway for her to seek external review of this decision".

This lack of external review surprisingly includes no form of judicial review. According to the Glanfield report, only a decision made under the Children and Young People Act is subject to such a review. The decision regarding a child's placement, however, is—and I quote:

made by the Director-General—

of the Community Services Directorate—

pursuant to the care and protection order made by the Childrens Court and is therefore not a decision under the CYP Act, and is therefore not reviewable ...

In short, Legal Aid was correct to observe that in the ACT there is simply no pathway for a parent, close family member or other concerned party to seek external review of a decision made by CYPS regarding the placement of a child or the alteration of a care plan. This reality creates a situation that is unique among all Australian jurisdictions. The ACT is the sole jurisdiction that does not currently provide such a mechanism for external review or scrutiny of a child's placement or care plan.

In New South Wales the placement of a child can be reviewed by a tribunal. Reviews of care plans can be conducted by the Children's Guardian and orders can be appealed to the District Court. In Victoria case plans and other decisions made by the secretary

concerning a child can be reviewed by a tribunal. In Queensland both the placement of a child and a refusal to review a decision in a case plan can be reviewed by a tribunal. In Western Australia care plan decisions can be reviewed first by the CEO and subsequent decisions can be reviewed by a tribunal. In South Australia care orders which are made by the court can be reviewed by application to the court. Decisions made by the chief executive count as decisions made under the Youth Court Act and the act itself provides that care and protection orders can be appealed to the Supreme Court.

In Tasmania family group conferences that enable review of arrangements for care and protection of a child under an order must be convened if requested by the child or any two or more members of the child's family. In the Northern Territory a party can apply for variation, revocation or revocation and replacement of a care and protection order. Decisions made by the chief executive count as decisions made under the relevant act and any order or decisions can be appealed to the Supreme Court.

In the ACT there is simply no pathway to external review. I do not wish to be misunderstood on this point, however. The matter before us today is not simply about being out of step with all other Australian states and territories, although the fact that the ACT has been left behind by all other jurisdictions, despite at least 13 years of recommendations to the contrary, should certainly concern us. External review of decisions relating to a child's placement or care plan is about two very important things, the first of which is the quality of such decisions. As the Vardon report noted:

Good governance in child protection is about establishing a rigorous safety system for children and young people at risk. The system comprises statutory accountability, internal controls and record keeping, and external scrutiny.

The relationship between external review of decisions relating to placement and care plans and the quality of those decisions was likewise expressed to the Glanfield board of inquiry by the former Children and Young People Commissioner. I quote:

I consider that the availability of administrative review of such key decisions would improve accountability for decisions that have a significant impact on the lives of children and young people, and their families and carers and would promote high quality evidence-based decision-making by CPS [now CYPS].

Without access to external review of decisions made by CYPS or the Director-General of CSD, the territory's families have no formal mechanism by which to raise concerns, resolve grievances or find assurance that these decisions truly are in the best interest of their children.

This leads to the second reason why scrutiny of such decisions is so important. Lack of external review naturally leads to suspicion and frustration, and, in the unfortunate event when something goes seriously wrong with a child in the territory's care and protection, it can lead, quite understandably, to an unquenchable rage or grief that no-one listened when concerns were raised.

Tragically, the very best policies and procedures will never keep every single child safe 100 per cent of the time, but the right policies and procedures can certainly

reduce the likelihood that something will go wrong. For the sake of the territory's children and young people and their families and for the peace and security of the good women and men who are tasked every day with making difficult and complicated assessments, I call upon this Assembly to recognise the importance of ensuring that decisions regarding a child or young person's placement and care plans be subjected to external review, both to ensure the quality of such decisions and to engender confidence in the system.

I likewise call upon the ACT government to report to this Assembly with some haste regarding the review that they promised on this matter last year and the steps that they will take to guarantee that the territory's care and protection system provides similar safeguards to those that families and children enjoy everywhere else in Australia.

**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) (4.47): I move the following amendment that has been circulated in my name:

Omit all words after "That this Assembly", substitute:

"(1) notes:

- (a) that the 2004 Vardon Report ('The Territory as Parent') discussed the importance of internal and external scrutiny of child protection services;
- (b) that a number of parents, carers and agencies have called for processes to be established for external review of Child and Youth Protection Services (CYPS) decisions;
- (c) the 2016 Glanfield Inquiry ('Report of the Inquiry') made six recommendations in relation to the Decision Making, Quality Assurance and Oversight of CYPS in the ACT;
- (d) the Glanfield Inquiry specifically recommended that 'a review should be undertaken of what decisions made by CYPS should be subject to either internal or external merits review' and that 'The review should have regard to the position in other jurisdictions and be chaired by the Justice and Community Safety'; and
- (e) that the ACT Government in its 2016 'Response to Family Violence' accepted the Glanfield Inquiry recommendations; and

(2) calls on the ACT Government to:

- (a) recognise that transparency and accountability enhance community confidence in public administration, especially in complex areas such as statutory child protection services;
- (b) ensure that processes are focused at all times on the best interests of children and young people; and

- (c) report back to the Assembly by the last sitting day in August 2017 on the implementation of the six Glanfield Inquiry recommendations that relate to Decision Making, Quality Assurance and Oversight of CYPS in the ACT.”.

My amendment respects the intention and outcome sought by Mrs Kikkert’s motion, and I thank her for bringing the motion to the Assembly today. However, it seeks to correct the references to the relevant inquiries to make it clearer what they found and recommended and to broaden the scope of the reporting that the motion seeks from the government.

As a consequence of tragic family violence events that occurred in our community, in 2016 the government released three reports into family violence: *Report of the inquiry: review into the system level responses to family violence in the ACT* by Mr Laurie Glanfield; *Findings and recommendations from the review of domestic and family violence deaths in the Australian Capital Territory* by the Domestic Violence Prevention Council; and the *ACT domestic violence service system final gap analysis report* by the Community Services Directorate. The Glanfield report went, in part, to recommendations around improving quality assurance and accountability in the child and youth protection system.

The work of child and youth protection is some of the most complex and important work undertaken by government, as Mrs Kikkert has acknowledged. It is about the safety and wellbeing of children at all levels, and staff at all levels operate with a focus on the best interests of the children and young people. The work is emotional and difficult for all concerned. It is also highly contested and it is very closely scrutinised.

The government commissioned the Glanfield report in recognition that there was room for improvement in the system-level responses to family violence in the ACT and supported its recommendations in the same spirit. The ACT government has made a number of commitments to address the recommendations made by Mr Glanfield. The original motion, Mrs Kikkert’s motion, referred to one of those recommendations and commitments, specifically relating to a review of what decisions made by child and youth protection services—CYPS—should be the subject of either internal or external review.

My amendment acknowledges that there were six recommendations made in relation to chapter 7 of the report which covered decision-making, quality assurance and oversight of the child and youth protection system. In addressing those recommendations the ACT government, in its response, committed to: the establishment of a child and youth protection quality assurance and improvement committee to provide arms-length quality assurance and ensure compliance by statutory services; a case analysis team to undertake case analysis work on identified cases of children and young people with extensive involvement with statutory services; review of what decisions made by CYPS should be subject to either internal or external merits review—the recommendation that Mrs Kikkert has referred to; and make publicly available information about review rights and ensure this is provided to

individuals notified of a CYPS decision. The government also made a commitment to review the resources of the Public Advocate and Children and Young People Commissioner and resources in the Community Services Directorate.

I look forward to providing an update on the progress of implementation of these commitments by the last sitting week in August. I will note, however, that substantial progress has been achieved against all commitments. The review of what CYPS decisions should be subject to internal or external review is underway.

The advice I have received is that research undertaken as part of the project does not indicate that we are the sole jurisdiction where decisions regarding a child's placement or care plans are not subject to external review. This is why that part of the motion has been removed in my amendment. In fact numerous jurisdictions only have internal review mechanisms for care plans and placement decisions. As is the case in the ACT, some jurisdictions use their established court processes as well.

The progress against all of our commitments in the family safety plan is monitored by the Coordinator General for Family Safety. I wish to note in particular that the Child and Youth Protection Quality Assurance and Improvement Committee is also up and running. It was funded in the 2016-17 budget as part of the ACT government's safer families package, which included \$2.47 million to enhance quality assurance and support improved decision-making within child protection services. Recently, I released two communiques issued by the committee following its recent meetings, and announced that communiques will be issued after each future meeting of the committee.

I would also like to remind the Assembly that there are already a number of independent and external systems in place to review decisions at different points within the child protection process. These include the Childrens Court, the Human Rights Commission, specifically the Public Advocate, the Children and Young People Commissioner—to which Mrs Kikkert referred—and the ACT Civil and Administrative Tribunal. All of these bodies represent established and legislative avenues already in place to review decisions, having access to all of the available information, and with the interests of children and young people being paramount. These are all external avenues available to parties who seek to dispute decisions.

There are also a number of internal processes for review of decisions. All of these review mechanisms will be considered in the commitment made in response to the Glanfield report to review which CYPS decisions should be subject to internal or external oversight. I repeat that that work is ongoing.

Members of this Assembly must understand, and I am sure that they do, that decision-making in child and youth protection services about matters of placement and stability can be contentious and complex, and these decisions are guided by the principles of the Children and Young People Act 2008. These principles focus decision-making on the best interests of children and young people, with their needs, protection, safety and wellbeing being paramount over the needs of others involved.

The consultation leading to the design of A step up for our kids, our significant five-year reform strategy for out-of-home care, told us that stability and permanency of placement of children and young people must be a priority for children to thrive. Carers, children and experienced practitioners all told us that periods of uncertainty and instability increased children's experience of trauma and chance of poor life outcomes.

That is why A step up for our kids put as a priority achieving permanency and stability with a loving family as early as possible. It is important that proposals for changes to reviewable decisions be considered within the context of the lived experiences of children and young people. It is important, for example, to ensure that children and young people are not put in a position of having their stability and security with families disrupted by lengthy, intrusive or duplicative review processes.

In undertaking to update the Assembly on the specific commitments made by the government that are referred to in this motion and my amendment, I also note that the ACT government has committed to presenting a family violence statement to the Legislative Assembly each year. I understand that the first annual statement will be tabled in June. I commend the amendment to the Assembly and am confident that it achieves what Mrs Kikkert was aiming for, and indeed goes further.

**MS LE COUTEUR** (Murrumbidgee) (4.55): I thank Mrs Kikkert for her motion, which I support in principle. However, I believe that the amendment circulating in my name, combined with the amendment previously circulated by Ms Stephen-Smith, achieves the same result in a more concise way.

What is agreed by all parties—and, I am sure, people within this Assembly—is that the decision-making, quality assurance and oversight of the child and protection services in the ACT are important aspects of ensuring that we are doing our best for children and young people who are the responsibility of the territory.

I am proposing this amendment because the ACT government response to the Glanfield inquiry makes it clear that the resources of the Public Advocate and the Children and Young People Commissioner, and the Community Services Directorate's ability to respond to those inquiries, should be reviewed. The number of review requests pursuant to section 879 of the Children and Young People Act 2008 has increased considerably. In 2015-16, there were 143 requests for 113 children and young people, compared with 14 in the previous year and 50 the year before.

The children and young people section of the office of the Public Advocate has been chronically under-resourced for many years, with only one senior advocate—that is, one full-time FTE—having dedicated responsibility for the functions relating to children and young people. Given that there was a 40 per cent increase in the number of children and young people brought to the attention of the office from 2014-15 to 2015-16, the resourcing is of significant concern.

The functions accorded to the role of the Public Advocate do not involve just monitoring and oversight; they also include a range of system and service improvement obligations. Section 27B(1) of the Human Rights Commission Act 2005 gives authority to the Public Advocate to, amongst other things, advocate for the rights of children and young people and, as a part of advocating for these rights, foster the provision of services and facilities for children and young people; support the establishment of organisations that support children and young people; promote the protection of children and young people from abuse and exploitation; listen to and investigate concerns from children and young people about the provision of services for the protection of children and young people; monitor the provision of services for the protection of children and young people; and deal, on behalf of children and young people, with entities providing services.

