



Debates

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MADAM SPEAKER (Ms J 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.

Public Accounts—Standing Committee Reference

MR COE (Yerrabi—Leader of the Opposition) (10.02): I seek leave to present two out-of-order petitions and move a motion to refer the matters raised to a standing committee.

Leave granted.

MR COE: I present the following papers:

Petitions which do not conform with the standing orders—Strata residences—
Methodology for determining rates and land tax—

Mr Coe (76 signatures).

Mr Coe (5464 signatures).

I move:

That the papers be referred to the Standing Committee on Public Accounts for inquiry and report by the last sitting day in May 2018.

At its core, the government's rates and land tax regime is unfair. This is a government that is desperately trying to squeeze Canberrans for all they are worth. In particular, with regard to apartments and units across Canberra, the government has had a massive push, trying to drive people into these apartments.

For years the government have been saying that we cannot have more urban sprawl. For years they have been saying that we cannot have more single-dwelling homes. This is despite the fact that they are reaping hundreds of millions of dollars from the sale of blocks. In response, developers and builders, in collaboration with the government, have constructed thousands of apartments across the city.

Many people chose to purchase these apartments in good faith. Part of the rationale for these apartments, and for densification in general, is that it is environmentally efficient, there are transport efficiencies, there are infrastructure efficiencies and there are numerous other benefits for a government with regard to the delivery of services.

It was a real blow to many Canberrans who bought in good faith when, last year, the government broke their end of the bargain. Last year, the government flipped the way that rates were calculated for units and apartments across Canberra. Rather than dividing the total property by the number of units and then making a calculation on

rates, they first calculated the rates and then divided it. That might seem complex—or quite the opposite: maybe it sounds very simple. But, one way or another, it has had a massive impact. The reason is that it has pushed entire complexes into an upper marginal threshold with regard to the rates that they are paying. No longer is pretty much every unit in Canberra in the lowest threshold. Now, virtually all of them are in the upper threshold, the top threshold. That has had a huge increase on the rates that people are paying.

In addition to that, over the same period, there has been a huge increase with regard to the fixed component of the rates bill. There have also been significant increases to the fire and emergency services levy. We have had the introduction of the safer families levy and all the other taxes, fees, and charges that the government has brought in along the way. To put this in perspective, in 2012 the ACT government brought in \$209 million from rates. In last year's budget it was \$444 million. It has gone from \$209 million through to \$444 million.

Of course, that is just part of the picture. There is also land tax in that mix. There is stamp duty. There are insurance levies, the safer families levy, and the fire and emergency services levy. You have to tally them all up and then compare 2012 to the present. When you do that, when you tally up the tax mix, as the Treasurer referred to it, you can see that in 2012 it was \$667 million and in 2017 it was \$895 million. This is meant to be revenue neutral. In the same time there was an increase of only eight per cent in the population of Canberra. It is staggering, Madam Speaker.

We are, of course, an island. We are an island with councils on either side of us that are competing. Both Queanbeyan and the Yass Valley are well and truly in the capital's housing market. We have competitive federalism in action. We have the New South Wales government and these two neighbouring councils competing, and they are winning that race.

The reason they are winning that race is that the ACT government have given up. They have given up trying to provide an affordable product for Canberrans. They are happy to continue to gouge people at every step along the way, whether it is in the construction phase, in terms of the land, where they are in effect a monopoly provider; whether it is in the lease variation charge; whether it is in the huge expense in passing the regulatory hurdles in construction; or whether it is the ongoing fees and charges they charge through rates and land taxes.

Canberra is becoming unaffordable for many people. It is no wonder that, in what can often be an apathetic town when it comes to local politics, thousands of people have chosen to sign a petition to say it is unfair. It is unfair. The petitioners are asking for some justice and some fairness: two principles that the Labor Party espouse but the local Labor Party fail to live up to.

They have created a two-pace society. There is one pace for Canberrans that can keep up. There is one pace for people who can afford an extra \$200, \$300, \$400 or \$500 per year on their rates. There is another pace for people who are failing to keep up. They are struggling. Andrew Barr's only response to them is that somehow this is

fair, that somehow this is a more efficient tax system, and therefore we have to give up all opposition and just support it.