The prevalence and seriousness of issues impacting children and young people in the ACT cannot be over-emphasised. There are issues such as homelessness, which nearly doubled for children and young people up to 18 years old from 2006 to 2011; out of home care placements, where there has been an 11 per cent increase from 2014 to 2015; and a continuing over-representation of Aboriginal and Torres Strait Islander children and young people in care—13 times that of non-Aboriginal and Torres Strait Islander children and young people in the ACT versus the national rate of 9.5 times, which in itself is not great—and in youth justice, 29 per cent from 2014 to 2015. These are just some of the challenges faced by children and young people in the ACT.

The coming years are also likely to see an increased demand for the Public Advocate's services for children and young people due to recent and anticipated changes in legislative and service systems within the ACT in response to proposed information sharing provisions, increased family violence awareness, the implementation of the reportable conduct scheme, the review of working with vulnerable people checks and recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, to name just a few of the further initiatives currently underway.

As you would appreciate, with only one full-time person dedicated to this program, there are significant limitations to the office's ability to effectively discharge their legislative responsibilities. That is why I have made this amendment. In order for the Public Advocate to appropriately discharge her duties, there is a need to review and, hopefully, increase the resources allocated to the office.

The Glanfield inquiry indicated that the operational compliance and support area in child and youth protection services that focuses on responding to the Public Advocate is under-resourced to deal with this level of requests in a timely manner. The inquiry understood that responses from CSD have been delayed and that the operational compliance and support area in CYPS that focuses on responding to the Public Advocate is under-resourced to deal with this level of requests in a timely manner.

Under-resourcing appears to be an issue. The Glanfield inquiry indicates that there were no scheduled quality assurance activities conducted on case files by experienced and qualified care and protection staff; and while internal merit review processes within CYPS were implemented, repeatedly these reviews faded out due to the need for CYPS officers to focus on increased demand for services and workforce shortages.

As stated by Glanfield:

In a context where life changing decisions are being made based on human judgement, in circumstances where errors can never be entirely eliminated, review of decisions and quality assurance arrangements can play an important role.

I could not agree more. There is a need for transparency in all decisions made by CYPS. They need to be clearly articulated and decisions need to be able to be reviewed.

This is particularly the case in instances where care and protection orders are made for children who are Aboriginal or Torres Strait Islander or where they are made for children of parents with a disability. There are guiding principles that child and youth protection services must follow when making decisions about the placements of young Aboriginals and Torres Strait Islanders, and cultural plans must be developed. This practice has developed over time and recognises the specific issues that are faced by this community in the shadows of the stolen generations. For this reason, the ability to review decisions not only is extremely important but also is a demonstration that the care and protection system is placing the needs of children, including Aboriginal and Torres Strait Islander children, first.

We have been hearing for some time from the disability sector that parents with disabilities have a high exposure to the child protection system. There is a growing body of evidence suggesting that parents with cognitive disabilities are subjected to a higher rate of child protection intervention and child removals than parents without disabilities. Allegations are that the high rates exist because of issues of prejudice, discriminatory attitudes and a severe lack of appropriate parenting supports. If this is the case, the ability and capacity for external review to occur is even more paramount.

For almost a decade, disability advocates have highlighted concerns regarding this disproportionate removal of children from the care of their parents where one or more parents have a disability, particularly a cognitive disability. It is suggested that children and families who come into contact with the child protection system often share common marginalisation and demographic characteristics. Parents with cognitive disabilities are over-represented in the child protection system and face significant barriers to equitable participation in the legal processes arising from this. We must be sure that decisions made about the placement of children of parents with disability are fair and unbiased.

Currently, there is the ability for certain decisions to be reviewed through ACAT, the ACT Civil and Administrative Tribunal. These decisions relate to the approval of organisations and individuals as suitable entities, or not, and the approval of persons of carers, or not, but they do not relate to the decisions about the care of an individual child or young person.

Finally, for parents, foster carers, kinship carers and, vitally, the children and young people themselves, there must be recourse to review or appeal decisions made by the territory on their behalf. As we all know, in all these processes, the best interests of the child must be the paramount concern. The voice of the child in any questioning of these decisions must be heard, and the external review system needs to be open and to allow for positive engagement and genuine feedback.

This is why it is so important that external reviews of decisions can be undertaken, and this is why I am supporting this motion and moving my amendment.

**Mrs Dunne:** Could I seek some clarification. We have two amendments on the floor at the moment. Can we do that?

**MS LE COUTEUR:** My amendments seek to amend Ms Stephen-Smith's amendment. They are amendments to the amendment. I move:

(1) Insert new paragraph (1)(f):

“(f) that the ACT Government, in response to the Glanfield inquiry, agreed to a review of the resources of the Public Advocate and Children and Young People's Commissioner to perform oversight functions and a review of the Community Services Directorate's resources to respond to oversight bodies after the Human Rights Commission has been operating for a year;”.

(2) Insert after paragraph (2)(b):

“recognise the importance of adequately resourced internal and external review functions of the Public Advocate and Children and Young People's Commissioner and the Community Services Directorate;”.

**MRS DUNNE (Ginninderra) (5.05):** I want to thank Mrs Kikkert for bringing this important matter before us today. I am speaking from sad experience of the issues, as I have, like Mrs Kikkert, held the responsibility of being the shadow minister for community services. I would like to reflect on some of those experiences and on why this motion today is so important.

In doing so, I do not want to be overly critical of the minister, but I have heard the speech that she gave today once too often. I hear Ms Stephen-Smith talking about how everything that is done in the care and protection system is done in the best interests of the child and that substantial progress is being made towards doing a range of things. I am sorry, but I have been here for a very long time and through the period from 2008 to 2012 I heard that speech a number of times. I also know that through

that time, and subsequently, there have been outrageously atrocious decisions made which are supposedly in the best interests of the child.

I know, and we all know, that some of those decisions have resulted in deaths. Some of those decisions have resulted in injuries. As a result of this, I do not think that I can sit here and again stomach a platitudinous speech from the minister saying, "Everything is fine. We're doing the work. We're getting on with the job." The Glanfield report came down a bit more than a year ago. If we were acting in the best interests of the child, we would have done something about it. Also, we have to remember that the Glanfield inquiry was not the first inquiry to talk about this. Back before I was the shadow minister for community services, the Vardon report called for the same thing. We do not have the level of transparency and the opportunity for interested parties in the ACT to call upon someone to second-guess a decision.

I understand, and Ms Le Couteur points out, the huge pressure that the staff in care and protection are under, the enormity of their caseload. We all understand that. That is why you need to have a review process. They are under the pump, and they sometimes get it wrong. They think that they are doing the right thing, but it is not necessarily always in the best interests of the child.

We have seen deaths. We have seen injuries. We should not be in the situation where the review of these things comes about through the child death review panel. We should be reviewing these decisions before it gets to that.

There are a number of occasions that I have personally dealt with, and that I cannot talk about in detail, where I can tell you that I have received briefings to the effect: "Mrs Dunne, don't you worry. This has happened and that has happened." When you get back to the family, you discover that those things have not happened. I have had confidential briefings where I have had to call departmental staff back in to account for why they told me one thing when it was not true.

That happened more than once on my watch and I am sure that it happened when Ms Lawder was in the position. Mrs Kikkert is new to this position, but I will lay you quids that before her term as the shadow minister is out, she will find a circumstance where she will have to haul back someone who has given her a confidential briefing and ask them to clarify. And then they will sit there shamefacedly, going all red in the face, and say, "Oh, well, it wasn't really like that." That should never happen.

There are circumstances where decisions are made and adolescents, in particular, do not have a say in decisions made about themselves. There are cases that we all know of. All of us in this place know of cases where adolescents have had their wishes overridden. If you want to talk about them out of this place, Ms Stephen-Smith, I can give you chapter and verse. Adolescents had their decisions overridden. Families with interests, relatives with interests, had their decisions overridden. It was not just grandparents, but aunts and uncles, brothers and sisters, who wanted to be part of the process, who were sometimes led down the garden path and then had decisions reversed and all manner of things.

Years ago, my friend Marion Le described what happened in the care and protection system as institutional abuse. I do not think that we have got much better. We have seen it year on year. We have report after report. It is not just the ACT care and protection system; it is every care and protection system. Yes, it is hard, but we are not getting better at this.

We need transparency. We do not have an opportunity for people to question the decision-making. It does not mean that decisions have to be overturned, but people need at least to have the opportunity to know that their concerns have had a good hearing. At the moment this is not happening.

We have seen the concerns of not just this Public Advocate but the previous Public Advocate. The previous Public Advocate was bullied because she dared to question what was going on in the care and protection system. The previous Public Advocate was bullied because she dared to say that she thought that what was going on in the care and protection system was a breach of the law. There were 24 breaches of the law that she identified. She was bullied over that. I think that is why the Public Advocate has even fewer resources now than the Public Advocate did in 2012. The government did not like hearing what they heard.

I am not satisfied with the commitments from Ms Stephen-Smith, because I have heard them all before. "We are getting on with it. Significant progress is being made." For once, make a commitment: "Yes, we are going to do it, and we are going to do it now."

It is not rocket science. Recommendations were made by Vardon, recommendations were made in the Glanfield report, recommendations were made on other occasions and they have been made in other reviews of care and protection systems. Every time I asked questions about reviews of care and protection systems elsewhere, I was told, "We always look at those reviews to see what we can learn from them." Well, you could have learned this one. They could have learned this one. There needs to be external review of decisions. Certain decisions need to have an external review.

**Mrs Jones:** No-one is infallible.

**MRS DUNNE:** Because, as Mrs Jones says, no-one is infallible. No one is infallible. If we really are concerned about the best interests of our children, we should be prepared to open up our decisions for review so that we get the right answers more often than we are currently.

**MS LAWDER (Brindabella) (5.13):** I want to run through some of that history that we have heard a little about already. We had the territory as parent review, which is often known as the Vardon report, in 2004. The ACT Labor government was warned through the Vardon review of the care and protection system that there is a critical lack of placement options for children and young people needing care and protection in the territory. We had a report *The territory's children: ensuring safety and quality care for children and young people: report on the audit and case review* in 2004.

There was the first six-months status report on the implementation of the territory as parent review in 2005. We have had the Children and Young People Death Review Committee; the Public Advocate of the ACT's response to the nobody's children inquiry; the Public Advocate of the ACT's response to the ACT inquiry into respite care services; and the ACT family violence intervention program in 2012.

It is worth noting that the Public Advocate slammed the then-minister saying that care and protection had breached the law 24 times, which had a serious and detrimental impact on the children for whom the director-general had responsibility. That is right, Madam Deputy Speaker; it breached the law 24 times.

Unfortunately, at that time the then-minister's response was not to address the problems identified. It was to get her own lawyer to disagree with the findings. We have had the profile of family violence in the ACT from the Australian Institute of Criminology in 2007-08. We had a guide to reporting child abuse and neglect in the ACT in 2014. We had a child protection practice paper from ACT Health in July 2013 and the ACT Auditor-General's Office's performance audit report of the care and protection system in 2013.

I could keep going on listing the reports and inquiries that we have had. We have had the ACT government response to the report of the Public Advocate on child protection. Last term, in the Eighth Assembly, I was the shadow minister for family and community services and I heard many disturbing stories from families.

Apart from that, we also had the three reports, which the minister has alluded to, in 2016, most notably the Glanfield inquiry, but also the Domestic Violence Prevention Council report and a gap analysis. They all took place in 2016. And yet this week we had another serious breach, this time involving young people in Bimberi.

It seems to go on and on. It is not good enough to say, "Things are already in train; let us wait and see; let us think about it a bit longer and look into it." If there are things we can be doing, why are we not doing them rather than continuing to come back to this place asking for an update, asking for a report, getting another inquiry?

We have to deal with systemic issues. It is not just about individual cases; it is about the systemic issues that have to be addressed. This disempowers families, children and young people who have been through very difficult circumstances and, at times, tragic circumstances.

In my dialogue with academics and outside experts on this topic, they recommended to me that the department should initiate an independent review at key times in the life of the A step up for our kids model—one, two, three years in—to conduct an objective assessment, working with the directorate to determine the model's successes and failures.

This is not about scapegoating the department staff or finding fault with the system, because no system is perfect. Whatever mechanisms are employed, the outcome must

be a constructive assessment designed to lead to service improvement and preferably undertaken with the directorate's full support. It should not be obstructed.

An external review could be tendered out, perhaps as a select tender. It could involve appointment of a reviewer nominated or appointed by CSD with the minister's approval. But what is important is providing a clear scope for the project, timelines, and to guarantee access to information and other CSD supports to complete the review. If there are grounds to believe that the department would not support such a process, a systemic review, the minister could commission an independent review. But this is not addressing the need for review of individual cases. We already heard from Mrs Kikkert's motion that the ACT is the only jurisdiction not to have a process of independent review.

Staff in this area are working in very difficult circumstances. That is exactly why an external review is necessary. The amendment put forward by the minister identifies quite clearly in paragraph 1(d) that the Glanfield inquiry specifically recommended that a review should be undertaken of what decisions made by CYPS should be subject to either internal or external merit review, that the review should have regard to the position in other jurisdictions and that it should be chaired by the Justice and Community Safety Directorate. The Glanfield inquiry has already identified that this is necessary.

**Ms Stephen-Smith:** That review is underway.

**MS LAWDER:** We find ourselves a year down the track—sorry, did you interject in some way?

**Ms Stephen-Smith:** That review is underway, as I said.

**MS LAWDER:** That is great but it is a year down the track and we still have not had substantive systemic changes identified. It has not come out, or has certainly not been brought to our attention, that the external review process is now in place.

The fear is—it is really hard to give voice to this fear—that another child or young person may lose their life while we are still waiting. That would be tragic for our entire community. What we saw in February last year gave shape to exactly how tragic that is and how the community responds to that. That is what prompted the Glanfield inquiry.

Mrs Dunne and Mrs Kikkert have already identified that this is not an instance where we can afford to keep waiting. We cannot afford to keep thinking about it and come back with progress reports. We need concrete action because this is about the future of our community right down to the very granular level of our families.

I commend Mrs Kikkert for bringing forward this motion today looking for independent review, external review, of decisions. I look forward to hearing more from the minister in the future about concrete steps that are being taken that will produce systemic change and very real change for individuals who are engaged with the system.

**MRS KIKKERT** (Ginninderra) (5.21): I thank Ms Le Couteur for the amendments that she has proposed to this motion. They are good and I and the Canberra Liberals support them. I also wish to thank Minister Stephen-Smith for taking so much interest in this incredibly important matter that she happily rewrote the entire motion for me. Thank you. The actual words used in the motion, however, are far less important than the outcome. If substituting their own words make it easier for those opposite to throw their support behind this motion, I am frankly happy for that to occur.

I wish to thank Madam Deputy Speaker and Nicole Lawder for their support of this motion. It is heart wrenching to hear their experiences and the stories that they had to endure in the past couple of years. I am sorry that they have had to experience that.

It has taken 13 years since the Vardon report discussed the importance of internal and external scrutiny of child protection services. It has been at least that long that a number of parents, carers and agencies have called for processes to be established for external review of CYPS decisions. That means that these concerns have been in the hands of the ACT Labor government for at least 13 years. I have no way of assessing if these concerns have also been in the heads and hearts of those opposite, but I surely hope that that has been the case at least now and then. All we can know for certain is that 13 years later the ACT still lacks external review of CYPS decisions, a unique and dubious distinction amongst all Australian jurisdictions and one that I note the minister's proposed amendments have carefully scrubbed from my motion.

Another point that these amendments have notably excised is the admission expressed so clearly by the former Children and Young People Commissioner that transparency and accountability are essential not only to enhance community confidence in public administration but also to provide quality control of decisions made. This is, in fact, a common theme expressed throughout the literature on this topic. It would appear that the government feels the need to avoid any implication that might call into question their decision-making ability.

I cannot say that I like that particular change to this motion, though I can try to understand what motivated it. But, as I already said, my interest today is in the outcome, not political grandstanding. I know that the amendments, despite any deficiencies, will still result in the government's reporting back to this Assembly in August on the same points that I have stated that we need to hear about. So I am sufficiently satisfied today.

It has been 11 months since the government responded to the Glanfield inquiry. Let us not delay any longer. I look forward to hearing back from the government on these matters in August.

**Ms Le Couteur's** amendment to **Ms Stephen-Smith's** proposed amendment agreed to.

**Ms Stephen-Smith's** amendment, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

## Bushfire abatement zone

MRS JONES (Murrumbidgee) (5.25): I move:

That this Assembly:

(1) notes that:

- (a) Mr Ron McLeod's 2003 report, "Inquiry into the Operational Response to the January 2003 Bushfires in the ACT", made the following recommendations:
  - (i) "A bushfire-abatement zone (BAZ) should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and the foothills of the Brindabella Range.";
  - (ii) "A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to future developments in the designated abatement zone."; and
  - (iii) "The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia—in particular, its standards for bushfire-prone areas—should be applied to all future developments in the zone.";
- (b) following the recommendations of Mr Ron McLeod, and Coroner Maria Doogan, the *Emergencies Act 2004* was enacted and provided:
  - (i) a Bushfire Abatement Zone for planning and operational purposes;
  - (ii) for the BAZ to include "City Areas" ("built-up areas"); and
  - (iii) the Response Arrangements at that time (see NI2004-499) included that: "If, in the opinion of the ACT Fire and Rescue, the fire poses a risk to life or property in the Built-up Area, then the ACT Fire and Rescue will assume incident control." This remained in place in the 2006 iteration (NI2006-221);
- (c) in 2011 the above requirements were removed; and
- (d) over the last 12 months there have been articles in the media and concerns raised by the United Firefighters Union ACT and members of the public about the 2011 changes. These are reasonable concerns given the history of bushfire risk in the Australian Capital Territory; and

(2) calls on the Minister to report to the Assembly by 1 August 2017 on:

- (a) the rationale behind the 2011 changes and to explain, for the benefit of the community, how the BAZ is controlled both in regards to fuel-reduction burning and in the event of a fire being within metres or kilometres of built-up areas;

- (b) what planning or actions it is undertaking for when the built-up areas encroach onto the New South Wales border; and
- (c) whether it is appropriate to return the management of bushfires within the BAZ to the method recommended in the McLeod Report.

I am pleased to stand today to speak to the motion on the notice paper in my name asking the government to explain why important recommendations the government agreed to arising from Ron McLeod's report into the 2003 bushfires were changed in 2011. On 18 January 2003 bushfires burning in the Brindabella mountains for more than a week broke containment lines, eventually claiming four lives, destroying close to 500 homes and causing up to a billion dollars in damages. Two days before the fire storm hit the suburbs, the cabinet, including the then Chief Minister, Jon Stanhope, knew that a potential disaster was on Canberra's doorstep but did nothing to ensure that the Canberra community was warned.

On the same day, the ACT fire brigade commenced planning for their involvement should the fires enter urban Canberra and to supplement the existing ACT bushfire service management team. However, Coroner Maria Doogan found that senior personnel in the then Emergency Services Bureau, despite knowing how dire the situation was, failed to take action within their respective areas of responsibility to ensure that public warnings were widely broadcast and delivered to the community, going so far as to say that senior personnel deliberately withheld information from the community. There was never an official order to evacuate homes and this had catastrophic consequences. Four residents died protecting their homes. Hundreds of people were injured.

In addition, Ron McLeod concluded in his report on the disaster that the fires might have been contained had they been attacked more aggressively in the 24 hours or so after they broke out. On the morning of 18 January 2003 residents woke to the news that fires had broken containment lines overnight and were now roaring towards Canberra's suburbs. By late afternoon home owners fought in vain to save their homes. By 2.45 pm the Chief Minister declared a state of emergency. Fifteen minutes later the first houses were lost in Duffy. Not long after, homes in Rivett, Holder, Chapman and Kambah were lost.

The coroner concluded that Mr Stanhope, on the day the fires ripped through Canberra's western suburbs, either misunderstood or deliberately downplayed the severity of the situation as he referred to the declaration of the state of emergency as an "administrative measure" and told residents not to be unduly anxious or alarmed.

Fourteen years on there are concerns among the firefighting community that the lessons of the 2003 bushfires have started to become lost, that ACT Fire & Rescue is understaffed, under-resourced and underprepared in the event of another bushfire emergency, and that there will be another. It behoves those elected to represent the people of the ACT and ensure that we are prepared and have the most appropriate resources available and ready.

During the 2003 bushfires significant flaws were exposed in the management system of the then Emergency Services Bureau, in particular, the division of responsibilities between the ACT Rural Fire Service and ACT Fire & Rescue. As a consequence, the Emergency Services Bureau briefly became an authority independent of the Justice and Community Safety Directorate before being reincorporated as the Emergency Services Agency. Why? After the 2003 bushfires McLeod and Doogan raised serious concerns about emergency services being subject to bureaucratic control. Coroner Doogan found that placing the agency within a government department puts unnecessary layers of bureaucracy between the agency and the responsible minister. The bureaucrats concerned usually have no special knowledge of or experience in emergency management, regardless of their seniority in the bureaucracy.

The Doogan report and the McLeod inquiry both put forward recommendations for a clear division of responsibilities in relation to bushfire management and prevention. One recommended mitigation was to define a bushfire abatement zone to protect built-up areas from the possible impacts of a major bushfire event.

Mr Ron McLeod's 2003 report, *Inquiry into the Operational Response to the January 2003 Bushfires in the ACT*, made the following recommendations:

- A fire-abatement zone should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and the foothills of the Brindabella Range.
- A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to future developments in the designated abatement zone.
- The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia—in particular, its standards for bushfire-prone areas—should be applied to all future developments in the zone.

Following the recommendations of Mr McLeod and Coroner Doogan, the Emergencies Act 2004 was enacted, which provided a bushfire abatement zone for planning and operational purposes, for the BAZ to include city areas and built-up areas and for the response arrangements at that time—see notifiable instrument 2004-499—to include that if, in the opinion of ACT Fire & Rescue, the fire poses a risk to life or property in the built-up area then ACT Fire & Rescue will assume incident control. This remained in place until the 2006 iteration, notifiable instrument 2006-221. However, in 2011 the requirements described above were removed and instead the applicable arrangement was:

If, in the opinion of the Chief Officer ACT Fire Brigade or the Chief Officer ACT Rural Fire Service, the fire is likely to escalate, or has escalated, into a complex incident threatening life, property or significant environmental assets, or multiple incidents are occurring that may compete for resources, the fire will be under the control of an off-scene located IMT. If an IMT is not in place, the Chief Officer ACT Fire Brigade and the Chief Officer ACT Rural Fire Service will liaise with each other and appoint an Incident Controller and other key IMT roles as required, taking into consideration the risk profile of the incident.

In the event that agreement is not reached between the Chief Officers as described in this Guideline, the Emergency Services Commissioner will appoint an Incident Controller and other key IMT roles as required.

I have been advised that the IMT can take up to two hours to set up. It might be interesting for people here to note that the minister's office has wondered what this is about, and I am now getting to the crux of what this is about. That is why I am giving a speech, and it would be good if people were listening.

**Mr Rattenbury:** You walked off today when the minister was clarifying a question time matter you had asked about.

**MRS JONES:** I was listening as I walked and I was not talking over the top of the minister, thanks Mr Rattenbury. I am glad you find it funny whether we are prepared for a bushfire or not.

**MADAM DEPUTY SPEAKER:** Order, Mrs Jones. It is unnecessary to respond to Mr Rattenbury's interjections; he should know better.

**MRS JONES:** Maybe Mr Rattenbury could stop. Well, are Mr Rattenbury's interjections going to stop?

**MADAM DEPUTY SPEAKER:** You have six minutes and 32 seconds to finish your speech.

**MRS JONES:** I am now getting to the crux of the matter. There were 15 minutes between the calling of a state of emergency and when the first houses were burning. With the passage of the Emergencies Act amendments in 2016 the concept of the BAZ for operational purposes was abolished. This means that arrangements for a response are that the first available unit responds. In this arrangement there does not appear to be any capacity for the Chief Officer of Fire & Rescue to assume control in the event that a fire is thought to be threatening a built-up area.

In simple terms, in 2004 command fell to ACT Fire & Rescue if the fire was moving towards the suburbs and control went to the Rural Fire Service if it was heading away from the suburbs; a very simple and clear calculation for those on the ground to make. Command for fire events was then changed to whoever gets there first, to quote the act, "the first available appliance". With the 2011 and 2016 arrangements there is a risk that ACT Fire & Rescue capabilities will not be used properly or, indeed, that they may not be able to act on a fire as controllers within a few kilometres of our suburban fringe.