We do not accept that. We have fought against this rates regime at every single opportunity. The Canberra Liberals have been the only party in this place that have voted against it on each occasion since 2012. Unfortunately, the only reason that we have this rates regime, the only reason that we have this unfair unit and apartment tax, is that the Labor Party and the Greens frequently use their numbers to ram things through.

It is not good enough to say that there are unintended consequences here. All these were foreshadowed. In 2012 the Canberra Liberals famously took to an election that Labor would triple rates. Sure enough, within 10 years, that is exactly what is going to happen. Last year, when the government changed this methodology for how apartments and units would have their rates calculated, we raised that concern again. We raised the concern about bumping people up into the top threshold rather than being in the lowest marginal threshold. We said the impact would be severe and we voted against it. Meanwhile, the Labor Party and the Greens once again voted together and rushed it through.

The impact has been severe. The impact has been that thousands of people have seen a huge increase in their cost of living, yet they have not seen a commensurate increase in the services provided. There are two threshold questions that need to be asked. Firstly, when your rates increase by such a huge amount, can you afford it? And even if you can afford it, the second question is: are you getting value for money? On the first question, there are tens of thousands of people that cannot afford it. On the second question, the answer is universally no: people are not getting better services as a result of this staggering increase.

When you look at the tax reform from 2012 to 2017 for the applicable areas of the budget, you see it going from \$667 million to \$895 million, with an anticipated figure of \$1.1 billion by 2021. It is astonishing. At the same time, the government have been receiving record revenue from the commonwealth. In this financial year alone, in the last eight months they received \$66 million more than expected from the commonwealth. They anticipated a budget in May. It got passed in August. In that short amount of time, the commonwealth government have given an additional \$66 million, yet this government still needs to slug people more and more. It is outrageous.

I also think that the government is doing a disservice to Ted Quinlan, the author of the reform package. Importantly, one of his recommendations in the reform package was that the changes be brought in gradually and be grandfathered for those who had already paid stamp duty. Conveniently, the government ignored that recommendation. The impact this has had has been extraordinary.

Some of the petitioners have joined us today, not because they like politics, and not because they find the Assembly particularly interesting, but because they are representative of the thousands of Canberrans who think this is unfair. And it is. This

is an arrogant government that is far more interested in its own pet projects than the welfare of the 400,000 citizens it is here to represent.

I urge those opposite, including the Greens, to support the referral of these petitions to the public accounts committee. I note that the Greens are not on the public accounts committee, so it is hardly going to be a burden for Ms Le Couteur or Mr Rattenbury to make this referral. It is obviously within the remit of the public accounts committee. This is core business for the Assembly and it is core business for our public accounts committee to do this. To that end, I think we owe it to the 400,000 Canberrans, particularly the petitioners, for the future of Canberra, to pause and at least have a look at it and hear the stories of the impact of this unfair rates regime.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (10.14): The government is happy to support a referral of the petition to the public accounts committee. That is perfectly within the purview of that committee. The opposition leader is correct in that assessment. There is obviously a degree of interest in tax reform, as there has been over the past two territory elections. The government has been very clear in taking this tax reform agenda to two elections now.

These are not new issues. I think this is the fourth time that we have debated in this place these matters that are pertinent to the change in methodology for units since the government announced prior to the 2016 election its intent in this area. So this is not a new debate but one that we are comfortable to have, recognising that there will be a diversity of views within the community in relation to tax reform.

One thing most people agree on is that they are not particularly happy about paying any tax ever. I do not meet many people who come bounding up to me and volunteer their great delight at paying tax. That is understood. I do meet plenty of people who come to the government and request that the government invest more in service provision and delivery of the variety of essential services that this community needs.

Research across Australia over the last decade or more has consistently shown that a majority of Australians—not every Australian but a majority of Australians—would prefer to pay a little more tax in order to receive the full range of health, education, community services, policing, emergency services and the like.