Say, for example, someone throws a fire lighter into Stromlo and the wind is blowing towards the built-up area, the new suburbs in the new Molonglo in my electorate. The fire is encroaching and an RFS unit arrives first. If the RFS does not want to hand over control of that fire as it encroaches on the suburbs, then Fire & Rescue may have no say on what happens with that fire until it crosses the road and enters Wright or any of the other new suburbs being built.

This is the heart of the concerns raised last year and which have been continually raised with me since last year's election. Grass fires move really fast. If it takes two hours to set up an IMT and a Fire & Rescue unit is attending to a fire and if they are not the appropriate unit to fight the fire as it approaches the suburbs, we have a problem at present with our regulations. The situation could be exacerbated if it is determined that an IMT is required, and I am concerned that valuable time fighting the fire could also be lost in that process. ACT Fire & Rescue has legislative responsibility for fires in the built-up area and for the rural area that is the Rural Fire Service, as it should be. A question arises when a fire comes close to the built-up area in our bushfire abatement zone. The direction of the wind can change. It is possible, therefore, that there is too much ambiguity in those changes, and I am concerned that there is.

In addition to these concerns, there is significant ambiguity in the procedures around the development of the new suburbs in the BAZ. It is currently unclear what planning or action is taking place in preparation for the new suburbs in Molonglo and Belconnen as the ACT expands west and what this all means in relation to moving the boundaries of the BAZ.

Given the volatility of bushland during fire events to the west of the ACT, it is particularly concerning that there does not seem to be a clear plan for managing the bushfire-prone areas into which the new suburbs are forging. I note notifiable instruments 2007-144 and 2007-145—these were effective as of last month—extend the bushfire abatement zone and the built-up area so the built-up area is now in the bushfire abatement zone.

It is still not clear who is in control when operations are underway for fires approaching the built-up area and it plays out in an emergency situation, an issue raised by both Ron McLeod and Coroner Doogan. We are now in 2017 and it is timely for us to review whether the status quo is the best we can do for preparing and protecting the ACT. I am concerned that the lessons of 2003, as they relate to the city or the built-up areas, have been lost. We need clear plans for a major fire incident, including restoring the bushfire abatement zone to its original intent.

I call on the minister to report to the Assembly on: one, the rationale of the 2011 changes and to explain for the benefit of the community how the BAZ is now controlled with regard to fuel reduction burning, but also when a fire is heading towards the suburban fringe; two, what planning or action is undertaken for when the built-up areas encroach into New South Wales and across the border; and three, whether it is appropriate to return the management of the bushfires within the BAZ to the method recommended in the McLeod report. I commend the motion to the Assembly.

**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) (5.40): I thank Mrs Jones for her important motion today. I understand the passion that she has in this regard and the

work that she has been doing with the UFU, and also the work that my office has been doing with her with regard to this motion. I have circulated an amendment and I understand that it will be supported. I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) Mr Ron McLeod’s 2003 report, ‘Inquiry into the Operational Response to the January 2003 Bushfires in the ACT’, made the following recommendations:
  - (i) ‘A bushfire-abatement zone (BAZ) should be defined between the north-west and western perimeter of Canberra and the Murrumbidgee River and the foothills of the Brindabella Range’;
  - (ii) ‘A set of Bushfire Protection Planning Principles in relation to fire mitigation and suppression should be adopted and applied to future developments in the designated abatement zone’; and
  - (iii) ‘The abatement zone should be declared a bushfire-prone area, and the requirements of the Building Code of Australia—in particular, its standards for bushfire-prone areas—should be applied to all future developments in the zone.’;
- (b) following the recommendations of Mr Ron McLeod, and in line with the later report handed down by Coroner Maria Doogan, the *Emergencies Act 2004* was enacted and provided:
  - (i) a Bushfire Abatement Zone for planning and operational purposes;
  - (ii) for the BAZ to include ‘City Areas’ (‘built-up areas’ (BUA)); and
  - (iii) the Response Arrangements at that time (see Notifiable Instrument NI2004-499) included that: ‘If, in the opinion of the ACT Fire and Rescue, the fire poses a risk to life or property in the Built-up Area, then the ACT Fire and Rescue will assume incident control.’ This remained in place in the 2006 iteration (Notifiable Instrument NI2006-221);
- (c) the BAZ remains in place as a land planning and management tool as intended following the McLeod Inquiry;
- (d) in 2011, the BAZ was updated to clarify response arrangements, as agreed by the then Chief Officers of the ACT Fire Brigade and the ACT Rural Fire Service;
- (e) in 2016, following a review of the *Emergencies Act 2004*, there was an update to further clarify response arrangements; and
- (f) in 2017, the BAZ and BUA boundaries were updated again to include the suburbs of Throsby and Jacka as built-up areas. This was notified by the Acting ESA Commissioner in a notifiable instrument in April 2017;

- (2) notes that:
- (a) changes to the BAZ and BUA have not altered the existing response arrangements, which are that first response to all grass and bush fires in the ACT will be by the nearest available most appropriate resource, irrespective of jurisdiction or Service; and
  - (b) ACT fire services continue to work together in responding to fires in the bushfire abatement zone; and
- (3) calls on the Minister to report to the Assembly by the last sitting day in August:
- (a) how the BAZ is controlled in regards to planning and operations and what operational procedures are in place to protect the ACT's urban and rural areas; and
  - (b) what planning or actions the ACT Emergency Services Agency is undertaking for when the built-up areas encroach onto the New South Wales border.”.

As members would be aware, the McLeod inquiry into the operational response to the January 2003 bushfires led to the establishment in 2004 of the Emergencies Act 2004. The inception of the Emergencies Act has resulted in the ACT Emergency Services Agency, or ESA, providing the ACT community with emergency management and response services that are amongst the best in Australia. This was evidenced again in the latest report on government services which shows that the ACT leads the nation in response times for ambulance and firefighting personnel.

The current model for the provision of emergency services in the ACT is serving the community very well. It ensures a seamless response across agencies and across services to any emergency incidents faced by the people of the ACT. The adoption of the bushfire abatement zone, or BAZ, was a key recommendation out of the McLeod inquiry and this is currently reflected in the Emergencies Act. The BAZ incorporates rural areas immediately surrounding the built-up area where specific measures may be required to reduce risk to life and property in the built-up area of Canberra from fires occurring in that zone.

I can inform the Assembly that the BAZ remains in place as a land management and planning tool. Changes were made in 2011 to clarify response arrangements, as agreed by the then chief officers of the ACT Fire Brigade and the ACT Rural Fire Service. A further update to clarify response arrangements was made in 2016 in response to the 2015 review into the Emergencies Act 2004, which found that the procedures for determining which service has control over a fire in the BAZ was potentially problematic.

The BAZ was updated again by notifiable instrument in 2017 to include the suburbs of Throsby and Jacka as built-up areas. These updates demonstrate the continued review of practices and legislation undertaken by the Emergency Services Agency so that it can continue to provide best practice emergency services.

This history is reflected in my amendment to Mrs Jones's motion that I have moved already. It is important to point out that these changes are about responsibility for fire control and planning in the BAZ. The existing response arrangements still outline that the first response to all grassfires and bushfires in the ACT will be by the nearest available and most appropriate resource, irrespective of jurisdiction or service.

I note for the Assembly's information that the ACT Rural Fire Service currently has access to approximately 67 vehicles, two contract helicopters and over 500 volunteers and 150 parks and conservation staff to deal with any fire incidents in bushland, such as parks, reserves and farms. ACT Fire & Rescue has nine front-line pumpers, as well as tankers that can navigate through parks, reserves and farms as well as addressing the complex hazards of the built-up area.

Ultimately, the intention of the Emergencies Act is to bring together the full operational services under the command of the chief officers through the function of the ESA commissioner. This approach allows the ESA to effectively manage all hazards and incidents across the ACT region. Consistent with these arrangements, the ACT community can be assured that both ACT fire services, including the chief officers of both fire services, continue to operate side by side under the direction of the commissioner. As has been demonstrated, including in the most recent 2016-17 fire season, our fire service have an excellent record of working together collaboratively and cohesively in responding to fires in the BAZ.

As Canberra expands, we will continue our regular reviews of the BAZ and built-up area to make sure that changes in the urban landscape are reflected. For this reason, I am more than happy to report back to the Assembly at a date closer to the start of the next bushfire season with further information on how the BAZ is controlled in regards to planning and operations and what other operational procedures are in place to protect ACT's urban and rural areas.

Madam Speaker, the community can be assured that the next time a major incident impacts the ACT, like the 2003 bushfires, the ESA is well placed to protect and preserve life, property and the environment.

**MR RATTENBURY** (Kurrajong) (5.45): The Greens will be supporting the amendment circulated by Minister Gentleman. The issue of clarity regarding how bushfire abatement zones—or BAZs—are controlled both in regards to fuel reduction burning and in the event of a fire being within metres or kilometres of built-up areas is clearly of genuine interest to all members and, indeed, all Canberrans. None of us who lived here during the catastrophic fires of 2003 will forget the need for a well-coordinated emergency services response. We must all ensure that we never become complacent to the fact that we are, indeed, still the bush capital. Certainly Mr Smyth took great interest in these issues. His words will echo in my ears for a long time about never being complacent. I know he had some concerns about that. I think those of us who were here in 2003 will never forget it. We will always be mindful of needing to ensure that we have adequately resourced and well-coordinated services.

It is my understanding that the thrust of Mrs Jones's motion centres on the issue of primary incident control in the case of fires that may start in the BAZ. The questions embedded in the motion focus on which organisations would take the lead in case of a fire that starts in the BAZ and then heads towards defined built areas, and vice versa regarding rural zones.

Madam Speaker, my memory is that these issues have been raised either in the Assembly or in the media quite a few times since Mr McLeod's major inquiry. I appreciate that this also includes changes in policy, procedure and regulations over time. The last time these issues were debated in the chamber was during discussion on the Emergencies Amendment Bill 2016 in June last year. The bill made a number of relatively minor changes to the Emergencies Act 2004 in order to implement the recommendations from a review of the act that was conducted in 2015. Amongst these was language to better define legislative responsibilities for BAZ control and incident control. This also led to the publication online as a notifiable instrument of a clear and unambiguous map of the territory highlighting what is defined as rural, a bushfire abatement zone and built-up areas.

But noting the need to ensure the community's ongoing understanding of these important issues, and particularly in light of increased development towards the New South Wales border, as Mrs Jones has noted, I am happy to support Minister Gentleman to come back to the Assembly in August. I think the points that have been raised are fair and reasonable questions. It is important that we have absolute clarity on this and the opportunity to discuss this.

**Ms Cody:** On a point of order, Madam Speaker, I know that Mrs Jones has raised a very important matter and that this motion is extremely important. I urge everyone to listen very quietly to Minister Rattenbury as he is making his contribution.

**Mrs Jones:** On the point of order—

**MADAM SPEAKER:** Yes, Mrs Jones.

**Mrs Jones:** I wanted to be listened to when I was explaining what the matter is because other officers have asked me what the matter is. It is explained in my speech.

**MADAM SPEAKER:** Mrs Jones—

**Mrs Jones:** No, I need to finish.

**MADAM SPEAKER:** No, you are talking to a point of order—

**Mrs Jones:** Yes, and my—

**MADAM SPEAKER:** Mrs Jones, I am going to ask you to sit down, please. I would ask all members, as we get to this late hour of the day, to be respectful of others when they are on their feet. And that goes to all members, Mrs Jones. Mrs Jones, I think the matter is resolved.

**Mrs Jones:** No, I have got another point of order, actually.

**MADAM SPEAKER:** Another point of order, Mrs Jones.

**Mrs Jones:** Thank you. Members in this place taking pot shots—is that acceptable when the question that I was asking—

**MADAM SPEAKER:** Mrs Jones!

**Mrs Jones:** my leader about was how we would respond to amendments that are being made?

**MADAM SPEAKER:** If your point of order is: is it okay for pot shots, I would ask all those on your side to reflect on that, because regular pot shots are being taken from your side. I am going to ask you to resume your seat. There is no point of order. Mr Rattenbury.