That has been pretty consistent across about a decade worth of opinion polling in this nation—here in Canberra and everywhere else. That is not to say that everyone holds that view. There are some people who would prefer there be no tax at all and presumably no service provision from government. There are others who think that government should tax more and undertake more activity. That would reflect the spectrum of opinion on the collection of tax across this city and across this nation. There will never be a level of taxation and a level of government services that everyone will agree on, but we have a democratic process to resolve these issues.

One thing that was very clear through the Leader of the Opposition's presentation this morning was that this was a contested issue at both the 2012 and 2016 territory elections. The Canberra Liberals have played this card very hard. They played this

card very hard over that time. We introduced this particular measure in the 2016 budget, before the 2016 territory election. Tax reform was one of the defining issues in both the 2012 and 2016 ACT elections.

The Leader of the Opposition has presented a particular case that is consistent with the position that the Liberal Party held over those two elections. So it will not come as a surprise to anyone that the position I will outline today is consistent with the position that we took to the 2012 and 2016 elections and, indeed, consistent with the position that we will take to the 2020 election. It is our view, as the majority of members in this Assembly, consistent with the position we took in 2012 and 2016, that tax reform is important and that we must collect a sufficient level of revenue to provide the range of services that this community needs.

Later today I will introduce the second appropriation bill, which will allocate additional resources for more surgeries for people who need that important health service. We will be introducing a further \$50 boost to the utilities concession for the lowest income Canberrans. We will certainly be undertaking a series of further investments in the needs of, and services for, this community.

I am quite comfortable with the contrast of our approach. It is to see a productive role for government, to ensure that the most vulnerable citizens in our community are supported through public health and public education services and through the provision of additional concessions to support low income earners. We take those positions to elections and people have a choice. They exercise their choice and they mostly enjoy the opportunity to participate in the democratic process. And they do have a choice.

This debate today provides another opportunity to contrast the different perspectives and positions on the role of government in our society and on the best way to raise revenue. Every review of taxation in this nation over the last four decades has recommended that state and territory government abolish inefficient taxes like insurance taxes, which we have done in the ACT—we are the first state or territory to do so—and get rid of stamp duty, which is a bad tax. It is a bad tax, Madam Speaker.

That is why in every budget that I have delivered as Treasurer, and that I will continue to deliver as Treasurer, I will cut stamp duty. This is not simply an exercise in being able to remove a certain range of taxes and then think that we can continue to provide the range of services that this growing community needs. It is a change in the tax mix; that is true. But we are getting rid of the worst taxes that state and territory governments levy and moving to the most efficient tax available to us, the one that distorts economic activity the least and that is the simplest and fairest way for us to raise revenue.

I repeat that not everyone likes paying tax. We understand that. But we also need to provide the services that this community needs. If we are to raise revenue, which we need to do, then we should surely use the best and fairest means available to us. As I have said in this debate that we have been having in this place over the last seven years now, we cannot, as a government and as a community, plan for future service provision based on trying to guess how many houses will transact in a given year.

Our rates base is our most predictable, reliable, efficient form of taxation revenue available to us. Yes, we are switching towards that and switching away from bad taxes, like taxes on people's insurance products, their home contents insurance, their motor vehicle insurance, their life insurance, their building insurance or, in the business world, their business insurance. That tax has been abolished.

Yes, we are phasing out stamp duty. We do not want people who are forced to move house because they might have a new child and need a bigger house, those who are entering into the housing market for the first time or those who are downsizing to have to pay a massive stamp duty. Our approach does contrast in the world of competitive federalism, as the Leader of the Opposition indicated in his speech.

If you move to New South Wales to buy a property you will be hit up-front with a very large stamp duty. If you have to borrow to pay that stamp duty, then you will be paying the mortgage interest cost on that over the life of your loan. The Housing Industry Association has estimated that that is worth about \$1,000 a year in interest payments on stamp duty. So think about that for a moment: that is the change that we are seeking to achieve, to switch away from these bad, inefficient taxes to a fairer model.

Not everyone will agree with that approach. That is clear. But every economist, every review of taxation in this nation over the last four decades, has recommended this approach. The Prime Minister of Australia, your Liberal leader, publicly commended the ACT for adopting this approach. He made the observation that it was 11 out of 10 on the political difficulty rating but that it was the right thing to do.

That is what we are doing, making that change gradually over a 20-year period. We do so because we value government service provision and being able to provide for the health, education, community service, municipal service, emergency service needs of this growing community. If the evidence was that people were leaving Canberra in droves then we would not, in the last census period, during the period of this tax reform, have had the largest population increase of any state or territory. Last year—

Members interjecting—

Ms Berry: Madam Speaker, point of order, please.

MADAM SPEAKER: Members, Mr Coe was allowed to be heard in peace, so I ask that you offer that to the Chief Minister. Chief Minister.

MR BARR: Thank you, Madam Speaker. Last year, our city's population grew by a level that we have not seen for some decades. Mr Coe referred to additional revenue that the government received. Yes, that is true. What has happened is that our population increase has led to us finally receive our appropriate share of the national GST pool. That boost in population from people who are coming to live in Canberra was recognised a few years later by the updated census data. So we have been incurring the expenses in health, education, community and municipal services but not receiving the GST revenue.

We are now receiving that GST revenue, but we are also incurring, and will continue to incur, those expenses that come from the increased population. That is how the distribution of the GST system works. We welcome the fact that there is some catch-up now from the GST pool, recognising the ACT's increased share of the national population. That is an important outcome for this community because it will allow the government to make further investments in the infrastructure and service delivery that this growing community needs. That is our focus, as I outlined at the beginning of this week, in terms of the government's legislative, policy and infrastructure agenda for 2018.

We will be investing in expanding our health system, our education system, our training system, supporting additional transport infrastructure and rolling out a range of new programs and initiatives to assist the most vulnerable in our community. As I mentioned, later today—later this morning, I hope—I will have the opportunity to introduce some further measures into this place to provide more support for those on the pension or those who have concession cards to receive a further \$50 energy concession, to boost that to \$654 each year.

There will be more funding to undertake more surgeries in our health system. There will be funding to provide support for high school students, particularly low income high school students who do not have access to digital technology because their parents cannot afford to buy that for them, and support in a number of other important areas of ACT government responsibility. We do that because we value equality and we value the role of government to be able to support the most vulnerable in our community. In order to do that we do need to raise revenue. We seek to raise revenue in the fairest and most efficient manner. The measures that we have introduced over the last six years now have been focused on simplicity, efficiency and fairness.

That is what every opinion poll in this nation has indicated should be the priority for government—at our level of government and, indeed, at the national level. We do this in the context of the debates that we are having in this nation now about how to fund the national disability insurance scheme, whether companies that are doing their best to avoid paying any tax should be given a \$50 billion tax cut, or whether the focus of taxation reform in this nation should have fairness at the heart of that agenda. Madam Speaker, that is our approach and that is what we will continue to do.

MS LE COUTEUR (Murrumbidgee) (10.29): The Greens also support referring this matter to the public accounts committee. That seems an entirely reasonable thing to do. Of course, the Greens support taxation systems which are socially just, socially equitable and economically fair. This is the balance that we have to get in devising what is our best taxation system.

Given where the ACT sits in the constitution, rates are clearly an important part of our revenue system. So it is entirely appropriate that we debate how our rates system works. I almost feel it is a pity that I am not back on the public accounts committee, because this is actually important work to do.

As Mr Barr alluded to, we debated this subject a bit in the Assembly last year. I would like to draw members' attention to the debate on 13 September. This was a debate on

a motion moved by Mr Coe and amended by Mr Barr. However, the amendment was made with considerable input from the Greens.

That amendment states in part that the government will:

... monitor the impact of the recent tax and concession policy changes as these roll out, including their impact on:

- (i) cost of living for Canberrans;
 - (ii) Canberra property owners who are on low or fixed incomes; and
 - (iii) Canberrans who are both income and asset poor; and
- (b) conduct financial and social impact analysis on the adequacy of concessions and the eligibility criteria for these, and provide this analysis to the Assembly not later than Budget Day 2018.