**MR RATTENBURY:** Thank you, Madam Speaker. As I was saying, this is an important topic that we are discussing today. I welcome the opportunity to reflect on this matter, as always, because it is important. Certainly, having previously held the TAMS portfolio and worked with the parks and conservation service unit there and being aware of their focus on bushfire matters, I know that people across the community take this very seriously.

I welcome Minister Gentleman's amendment in the sense that I think he has been very open to the point Mrs Jones is raising. I certainly look forward to his report back as proposed in the August sitting period, at which point the Assembly can get an update from the minister. I will be pleased to support the amendment today.

**MS CODY (Murrumbidgee) (5.50):** I, too, rise to support Minister Gentleman's amendment to this motion. As we have all quite clearly spoken about, this is an extremely important motion. Talking about the bushfire abatement zone is a vital conversation and one that should not go unheard.

As we have said many times here today in this debate, the 2003 bushfires were horrendous. I was in Kambah and had many friends and family members who lost parts of or all of their houses, their belongings and a lot of other things. It was a distressing day for many members of our community and one that I am sure none of us who were here will ever forget.

As a result of that fire we established the McLeod inquiry, which looked at a whole raft of issues, including the introduction of or reinforcement of the bushfire abatement zones. Mr Gentleman and Minister Rattenbury have both raised very concise issues and concerns about some of the things that we have talked about. Minister Gentleman has been looking at this and will continue to do so.

My father is a retired firefighter for the ACT. He is, and was, very active in his community, fighting fires on a regular basis. Many times in my childhood we saw

bushfires that he had to attend as part of his role as an ACT Fire & Rescue officer. I know many members of the volunteer bushfire brigade who attend grassfires, bushfires and spot fires, including our recent New South Wales Carwoola fire. These are all really vital roles that members of our ACT Fire & Rescue and our Rural Fire Service play in supporting the role that they do protecting the ACT.

The bushfire abatement zone is a very interesting and technical term. It is sometimes a little difficult for everyone to get their head around it. It is really interesting that it is being talked about tonight again. As I believe Mr Rattenbury has already stated, it gets talked about quite often. I am looking forward to Minister Gentleman bringing back some information at our sitting in August to help look at how we can do things better and what is currently being undertaken.

I listened very carefully to what Minister Gentleman raised today with regard to his amendment. It was really interesting. I am very glad to hear that the government continues to keep Canberra fire-ready. Canberra being fire-ready is something that we all must adhere to. We are, as noted, the bush capital. Over 50 per cent of our lovely city is in a bushfire zone, so it is vital that we have the ESA commissioner, the ACT Fire & Rescue commissioner and the head of the Rural Fire Service always working together to ensure that Canberra is safe, protected and free from a terrible tragedy like the 2003 bushfires.

Our career firefighters are amazing. They are wonderful people and they do an incredible job, running into burning buildings every day. Well, maybe not every day in the ACT, but when they are around they do do it. Our volunteer firefighters are also an incredible bunch of people. They get out there in their own free time and protect our community. The UFU is a wonderful union that helps support our firefighters to do their job on a regular basis.

It is very distracting when our emergency services have to worry about people arguing about how they do their job. We have these wonderful firefighters who are doing their job every day, and do it well, and we need to support them in every way we have available to us. I continue to meet with both active ACT Fire & Rescue members, as well as our Rural Fire Service members, and listen to their stories, their concerns—and sometimes their great support of our government and what it is doing—and about their jobs, as well as some of the things that they do in their day-to-day lives.

As we know, Labor's policy on fire is to save lives, save properties and put out fires. It is very important that we continue to do that in a safe and active environment. I welcome Minister Gentleman's response back to the Assembly in August.

**MR COE** (Yerrabi—Leader of the Opposition) (5.56): I too rise to briefly contribute to this debate on what is an extremely important issue. I would like to thank Mrs Jones for raising this critical issue. When it comes down to it, the defence and protection of citizens is a core responsibility of the government. Of course, the parliament's role is to ensure that the government is representative and is reflecting the will of Canberrans. That is why this motion is so important. Mrs Jones has moved this motion today to make sure that something which is so central to our responsibilities as legislators and as Canberrans is very much on the agenda. If

motions like this are not on the agenda, that is when there is complacency and that is when we are at real risk of slipping into a position whereby we could well have another 2003.

Mrs Jones's motion, importantly, calls for the rationale behind the 2011 changes. That is something which I note the government are seeking to omit with their overarching amendment. The rationale is absolutely vital. It is all very well to say that changes have occurred. We need to know the reason for those changes occurring. We need to know what it is that is motivating the government into making the decisions that they are making because without that we would simply have to assume that the government are wise and are doing the right thing. We all know that governments can and do make mistakes, not necessarily deliberately, but mistakes do happen. It is our role as legislators and as, in effect, the reviewers of government, to ensure that the government are undertaking their responsibilities appropriately.

The Canberra Liberals have real concern about the removal of the rationale behind the 2011 changes. I would welcome a contribution from a government member to go into more detail as to why it is that they want those particular words omitted from Mrs Jones's very good motion.

Amendment agreed to.

*At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

**MS LAWDER** (Brindabella) (6.01): I will make a few brief comments regarding the amendment. It is quite disappointing that we have lost the explanation from the minister as to the reason for the changes. It is something that I think that not just we in this place but people throughout our community and our firefighters would be very happy to have more information about. It is a pity that we rushed through that without our having an opportunity to speak before the vote took place. It is an important matter. It is something that we all have an obligation to think long and hard about.

As Mr Rattenbury alluded to, our former colleague Mr Smyth often spoke very passionately about the need not to slip into complacency, the need to remain vigilant and the need to keep asking questions and be alert to ensuring that we have the best possible fire defence of our city, bounded as we are by forests all around, giving us the name of the bush capital.

There would have been no harm in the minister providing that information that Mrs Jones's important motion asked for. I commend Mrs Jones for bringing that important motion to the Assembly today and I look forward to further debate on the matter.

**MR WALL** (Brindabella) (6.02): I will speak just long enough for the attendants to circulate the amendment which I will be moving very shortly to the amended motion. Simply put, that amendment seeks to reintroduce what was the original 2(a) in Mrs Jones's motion, which called on the minister to report back to the Assembly on

the rationale behind the changes in 2011 and, for the benefit of the community, how the bushfire abatement zone is controlled both in regard to fuel reduction burning and in the event of a fire being within metres or kilometres of built-up areas in the ACT.

That goes considerably further than Mr Gentleman's amendment to this motion which simply requires him to come back and explain how bushfire abatement zones are controlled in planning and operations and procedures. Certainly the intent of what we are trying to ascertain here is the rationale behind why changes were made to the bushfire abatement zones back in 2011.

Quite simply, my amendment is accepting all the changes that Mr Gentleman put to Mrs Jones's original motion but is simply seeking to maintain that he comes back to explain these matters to members of this place and, more importantly, to the community of the ACT. There is a very keen interest in the ACT community about the importance of managing bushfire abatement zones, particularly for the many Canberrans who were affected in the 2003 bushfires. I think there are very few people in the ACT community who do not know of someone directly or indirectly involved in some way, shape or form, in the tragedy that befell this city back in 2003.

Even from my experience, there was considerable controversy over the management of bushfire abatement zones in the Uriarra Village when the solar farm was proposed there. That would have seen a substantial, large-scale solar farm put right on the doorsteps of the homes there sitting well within the bushfire abatement zone.

As I have already outlined, the simple crux of this is making sure that the rationale behind those 2011 changes is made transparent, made open to Canberrans. I can only think of, as Mr Rattenbury alluded to before, the words of wisdom that Mr Smyth may have brought to this debate on the importance of having the transparency and the accountability of the minister coming into the Assembly and explaining why changes to such a critical piece of a protection barrier to the ACT has been changed over time and what the purpose of that is.

As the amendment has been circulated now, I move the amendment circulated in my name:

Insert new paragraph (3)(a):

“(a) the rationale behind the 2011 changes and to explain, for the benefit of the community, how BAZ is controlled both in regards to fuel reduction burning and in the event of a fire being within metres or kilometres of built-up areas;”.

**MR RATTENBURY** (Kurrajong) (6.06): We now find ourselves in a difficult position where Minister Gentleman, as the responsible minister, has had to leave the chamber. I think members were aware that Minister Gentleman had a commitment this evening from about 6 o'clock, and the plan was that he would move his amendment and then leave. He has now, to my understanding, left the building; so we find ourselves in a challenging position.

I am going to propose, and I will not be able to do it because I have now spoken but I am sure Ms Cody will do it, that we adjourn this debate and find a way to sift through this, because I do not know why Minister Gentleman sought to remove that text. I have not had a chance to think about this particular amendment. I think we can find a way through this a little later today or perhaps even find a way to bring it back on in the morning, briefly, to resolve the matter tomorrow, if that is an acceptable way forward for colleagues in Minister Gentleman's absence.

**MRS JONES** (Murrumbidgee) (6.07): I do not think what is being asked here is terribly onerous or difficult to add back in to what we have asked. We have agreed to the gist of the minister's changes but the heart of the reason for this motion in the first place is that changes have been made that even firefighters are not happy with. All I am asking for is an historic account of the rationale for why the changes were made, looking at it through today's eyes.

I do not think this will unseat the minister. I do not think it will make it impossible for him to do his job if we add this. It is not a very weird request. It is simply about explaining the 2011 changes that really changed who takes initial control of fires in the BAZ. If we have to come back to it tomorrow, fine, so long as we actually do.

Of course the minister wants to have control of what happens in his area but I do not think that this would make him lose a great deal of sleep. But it certainly is making firefighters lose an element of sleep because they are concerned that the rationale behind these changes was not properly thought through.

At this point if it were possible to deal with it today I would like that to occur, unless there is a very clear mechanism for it to come back and be dealt with first thing in the morning or something like that. And I would like to hear what that is.

Debate (on motion by **Ms Cody**) adjourned to the next sitting.

## Household waste management

**MR STEEL** (Murrumbidgee) (6.09): I move:

That this Assembly:

(1) notes:

- (a) that, as outlined in the *ACT Waste Management Strategy 2011-2025*, the ACT Government has a commitment to progressing towards zero recoverable waste sent to landfill;
- (b) that in May 2016, ACT Labor made a commitment to provide all Canberra households with a green bin for garden waste by 2020; and
- (c) the success of the green bins pilot program so far in Weston Creek and Kambah, particularly that:

- (i) at the end of April, 6800 households, representing 44 percent of Weston Creek and Kambah, have signed up for the service;
  - (ii) collection and disposal services have commenced and are being delivered as promised; and
  - (iii) residents are embracing and gaining benefit from the new service; and
- (2) calls on the ACT Government to continue:
- (a) the roll out of the green bins pilot program throughout the ACT following an evaluation and the outcomes of the Weston Creek and Kambah pilot; and
  - (b) to work towards the zero waste target in the ACT including looking at household disposal of food waste.

Our government is taking responsible steps to manage our environment and climate change. This includes our responsible approach to waste management. Our approach is set out in “ACT waste management strategy: towards a sustainable Canberra—reducing waste and recovering resources to achieve a sustainable and carbon-neutral Canberra 2011-2025”. Under this strategy the government is committed to our goal of zero recoverable waste sent to landfill. It is an ambitious target and we are putting in place the necessary policies to reduce waste and make Canberra an even better place to live.

Garden waste is one of the largest sources of waste in the ACT, derived from households and the commercial management of gardens and landscapes. It includes prunings, leaves and grass clippings from household gardens and parks. One of the strategies we have put in place is to recover this organic waste and residual waste resources. We are encouraging people to compost garden waste by removing disincentives to recycle garden waste by providing free drop-off at the tip. This has meant that over 90 per cent of the ACT’s total garden waste is now recovered, processed and sold as high-value potting mixes and garden mulch. To improve this waste recovery, the government also announced the green bins pilot program for households around this time last year.

Today I am pleased to move this motion and speak about the progress and future of this environmental initiative for Canberra. In mid-March this year, the first of the green waste bins were rolled out to residents in my electorate of Murrumbidgee, to those in Weston Creek and Kambah, who registered to receive a bin. I was very pleased to see that Murrumbidgee residents were given this privilege as it demonstrates the commitment of our government to delivering better services for people on the south side, but also with a view to rolling out the bins to driveways across Canberra following the evaluation and outcomes of the pilot program.