Actually, I would make one suggestion for the motion, which of course I have not seen as yet. When it is moved, it might be preferable to postpone the reporting period so that the public accounts committee has the benefit of seeing the analysis, which the government is already committing to doing, on the impact of these taxation and concession changes. Basically, the government has a lot more resources to do that work. I think it would be very useful work for the public accounts committee to see.

We have been talking about the issues with the taxation system for some time. Mr Barr talked for a long time about the economic inefficiency of stamp duty. He is totally correct. Australia has been talking about this for many years, at least since 2000, in the GST review. Every state government at that stage signed on to the idea that we would like to have less stamp duty and move more into land-based taxes. As Mr Barr notes, the political difficulties of doing this are presumably the reason why the ACT is the only government that has so far taken that step.

But I would also like to comment that this analysis has been done on the basis of economic efficiency. Economic efficiency is important, but it is not the only important thing. Social justice and equity are also important. I think that is where this debate has not had enough input.

This is also relevant to how we work out the rating system between single home owners and multi-unit owners. Clearly, there has to be some equity between those. Clearly, the people whose rates have gone up recently feel, like most people feel when their taxation has gone up, that this is not the right thing. This is a reasonable position for them to hold. I will declare that I am a resident owner in a multi-unit development. So I am one of these people. It is a reasonable debate as to what is the correct balance between single households and multi-units—and, of course, commercial rates.

I would also in this debate like to highlight, given the social equity issues, some of the problems that we currently have with our deferment schemes. There are schemes for deferment. One of them is an age-based deferment. Looking into it, it is crazy; that is the only description for it. I have realised why it is so crazy. It was introduced,

I understand, by the Carnell government. The reason I say it is crazy is that it is only available if the unimproved capital value of your land is in the top 20 per cent of unimproved capital values in the ACT. In other words, if you are lucky enough to own land that has a value that is well above the average value, basically you can defer your rates indefinitely. There is no other means test. You have to be over 65.

I think that this deferment should be expanded so that if you are over 65 you can defer your rates regardless of the value of your property. Probably there should be some means testing introduced at the same time as widening it to all of Canberra, not just the more expensive parts of Canberra.

I note, however, that the government is doing its best to ensure that this is not used. It has been used only twice. I had a constituent recently who was in some considerable difficulty. I said to her, “You should be eligible for the age-based deferment.” She rang up the Revenue Office. They did not tell her about it. We went backwards and forwards a couple of times. I had to show her the part on the website, which is not easy to find. It showed that she was eligible for it. I am hopeful that she has got it.

I think one of the issues is that where we have concessions and deferments available, the government is not telling the vulnerable people who could take advantage of these about what is available for them. This is important. There is no point in having something which is going to improve the fairness of the system if the people who could use it are not told about it and the government actively denies knowledge of it when people go to inquire about it. I think that the whole issue of deferment schemes does need looking at.

The concession rebates on rates are good. I am pleased that the government has recently expanded them, although I personally would have liked to see more money go into them. What happened is that they were expanded so that they would be relevant to a greater number of people. But it meant that the amount that people were receiving before went down. I think we could have been just a bit more generous here. Nonetheless, I am hopeful that these matters of social justice and fairness will be looked at by the public accounts committee—not just the issue, which I agree is an important issue, of rates for people in multi-unit developments. That is important.

It is all part of having a fair system and an economically efficient system in the ACT. I think this is a great petition. I commend this work to the public accounts committee. I really look forward to seeing the committee’s report.

Question resolved in the affirmative.

Portfolio priorities 2018

Ministerial statement

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.38): It is wonderful to be back in the chamber for another year with a great team of Labor members, refreshed and eager to continue our work delivering for

our growing community. 2018 will be a big year for our community, with a number of important milestones to be reached and projects delivered.

The Barr Labor government are delivering on the agenda we took to the community in 2016. At its heart is our community, the people who make up our wonderful city. As I said this time last year, we must plan now for a future that includes more people and families while retaining the livability our city is rightly proud of. Our agenda is focused on our community's needs, on the growth and success of our city and on responding to the challenges and opportunities ahead. And, above all, it is about providing the opportunity for everyone in our community to live a healthy and prosperous life.

The health of Canberrans will always be a priority for Labor. We will continue to invest in health care to keep Canberrans healthy and deliver better care where and when they need it. We will ensure that, if and when Canberrans get sick or need access to health care, they can trust that they have a world-class health system that is patient centred and focused on making them well.

Our status as the country's healthiest city is evidenced in the recent *Report on government services*. ACT residents have the highest life expectancy in the country. Smoking rates have been decreasing over the past several years due to our initiatives to tackle smoking, including recent restrictions on smoking in areas near children, such as playgrounds and public transport waiting areas. We have some of the lowest rates of cancer and diabetes in the country. We consistently have some of the highest immunisation rates and our kids have the equal lowest rate of obesity in the country.

The ACT also has more nurses, midwives and medical practitioners per head of population than the national average. We have an excellent health workforce which will continue to grow, with our focus this year on a workforce attraction strategy to fill specialist gaps in the workforce. In last year's budget we delivered \$443 million in new health investments and services, building on the \$1.6 billion the ACT government already invests in healthcare services each year.

We simply cannot be the healthiest city in the country without an excellent health system. This does not happen by accident. As Labor members, we share pride in our investments in the health of our community. This year we will continue to improve access for our community in all areas of health care, from acute care services at the city's and the region's major tertiary hospital, the Canberra Hospital, and at Calvary Public Hospital, Bruce, including inpatient and outpatient care to the soon-to-open rehabilitation hospital at the University of Canberra, to our community health centres, services like hospital in the home and, of course, our nurse-led walk-in centres.

In so many areas we provide excellent, high quality, compassionate care, but we must continue to improve. We will continue with a range of reforms that, coupled with Labor's record investment in health, are essential to improving our health system and responding to emerging opportunities and challenges. I acknowledge there are areas where we have come from behind and where we simply must do better, and we are. On many measures we continue to improve. If you look, for example, at the improvement in median wait times at Canberra's hospitals between 2012 and

2017 these wait times have reduced by one-third, from 44 to 30 minutes. This is the biggest improvement in the country over that period. I am very focused not only on continuing to make the right health investments for our community but to make sure our system is patient centred, efficient and innovative. Over the course of this year Canberrans will continue to see improvements.

I would like to highlight some of my priorities for this year, which include continuing my strong focus on prevention; completing the important system-wide data review; continuing to improve our engagement, consultation and collaboration with health stakeholders, our workforce and employee representatives and the broader community; finalising the territory-wide health services framework and progressing the associated clinical and service planning and implementing our quality strategy and digital strategy; working with ACT Health to bring down wait times and increase access to our emergency departments and elective surgery; attracting more specialist health staff to our city; updating and investing in important drug and alcohol policy and services; and continuing and completing major upgrades to existing and new health infrastructure that Health and our partners deliver to the community each day. I will continue my focus on preventive health and establishing Canberra as a centre of excellence in preventive health.

The growing tide of chronic disease is a challenge for all governments, but, most importantly, it can have major impacts on a person's quality of life. I said in my inaugural speech that investing in prevention makes sense and I am very committed to the range of preventive health initiatives that we will deliver, including additional funding, building an evidence base to support investment, partnerships with our research institutions and a preventive health strategy. As a member of the COAG health council, and this year its chair, I will continue to strongly advocate for investment in prevention.

Members will recall that I initiated a system-wide data review at ACT Health. This was a significant undertaking, but I am certain it was the right thing to do. I have provided regular updates to the Assembly to keep the community informed on its progress and look forward to sharing the outcomes of the review following its conclusion in March. I am confident that this review will set a new benchmark for health data and I am excited about its potential. We have already supported an important finding of this review, announcing investment this week in a new ACT Health data warehouse that will improve the management of essential health data.