Canberrans have a great love of gardening, and the suburbs of Weston Creek and Kambah were chosen both because they have well-established gardens and because they are typical of many suburbs in Canberra. It has been incredible to see the enthusiastic take-up of the green bins service in Canberra. On 15 March I joined

Minister Fitzharris to deliver the first green bin in Duffy. At that time around one-third of households in Weston Creek and Kambah had registered for a bin.

At the end of April there were 4,800 registrations, which represents 44 per cent of households in the pilot area, and shows how much Canberrans have embraced this initiative in its early stages. Around 36 per cent of those households also claim concession cards and did not have to pay the one-off \$50 deposit for their bin.

Some households and apartment residents will not want another bin, with many preferring to compost their garden waste or continue to drop it off at the tip at no cost, which is fantastic and will continue to be encouraged. Other residents will prefer to use private providers or even both the government bin and other private providers because of the size of their garden.

While the program is being run on an opt-in basis, the 240 litre green waste bins will play a significant role in diverting the approximately 5,000 tonnes of green waste that have been going to landfill every year. Collections began in April, and it was fantastic to see the line of light-green lidded bins lining the streets of Kambah around my house. I have noted when leaving to go to work in the morning that some residents are still getting used to which day the bins are being collected, but clear information has been provided to residents via mail and is on the green bins website about the pickup schedule. I am sure they will get used to it over time as the fortnightly collections continue.

The green bins service has already been very useful to southsiders over the past couple of weeks as the autumn leaves fall from deciduous trees. This has encouraged me to spend more time cleaning up my garden, as I am sure it has for many others. This is particularly important because the ACT government is working to encourage people to clean up leaves and garden waste as part of our ACT healthy waterways campaign.

This is another part of our strategy to promote education and active recycling. The campaign encourages residents not to sweep or blow leaves or grass clippings into gutters and stormwater drains because as they decompose they release polluting nutrients into our waterways. The campaign suggests turning leaves into mulch to protect your soil or compost for your garden, take them to a green waste recycling facility or, if you have one, put them in your green waste bin. As the green bin pilot program rolls out, this will help to support our ongoing campaign to improve the health of our waterways, including Lake Tuggeranong.

The result of the program will also see a reduction in both greenhouse gas emissions and the amount of waste that goes to landfill. Grass clippings, leaves, branches, flowers, prunings and weeds should not belong in landfill and it needs to be properly processed. The green waste that is saved in this program will be transported to the Mugga Lane Resource Management Centre, where the waste will be properly processed and turned into mulch, which can then be bought and reused again in all of our gardens and backyards.

The ACT government is also making sure that we get the green bin service right by conducting a phased rollout. The government and contractors will learn from the evaluation and outcomes of the pilot program for the future rollout to other regions across Canberra. Of course, we will also learn through the findings of the ACT waste feasibility study.

Following the success of the pilot, the rollout plan is proposed to go to Tuggeranong and then Belconnen. It is expected that all of Canberra will benefit from the scheme by 2020. It is important that this government take a stand to look after our environment, and I am pleased that so many people on the south side are voting in favour of our policy every week by wheeling out their green bins.

It is unfortunate that the Liberals did not share this view at the election. After years of rhetoric trivialising the ACT government's role in education and health and wanting to have a greater focus on our role as a shire council, they failed to even implement their own rhetoric on municipal service provision. After taking a green bins policy to the 2012 election, the Canberra Liberals binned the proposal. They decided that they had no plans to wheel out either a green bins scheme or a bulky waste collection service. Mr Coe has failed to roll out his forum on the issue of green waste, which he promised to do in June last year.

In this new term of the Assembly his colleague Mr Wall blew his lid, attacking our green waste program in preference for a fee-for-service, ad hoc, for-profit private provider provision. Only our government is serious about green bins and waste management services because we take a responsible approach to managing our environment.

We will continue to work towards our goal of zero recoverable waste sent to landfill. While the implementation of green bins will make a significant contribution to reducing our recoverable waste, we also need to have a view to future policy improvements that can be made, particularly looking at the disposal of other forms of waste, including other forms of organic waste, like food waste.

Just last week I was in Adelaide, in the City of Prospect, where they have implemented a three-bin policy similar to ours, including a green bin. Residents there are provided with a kitchen organics basket, which is used to collect food scraps and similar material, including tissues, tea bags and even hair. These are placed into the larger green bin for collection. The increased cost and separate transportation of food waste has previously been a barrier to household food waste in the ACT, but the rollout of a third green bin to ACT households does provide an opportunity to consider the coupled approach taken in other jurisdictions like the City of Prospect.

It is estimated that the organic waste collection systems in other jurisdictions have recovered between 18 and 51 per cent of food waste in the residual bins. Of course, strategies to collect organic waste should not displace strategies to encourage composting of organic food waste, but it may be a complementary policy as we move towards our zero waste target.

The ACT government is taking responsible steps to manage our environment by reducing waste sent to landfill and through our green bin pilot program. The program has been enthusiastically embraced by residents, and the government will learn from the outcomes of the pilot for the future rollout across Canberra, as well as future strategies to reduce organic waste sent to landfill.

I would like to take this opportunity to remind Murrumbidgee residents in Weston Creek and Kambah that there is still time to apply for your own green bin and participate in the program, and join the thousands of Canberra residents who are doing the same. I commend the motion to the Assembly.

**MS CHEYNE** (Ginninderra) (6.19): I have a very short speech to make in support of this motion. While waste management is not a very sexy topic, it is vital for Canberra as a sustainable and global city. As you may be aware, Madam Speaker, the rollout of green bins across Canberra was a cornerstone of my campaign and it consistently comes up in conversations with residents in my electorate of Ginninderra even now. They are very excited about the announcement. In my community survey, which was filled out by hundreds of people across the Ginninderra electorate, a household green bin and a bulky waste collection service were nominated as what would make the biggest difference to residents' lives.

The ACT Labor government has listened to the community's calls for green bins. We have followed through on our commitment to deliver this waste channel in our city. Labor committed to the rollout of an effective green waste collection program. We have commenced that delivery, as we promised. It is part of our dedication to delivering Canberra's livability and contributing to a clean environment and carbon-neutral waste sector. Needless to say, I am looking forward to the extension of the program to Belconnen in mid-2018. I commend the motion to the Assembly.

**MR WALL** (Brindabella) (6.20): Noting the reluctance on the other side to speak today on the motion and in the absence of our shadow minister for urban services, Mr Doszpot, I am happy to take the mantle and speak on his behalf on the issue of green bins, which is a fond one in the Liberals' history. I think it is important to address the premature and congratulatory motion that Mr Steel has brought here today. Mr Steel's motion has two points which merely note the government's policy on waste management. Mr Steel's motion also calls on the government to continue its current policy on waste management. It is good to hear but hardly news. Mr Steel is supporting the government's current waste policies.

Of concern, though, is Mr Steel's claim in his motion of the success of the Weston Creek green bins pilot program. Of greater concern, though, is that having claimed the program as a success, Mr Steel calls on the government to roll out the green bin pilot across the whole city. Aside from the obvious contradiction in the idea that a citywide program would still be a pilot, the assumption that a full city rollout would necessarily follow an evaluation of the current trial simply seems to pre-empt the evaluation of the current trial.

Mr Steel's motion claims success of the pilot program simply because it has started. This is unorthodox and, as I have said, very premature. It also does not learn from the history of green bins in the ACT. Mr Steel is a new member in this place and may well be interested to know that there has been a long and colourful history in this place—beyond the Greens—of exploring waste bins and waste strategy for the ACT. In fact, it was the Carnell Liberal government that back in 2000 established the first green bin trial in the ACT and let us not forget that it was a Stanhope Labor government that did not continue the program then because of the lessons that were learned from the trial.

The Carnell government's green bin trial was announced as part of the 2000-01 budget and was a trial of 800 to a thousand bins in Chifley and was completed in 2001. The evaluation of that program was presented here in the Assembly. Another bit of history is that, in reviewing the trial of the green bins, the then leader of the Greens, Ms Tucker, said in this Assembly:

The Greens congratulate ACT Waste for initiating this trial—and also thank the residents of Chifley who participated in the trial. We have always been supportive of the target of no waste to landfill by 2010.

Whatever happened to that one? She continued:

This was initiated by the previous Liberal government and we are very supportive of it. It is quite a visionary target, as it highlights that, not only is it ideal from a sustainability prospective, to have a waste-free society but that it is also possible for this to be achieved ...

It is sad that those on the other side have not been able to achieve what was once deemed possible.

In this place on 26 June 2002 the newly elected Labor member Ms MacDonald moved a motion relating to a trial of bio-bins in Chifley:

That this Assembly

(1) notes the trial of a third bin for green and food waste in Chifley, the Household Organic Material Collection Trial, and thanks the residents of Chifley for their participation ...

She also welcomed the release of the report on the bio-bin trial and noted the results. Point 3 was:

congratulates ACT Waste on the innovative trial; and

Point 4 was that the Assembly:

looks forward to a cost-effective and environmentally friendly way to deal with green and household waste in the near future.

However, despite the enthusiasm expressed by one Labor member in government at the time, Mr Stanhope as Chief Minister of a Labor government did not continue with either the trial or the expanded citywide program because of high levels of contamination of non-biodegradable materials towards the end of the trial. The trial showed that the recycling started off well but people became lax as the trial went on. This made the whole process of sorting and recycling expensive, much of the waste ending up in landfill anyhow.

Even I have played a part in this colourful tapestry of green bins. Shortly after my election in 2012 I asked Mr Corbell whether he had misled the community in regard to the costings of the Liberals' 2012 election policy. Mr Corbell's response simply stated that yes, he believed our policy was much dearer than we claimed at the time. However, the government's own costings were revised 3½ years later, when Mr Corbell had lost relevance after failing to get preselection, and it seemed to be a good project again. But of course Mr Corbell's comments back in 2012 were:

Of course, the other question that arises here is about cost-effectiveness. Is the Liberal Party's proposal going to increase recycling rates? Is it going to see more green waste recycled? And we know the answer to that is no. The reason it is not is that we are already achieving a recycling rate for green waste of over 90 per cent, and we do that at no cost to taxpayers. So the real question for the government is: does it make sense to spend taxpayers' money to achieve no net benefit, no increase in the recycling rate? The government's answer to that is, no, it does not make sense.

It is ironic to now see Mr Steel having a slap at—I think his words were something along the lines of—for-profit enterprises running a cash-for-service scheme. I think that that is what they call small business, small enterprise: the driving force of the economy in the ACT that employs many, many thousands of people.

There is obviously a very interesting and colourful history of green bins in this place. I think that each side has weighed it up, has varied positions on this issue—to have green bins or to not have green bins—to go it alone as a government, to lean on industry to provide the service.

Where we have landed at the moment is that we have got a green bin trial that is now ever likely to be rolled out across the territory and the real question needs to be asked, particularly when you get into the new areas like Molonglo Valley and parts of Gungahlin where blocks are postage stamp size—they are minuscule compared to what I am lucky enough to have in Tuggeranong, my 1,300-metre block which I love, it has got a great garden and generates a considerable amount of green waste which goes to Corkhills for recycling—for a small block, say, in Bonner or Gungahlin—

**Ms Fitzharris:** So what? People in Molonglo and Gungahlin do not deserve it? Is that what you are saying?

**MR WALL:** I am not saying that. I am saying the question here is about the efficiency of the scheme, rolling out a green bin to every home in the ACT for many blocks that do not have a yard at all and whether or not in the midst of winter it is

worth sending a truck up and down every street in those areas simply looking for the lone green bin that may perhaps have been put out that fortnight. The question is: is that economically viable?

The issue, though, much closer to my heart, is: what happens to local industry that is already operating in this space and has been operating legitimately, filling a need of the community for many years, their businesses and their livelihoods, as the government continues to push its green bin policy across the ACT? Just last week I was contacted by a constituent who runs a trash pack collection service. He has a young family. He has three kids. He bought the business a number of years ago. It has been in operation for over 30 years. He has three kids, a mortgage, a business loan. He has five employees and before his very eyes he is watching his business evaporate directly as a result of government policy. I really think that those opposite need to be condemned for implementing a government policy that will destroy the livelihoods of so many Canberrans unilaterally without any consideration of or even any support or offer to help those businesses survive.