This year will see continued consultation and engagement with key health stakeholders and the broader community. The territory-wide health services framework advisory group, which recently met for the first time, is just one example of a renewed approach to engaging with our important stakeholders and partners. Its members are a recognition of the importance of making sure our health services meet the needs of many in our community, especially those who may be vulnerable or have special needs. It is also a recognition of the importance of engaging with the primary health and research sectors. I look forward to listening to and working with our partners this year. I also look forward to strengthening our relationship with our

partners at Calvary Health, who deliver essential hospital and palliative care services to our community.

The territory-wide health services framework is a vital and exciting piece of work. It is about a holistic systems approach to health care in the ACT that puts patients at the centre of everything we do so that they do not have to go searching for the specialists or services they need. The advisory group are up and running, and I was very pleased to join them at their first meeting earlier this year. ACT Health staff have been holding forums and meetings with staff across the directorate to inform and plan the essential clinical and service planning that underpins this work.

When it comes to timeliness of elective surgery and emergency department services, I have made it clear to ACT Health that we need to continue to see improvements in these areas. We are heading in the right direction, but, as I said earlier, we know we must do better. But we should also celebrate our improvements, which are real. Again, we have seen that we are among the best improvers in the country on median emergency department wait times and percentage of patients seen on time. It is important to recognise that we have a unique mix of hospitals here in the ACT—one of the top 10 busiest emergency departments in the country—and significant increases in demand; for example, a nine per cent increase during the 2015-16 to 2016-17 year.

It is also important to work with New South Wales, as we provide health services to a growing population outside our borders. This is important for both jurisdictions, and I look forward to progressing a number of issues with the New South Wales government.

In the past financial year Canberra Hospital has implemented a number of strategies to improve patient flow within the ED. The nurse navigator role, which oversees patient journeys and team-based care, has seen a strengthened, collaborative approach to patient treatment. Further work is also being undertaken to increase the workforce within the ED to align rostering to peak activity times and to further improve patient flow, importantly working right across the hospital to ensure efficient and timely admissions and discharges. This work will continue.

As part of the budget mid-year review, the ACT government is also addressing elective surgery wait times by investing an additional \$6.4 million for more surgeries to help over 600 additional patients to access treatment within recommended time frames and to achieve over 13,000 elective surgery procedures across the ACT.

It is also important that we have the right health workforce by supporting our own home-grown graduates, supporting training and professional development and attracting more people to work in the ACT health sector. This year we will develop a workforce attraction strategy to attract and retain health specialists in Canberra. I look forward to providing more advice on this work soon.

Also this year, I will have a focus on drug and alcohol issues. We will update relevant policy frameworks and clinical guidance and continue investment in drug and alcohol services and systems, importantly including work to establish a prescription monitoring scheme. I am working closely with Minister Ramsay and Minister Rattenbury on the establishment of a drug and alcohol court and associated health

services. This is important work and the government looks forward to improving the lives of people in our community who are grappling with issues of addiction, supporting them and their families.

We will remain focused on delivering new and improved facilities to hospital and community-based care. Major construction is complete on the new rehabilitation hospital at the University of Canberra. Recruitment is underway for this innovative new facility, Canberra's first purpose-built rehabilitation hospital. It is designed to support people recovering from surgery, injury, illness or experiencing mental illness.

Planning and design is also underway for other initiatives, including the expansion of the Centenary Hospital for Women and Children, the new surgical procedures and interventional radiology and emergency centre and we are working with Calvary on how we can better deliver healthcare services to Canberra's north side.

This year we will open Canberra's third walk-in centre in Gungahlin, with planning underway for centres in the Weston Creek and inner north regions. We are providing more support to local GPs, with the recently opened grants round for GPs to increase bulk-billing in the Tuggeranong and Molonglo Valley regions. We are also working with Winnunga Nimmityjah to build a new health centre for Aboriginal and Torres Strait Islander Canberrans. This will be an important facility but also a demonstration of the government's commitment to the health and wellbeing of our local Indigenous community. I especially look forward to continuing this work with Minister Stephen-Smith and in close collaboration with Winnunga Nimmityjah.