It is not just one individual family here that is at risk. You have not only got the business owner and his family but the five staff that he employs and their families who are now questioning what job security they have moving forward. For the champions of the worker over there to come in and unilaterally nationalise an industry like this and destroy these people's livelihoods without any consideration of compensation or support just stinks of hypocrisy.

I look forward to hearing what the minister has to say on this issue. Hopefully the minister will start talking about some involvement of local industry in the scheme going forward or perhaps some assistance to ensure the livelihoods of these families who have done the right thing, have taken the risk, have gone into business for themselves, sought to create opportunities for others and have done so successfully, as even Mr Corbell noted, capturing 90 per cent of green waste in this city effectively over the past couple of decades. They are now being forced out of the industry with a single stroke of the government's pen. I look forward to hearing what the minister has to say.

**MR RATTENBURY** (Kurrajong) (6.29): I welcome the opportunity to discuss this matter tonight. I am mindful of the time and whilst I have a fair bit to say about this I am going to truncate my comments in the spirit of getting this done. Efforts to divert garden waste from landfill including through the green bins pilot are an important part of the ACT's waste management strategy. I will be proposing an amendment which has just been circulated to Mr Steel's motion to ensure the evaluation of the pilot informs any further rollout.

The use of green bins to collect garden waste does not come without some risks and it is important that the evaluation of the pilot program includes an assessment of these issues. Of particular concern is the potential for contamination of the green waste which would make it unsuitable for composting or conversion to mulch.

It is important that the garden waste collected through the green bin program is valued as a resource and that the way it is collected allows for it to be used to its highest

value. If green waste gets contaminated by being mixed in with other waste streams we end up with down-cycling of resources into low grade products or the waste potentially even being returned to landfill. So the evaluation must include an assessment of the quality of the waste collected and any rates of contamination that are occurring.

The other quick remark I want to make is that as the Minister for Climate Change and Sustainability I am particularly focused on the findings of the ACT waste feasibility study later this year. This is a bigger piece of work that was commissioned by me and Minister Corbell last term. It is set up to investigate how best to reduce waste generation, maximise resource recovery, minimise littering and illegal dumping and achieve a carbon neutral waste sector.

Innovative waste management solutions will be important to ensure that the ACT can achieve its waste management targets along with our commitment to have zero net emissions by 2050. That is the bigger-picture issue in this discussion. As I say, there is a lot more we could say on this but I will keep my remarks short, mindful of the hour. I move the amendment circulated in my name which goes to that important matter of the evaluation of the program:

Omit all words after (2), substitute:

“(2) calls on the Government to:

- (a) continue the rollout of the green bins pilot program throughout the ACT following an evaluation of the outcomes of the Weston Creek and Kambah pilot, and release the evaluation report to the public;
- (b) ensure the lessons of the evaluation and the findings of the ACT Waste Feasibility Study are used to inform the further roll out of green bins across the ACT; and
- (c) continue to work towards the zero waste target in the ACT, including looking at household disposal of food waste.”.

**MR STEEL** (Murrumbidgee) (6.32): I would like to thank Minister Rattenbury for his amendment to my motion. I fully support looking at how we can implement the key findings of the waste feasibility study so that the ACT’s waste management is national best practice.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Adjournment**

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

That the Assembly do now adjourn.

**Mr Pete Ryan**

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (6.32): This afternoon I rise to acknowledge Mr Pete Ryan, a founding member of the ACT Veterans' Advisory Council. Pete, as he was known, made a particularly significant contribution to veterans' communities both locally and nationally. It is with great sadness that I inform the Assembly tonight that last month Pete passed away after battling with cancer.

He leaves behind his partner Robynne, whose presence I acknowledge in the Assembly here today, his children, his grandchildren and his extended family. I extend to Robynne and to the entire family my deep concern and support. Pete's commitment towards community service was reflected through his efforts in providing advice and expertise to over 20 veterans committees and organisations over two decades.

Pete enlisted with the Royal Australian Air Force in 1965. He was posted to Vietnam in 1968 where he worked in aircraft maintenance. After leaving the RAAF in 1971 Pete moved into the world of newspapers and magazines where he rose quickly into managerial positions. Over the course of his career, Pete also completed an arts-law degree. His education helped him to support and to advocate for veterans and their families. In 2000 Pete retired from the paid workforce on medical advice.

Pete was a proud RAAF Vietnam veteran. He was a dedicated and passionate advocate for his fellow veterans. His advocacy and his dedication to this cause saw him rise to roles including the National Vice President of the Vietnam Veterans Association of Australia and president of the ACT branch. Pete was a regular organiser of the Vietnam veterans anniversary remembrance day in Canberra. He has helped hundreds of former soldiers with their interactions in navigating the various Veterans' Affairs programs.

He took great pleasure in hosting the Vietnam veterans anniversary remembrance day events for 15 years, culminating in the 50th anniversary of the battle of Long Tan in 2016. His dedication grew this significant commemoration from a small ceremony with 50 borrowed chairs to more than three and a half thousand attendees in 2016.

As a longstanding member of the ACT Veterans' Advisory Council, Pete provided valuable and strategic advice to the ACT government on issues affecting veterans and their families in Canberra. I am pleased to acknowledge the presence of Pat McCabe from the VAC here today as well. After many years of tireless effort and assistance Pete was recognised formally for his work with the award of the Order of Australia Medal in 2017 for service to veterans and their families.

I extend my gratitude to Pete and to his family for the work done and for the expertise that he has provided over the years on veterans' issues. He will be dearly remembered and he will be certainly missed by many. I offer my condolences to his family and friends at this time and thank him for his service to Australia, to the ACT government and to the veterans' community.

**Mr Matthew Owen**

**MR HANSON** (Murrumbidgee) (6.36): Tonight I rise to speak about Matthew Owen, who is a great Canberran. He is both a champion yachtsman and a great supporter of underprivileged kids and people with disabilities. Matt joins us in the Assembly this evening and I welcome him here. Matt Owen, or “Pillow” as he is known to many in the sailing community, is the CEO of the Canberra Yacht Club and has been for the past 16 years.

Along with his sailing partner, Andrew Reed, he is a three-time Australian national flying fifteen champion and a two-time national champion in keeled boats. Matt has won over 25 ACT championships in sailing, and is the current New Zealand flying fifteen champion—it is nice to know that we beat the Kiwis in something—having won that championship this year with Andrew Reed again. He has finished in the top five of the world championships on two occasions, including this year.

Outside of the yacht club, where Matt is very highly regarded, most Canberrans would probably be unaware that we have such a successful and world renowned sailor here in Canberra. Through his work at the Canberra Yacht Club, Matt has been instrumental in promoting sailing on the lake but also supporting and developing Buoyed Up with Tackers. I quote from the Yacht Club website:

The CYC’s Buoyed Up with Tackers, is an initiative which assists vulnerable, at-risk children aged 7-12 years to participate in the Tackers Junior Sailing program as a way to build confidence, self-esteem and engage in an active lifestyle.

The program provides children from disadvantaged backgrounds with a unique fun-based opportunity which will enhance their general life skills and capability. The program eventually aims to train participants as assistant instructors, offering a vocational pathway or part-time employment, as well as provide an avenue to give back to the club. The program has delivered these life-building programs to over 1,000 of Canberra’s young disadvantaged children. Matt has also been a very keen supporter of Sailability ACT, which supports people with a disability who want to sail and experience the freedom of being on the water. Like many people who are genuine champions and who are active in supporting others, Matt is humble and unassuming and is quick to emphasise the contributions and successes of others over his own.

But what is more remarkable, members, is that Matt has been winning state and national championships and helping others while himself living with terminal cancer. After being told by oncologists that he had seen his last Christmas a couple of years ago, Matt has defied the odds and lived more in the past two years than many of us do in a lifetime and is still going strong. I am just thankful that he decided that boot camp was no longer an option for his long-suffering boot camp partner and so I do not have to get up early on cold winter mornings.

I know that Matt’s family has been a big part of his success in supporting his sailing career and fighting his cancer. His beautiful wife, Karen, and his son, Will, are a

central and loving part of his life. Through his sailing and his support for others, Matt has touched the lives of many in a very positive and profound way.

There are few more likable people than Matt Owen. He is loved by a great many people in the sailing community and well beyond across the world. I am sure that Matt would want me to acknowledge the efforts of the medical professionals here in Canberra and interstate. Along with Karen's and Matt's own efforts, they have delivered what could only be described as a miracle in medical science over the past couple of years.

I thank Matt for his contribution to the ACT community on behalf of the Assembly, on behalf of the Canberra sailing community and on behalf of the hundreds of underprivileged kids that he has helped. I am very proud that this champion Canberran, this champion sailor and this champion bloke is a good mate of mine. Keep on sailing, mate.

### **Mr Wieslaw Lichacz**

**MS LE COUTEUR** (Murrumbidgee) (6.40): I rise today to celebrate Mr Wieslaw Lichacz from ACT Fire & Rescue. I must say two things first. I apologise in advance and I seek his forgiveness for murdering his name. My only excuse is that I am somewhat dyslexic. And I welcome him, because he is here today.

Mr Lichacz recently received an ACT community protection medal for 2017. He has been with the ACT fire brigade community fire unit—CFU—program since its inception in 2004. Mr Lichacz is a long-serving member of the CFU consultative committee and he represents over 900 volunteers.

He is passionate about building community resilience and self-reliance in the face of the climate crisis we are facing through training of community members to strengthen our ability to deal with extreme weather. During the 2003 fires Wieslaw worked with his neighbours to put out ember-attacked roof fires, and put out fires in gardens and garages. When the power poles burnt down, he rigged up his 30-year-old solar panels and batteries from the tip to have basic power for news and weather broadcasts, as the power was, of course, not restored for weeks, despite many electricity agencies from interstate assisting ACT utilities.

He started in the CFU in Kambah a few months after the 2003 fires and became team leader in 2006, and he is still active there today. As an example, just before last Christmas, he led the CFU team to mount the first response to potentially catastrophic fires in Tuggeranong after a stolen car was dumped and set on fire in tall grassland near Mount Arawang. His efforts included warning horse owners near the Kambah pony club and Arawang homestead whilst police were busy investigating an armed robbery in Bonython.

After Boxing Day, he led teams to fill many fire tankers from Fire & Rescue, parks and wildlife and the Rural Fire Service, putting out a bushfire near Millaparoo on the southern side of Mount Arawang that would have hit the neighbourhood from the same direction as the catastrophic 2003 fires. Mr Lichacz's leadership in coordinating

a prompt community response with other agencies effectively provided strong community protection that resulted in what could have been a major fire being contained in less than half an hour.

In addition to his CFU role, he is a trained environmental biologist with a legal studies background and more than 30 successful years in the public service. He has advised the Chief Scientist for Australia on climate change, energy, water and the environment. He has also worked as an accreditation auditor with the United Nations Framework Convention on Climate Change. As I said he is a trained biologist with a legal studies background and more than 30 years experience.

He has served on the ACT Fire & Rescue community fire units consultative committee for almost a decade, despite many personal tragedies. In particular, he set up the Dr Ella Rose Ormes Lichacz life future fund to raise awareness of diabetes and continuous glucose monitoring, more awareness of which may have saved the life of his daughter, who was a veterinary surgeon.

He is a long term and active member of the Greens. That is, of course, how I first met him. Wieslaw is a very dedicated and passionate man who cares very strongly about his environment and his community, and I congratulate him on receiving his medal, which was very well deserved.

### **Yerrabi events**

#### **Sri Lankan-Australian relations**

**MS ORR** (Yerrabi) (6.44): Since the last sitting of this Assembly in March, I have had the pleasure of attending a number of events right across the electorate of Yerrabi. I rise this evening to provide an update on some of the fantastic things that have been happening in and around my electorate.

On 1 April I met students, staff and families at Kaleen Primary School and Harrison School at their annual school fetes. Both fetes had an abundance of food, art performances and activities for everyone to participate in. At Kaleen, the “dunk the principal” attraction seemed as popular as ever, and the peach pie from the cake stall was, in my own humble opinion, simply superb.

At Harrison, the pony rides were a favourite, to the point where my niece eventually decided the line was too long to wait, despite her initial interest, although I think her hesitation had more to do with riding a pony for the first time rather than the length of the queue. Congratulations to everyone from Kaleen primary and Harrison School who were involved in organising and facilitating the events.

On 11 April I had the pleasure of representing the Deputy Chief Minister at the opening of a new park in Moncrieff. All streets in Moncrieff are named after musicians, and the park was named in honour of two famous Australian musicians, Smoky Dawson and Peter Dawson, specifically recognising their contributions to the Australian music industry.

As well as many members of the Moncrieff community, relatives of both musicians attended the ceremony. Iris, Alan and Raylene Mullins represented the family of Peter Dawson, and Terry and Norm Griffin were there as relatives of Smoky Dawson. Herbert Henry Dawson, known as Smoky Dawson, strongly influenced Australian country music and had many other talents, including yodelling and whip cracking. Peter Dawson was a bass-baritone singer-songwriter and recording artist. His recordings of *Advance Australia Fair* and *Waltzing Matilda* made both songs very popular.

Dawson park is a neighbourhood play and recreation space on top of a hill, with views over the entire suburb and surrounding grasslands. It has playground equipment and a shaded play area, providing the entire Moncrieff community with a quality public space to enjoy. As Gungahlin continues to grow at a rapid pace, it is critically important that new suburbs and existing areas continue to have access to green spaces where people can come together to meet, play and enjoy the natural environment around their homes. I trust the Moncrieff community will make great use of Dawson park and the recreational park which is due to be completed later this year.

I also had the pleasure of attending celebrations marking the 70th anniversary of diplomatic relations between Sri Lanka and Australia. These were held on 29 April at Red Cross House in Garran. The High Commission and Red Cross arranged a blood drive as part of the celebrations, to symbolise the strong bonds of friendship and goodwill between Sri Lanka and Australia. It was an honour to represent the Chief Minister and the ACT government in recognising this milestone and to meet His Excellency Mr Somasundaram Skandakumar, High Commissioner for Sri Lanka, along with other High Commission staff and the local Sri Lankan community.

Canberra is the permanent home to a diverse and vibrant multicultural population, of which over 2,000 Australians of Sri Lankan origin and descent provide a valuable contribution to the life of our city. I would like to once again congratulate the High Commission on the unique way of celebrating the 70th anniversary, and thank everyone in attendance for their continued contribution to the local community.

I joined the residents of Gungahlin and my colleagues Minister Fitzharris and Mr Pettersson at the annual Celebrate Gungahlin Festival on 29 April. It was a fantastic day, filled with performances from local arts and music groups, with plenty to see and do for everyone who came along. I had a number of conversations with people about the future of the town centre and how the government's planning refresh will provide the community with a chance to see the public spaces they use transformed into more user-friendly areas for everyone to enjoy. It was a fantastic day for all involved, and I would like to thank Communities@Work and My Gungahlin for organising what was once again a successful festival. I am already looking forward to the celebrations next year.

Last but not least, I had the pleasure of helping out at the Gungahlin Jets sausage sizzle. The slightly dreary weather did not dampen demand and the egg and bacon rolls flew off the barbecue. As all of us here know, attending community events and meeting with people in our electorates is one of the best things about our role as local

members, and I am very keen to get out into the electorate once again between now and the next sitting week.

### **Wear Orange Wednesday**

**MRS JONES** (Murrumbidgee) (6.49): I rise this evening to speak about Wear Orange Wednesday, which today celebrates and shows support for state emergency service volunteers all over Australia.

The ACT SES is a volunteer emergency service organisation which gives immediate assistance to the community during emergencies and disasters, in particular undertaking planning and response operations for storms and floods. It also assists ambulance, fire and police services in dealing with a range of incidents and emergencies and helps the ACT community prepare for flood and storm events through its community education and engagement programs. It is a true reflection of the Australian attitude to help out a mate in need.

Approximately 250 people in the ACT and 40,000 Australia wide are members of the SES, willingly giving up their personal time to assist others in times of disaster. We cannot thank them enough for their sacrifice. I encourage everyone to get involved by taking a photo of yourself wearing orange today and uploading it to your social media account with the hashtag #thankyouses.

Membership of the ACT SES is open to men and women with a reasonable degree of physical fitness and a passion to do the right thing within their community. The SES accepts members from the age of 16 with parental consent and from 18 for general membership.

Once again, thank you SES volunteers for your service. I encourage everyone to get involved with the SES and put on their best orange today.

### **Project Booyah**

**MRS KIKKERT** (Ginninderra) (6.50): I wish to say a few words in support of the Canberra Police Community Youth Club, PCYC, especially project Booyah. Project Booyah is an established leadership and mentor program that was initially developed by the Queensland police service five years ago. An independent review by Griffith University last year found that participation in the program significantly reduces criminal attitudes whilst increasing self-esteem and improving family relationships.

Thanks to a grant from the federal Liberal government, the Canberra PCYC is now able to make project Booyah available for at-risk young people aged 14 to 17 years in the ACT region. It was my privilege to attend the launch of this program on 8 December last year, when Senator Zed Seselja formally announced the Australian government's financial support.

On that day I got to meet the first cohort of young people who would participate in this important program, designed to address disengagement from family, community and education. Over the course of the next 20 weeks, these young people experienced

adventure-based learning, social development, skills training, mentoring and casework, along with literacy and numeracy education. Six of the seven participants also received certificate II qualifications from the Canberra Institute of Technology.

Last month I got to meet with these young people again as I attended their graduation, along with Senator Seselja, fellow Liberal MLA Nicole Lawder, ACT Chief Police Officer Justine Saunders, and Canberra PCYC president, Jayson Hinder.

I pause here to note the tragic passing of Mr Hinder, to offer my sincere condolences to his family and to pay tribute to his lengthy record of community service in the ACT, including seven years as a PCYC board member. Many of us are grateful for his passionate support for numerous community organisations.

At the graduation event, I was thrilled to see the growth in development that had occurred in the lives of these young people over the course of their involvement with project Booyah. Their faces shone with great confidence that I had not seen in them before, and they spoke excitedly with me about future opportunities now that their lives are, in the words of one of them, back on track. I love seeing the changes that have come into their lives as they have re-engaged with family, community and education.

I pay tribute to the executive manager, Cheryl O'Donnell, and to all of the staff members at Canberra PCYC who work so hard and with so much genuine compassion to help at-risk young people. Project Booyah is just one of the many programs that these dedicated staff provide. Others include various diversion programs, respect and anger management programs, parenting programs and programs for young traffic offenders as well as after-school sports.

I congratulate the PCYC staff for instilling hope by maintaining frequent contact and providing needed encouragement to these young people. The advocacy for these vulnerable young people's progress and development is honourable, and I am grateful for the great example of the PCYC staff.

## **Yom Ha Shoah**

**MS CHEYNE** (Ginninderra) (6.53): On 26 April I was privileged to attend a Holocaust remembrance event with the ACT Jewish community. The event was held to acknowledge Yom Ha Shoah, or Holocaust Remembrance Day, which fell on 24 April this year. Holocaust Remembrance Day is the day for remembering the millions of Jewish victims of the Holocaust and for honouring Jewish resistance to Nazi rule.

In 1942 the Nazi regime began systemically deporting masses of Jewish people to concentration and extermination camps. And, 75 years on, we remember the horrors that followed: the genocide of up to six million Jewish people, including approximately 1.5 million children; horrendous violence; forced labour; sex crimes; forced abortions; and the list continues; it is endless and heart breaking.

The date of Holocaust Remembrance Day falls near the anniversary of the Warsaw Ghetto uprising in April 1943. The Warsaw Ghetto was the largest of all the ghettos in Nazi-occupied Europe during World War II. It had been created by Nazi authorities in 1940. In 1942 German forces rounded up 300,000 Jewish people in the Warsaw Ghetto and transported them to death camps. In the face of this tragedy, the 60,000 Jewish people remaining in the ghetto organised themselves and prepared to resist any future attacks.

When German troops and police entered the ghetto to deport its surviving inhabitants in April 1943, the Warsaw uprising began. Up against thousands of heavily armed German troops supported by artillery, 750 Jewish fighters with minimal weaponry were able to hold out for 27 days. This was despite the fact the Germans ordered the ghetto to be razed to the ground. There were also countless individual acts of protest in camps and on trains. Despite all their suffering, the prisoners were determined to live with dignity through the torment.

At the event I attended, Australian author Morris Gleitzman spoke of one man whose story is especially moving. Janusz Korczak was a Polish Jewish children's author who helped run an orphanage in the Warsaw Ghetto for Jewish children. In 1942 the Nazis came to collect the nearly 200 orphans and a dozen staff members to take them to the Treblinka death camp. The Nazis offered Korczak sanctuary several times due to his popularity as an author. But Korczak turned them down repeatedly and stayed with his children until the very end.

Eyewitness accounts describe the procession of Korczak and the children to the deportation point for the death camps. The children were dressed in their best clothes and in a cheerful mood. Korczak had told them that they were going for a trip to the country.

The story of Janusz Korczak inspired Morris Gleitzman's children's novel *Once*, the first in a fictional series about the Holocaust. Holocaust Remembrance Day and Gleitzman's work ask us to remember these horrors and these stories; to remember the best and the worst that human beings are capable of. We as a community must remember these lessons of the past if we are to prevent such horrors occurring in the future.

### **Celebrate Gungahlin Festival**

**MR MILLIGAN** (Yerrabi) (6.57): On Saturday 29 April I was thrilled to join Alistair Coe and our community in celebrating everything that makes Gungahlin such a great place to live, work and raise a family. I am, of course, referring to the third annual Celebrate Gungahlin Festival. I do not shy away from telling anyone who is willing to listen that my electorate throws the best parties in the territory.

This year's festival continued to prove that point. Over 5,000 people and 89 community stalls contributed to making this year's festival the most successful to date. The day was jam-packed with live entertainment and performances ranging from Bollywood dancing and group yoga to the Cornerstone Church Choir.

I would like to put on the record my appreciation for the hard work of the Celebrate Gungahlin Festival committee and all of the volunteers on the day that ensured that the day was a great success. I would also like to thank the organisers for putting our stall next to the Rotary sausage sizzle; it definitely took the sting out of the freezing cold morning.

Gungahlin is well known for its family-friendly neighbourhoods and community-focused atmosphere. It was great to see these crucial qualities for any strong community well represented in this year's festival. It provided a valuable platform for many small businesses, sports groups and other community groups to engage with residents.

I was pleased to take the opportunity to speak with residents about their thoughts, ideas, and concerns for our region. Concerns included the lack of strategic planning with the current roadworks in Gungahlin, antisocial driving throughout Gungahlin, the safety of road users using the Barton Highway roundabout, and the lack of suburban maintenance in most areas of Yerrabi.

I would like to once again congratulate everyone involved in organising this year's festival and for providing a fun and relaxed day out.

### **National Walk Safely to School Day**

**MR COE** (Yerrabi—Leader of the Opposition): (6.59): This evening I wish to highlight the National Walk Safely to School Day, which will be held on Friday next week, 19 May. Now in its 18th year, this national day aims to encourage children to include walking as a part of their daily routine.

The positive impact of a walk outside on our health, fitness and wellbeing is well known and understood, but walking to school also benefits the environment and the community. The event encourages children to walk safely to and from school wherever they can. Participation in the National Walk Safely to School Day also helps to develop road safety awareness in our young people.

Walk Safely to School Day is promoted by the Pedestrian Council of Australia. Some of the objectives of the council include the continual improvement of pedestrian safety, amenity and access; promotion of walking as a legitimate transport mode and an important health and social activity; encouragement of the inclusion of pedestrian safety, amenity and access provisions in all urban and transport planning; and the enhancement of community health and welfare, and particularly the enhancement of the health and welfare of those members of the community who are aged, infirm, disabled, young, socially disadvantaged, tourists or included in any other special interest group, a group of persons under any kind of handicap or disability.

I was pleased to learn that Kaleen Primary School in my electorate of Yerrabi has committed to participating in the National Walk Safely to School Day, as I believe numerous other schools around Canberra have. I hope numerous other schools will also consider ways in which they can get involved in this great initiative. I encourage

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members and those listening to access [walk.com.au](http://walk.com.au) to find out more information about the important event.

Question resolved in the affirmative.

**The Assembly adjourned at 7.01 pm.**