Other innovations in the health sector this year include the national rollout of My Health Record. This is important work led by the commonwealth, which I strongly support. ACT Health and the Capital Health Network are working to support our transition to the national opt-out arrangements which come into place later this year. Canberrans can expect to see most GPs and all public hospitals actively using the My Health Record and a large number of private practices uploading patient information to the system by the end of this year. This will be a significant step in Australia's national health system, making it more connected and leading to improved safety and better care for patients and their families in the ACT.

We know a healthy community is also supported by other important services. A number of these are also in my portfolio, in particular transport and city services. Of course, Transport Canberra and City Services deliver services right across our city every day, supporting and sustaining our community. It is a wonderful portfolio at the nexus of traditional local and state-based service delivery. It is easy to look at what TCCS does and think of the physical assets like buses, books and roads, but really their services are about people. Every day TCCS do what they can to make the lives of Canberrans easier, and we have a number of clear priorities in this area.

Just as in health, this year will see significant activity and achievement in this portfolio, building on the work we did in 2017. I would like to highlight some of my priorities for the year in transport, which include delivering stage 1 of light rail and associated major bus network upgrades and planning for stage 2 of light rail for Civic to Woden; boosting our active travel infrastructure and services, including a continued

focus on walking and cycling safely to school; updating our key policy work, transport for Canberra, to align with important policy work in planning and climate change. In city services we are improving our city services through the better suburbs project; delivering important upgrades to town centres; continuing our focus on responsible pet ownership; delivering a range of important waste initiatives; and completing major road duplications and delivering more improvements to our roads network.

The government's transport vision is very clear—a modern, sustainable and integrated transport system that provides a real alternative to the car. We are working on a refresh for transport for Canberra that will update our transport policy framework to include opportunities for improvement and consider emerging transport trends, data and innovation. It will include community consultation and draw close parallels with the ACT planning strategy refresh and the climate change strategy work.

The construction of light rail, with stage 1 due for completion later this year, will help achieve our vision. As our city grows, if we do not invest now in public transport infrastructure congestion will only get worse, impacting travel times, productivity and our quality of life. We simply cannot leave public transport investment until the city is gridlocked. The construction of our light rail network is the most significant infrastructure project this city has embarked upon, and construction of stage 1, from Gungahlin to the city, is now well underway. The momentum of construction will continue to increase along the corridor until later this year.

Work is also progressing on planning for light rail stage 2, which will extend the network from Gungahlin through to Woden, connecting the north and south of our city, linking employment and cultural hubs and creating a public transport spine. Unlike our political opponents, our government will not kick the can down the road; this is a vital piece of infrastructure that will set our city up for many years to come. In decades from now, Canberrans will look back and be glad the consecutive ACT Labor governments took this revolutionary step for transport in Canberra.

Extensive community engagement, combined with MyWay data and customer feedback, has told us Canberrans want three key things out of a transport network: quicker trip times and more direct routes; more frequent and reliable services and increased services on and off peak. We also know Canberrans want value for money. It is the case that building an integrated and efficient transport network cannot be achieved by a bus stop on every street. We have tried this for years and it has not worked. All modern public transport networks across the world are integrated, connected and innovative, using all available modes to drive patronage and get people out of their cars.

What this means for Canberra is a service that is easy to navigate and provides frequent, reliable services seven days a week. This year we will see five more rapid services and a range of customer service innovations. We are excited about the possibilities and look forward to working with Canberrans soon to design a modern and integrated transport network. Stage 1 of our consultation closed late last year, and we look forward to stage 2 opening soon.

The ACT has one of the highest participation rates of active travel amongst major Australian cities and we are among the leading cycle-friendly cities. Indeed, we aim to be the most cycle-friendly city in the country. This year we will continue to upgrade and enhance our suburban community path network and invest in the age-friendly suburbs program.

We know a significant proportion of our community is interested but concerned about riding bikes in our city. We want to demonstrate that cycling is safe and fun and show people how they can move around our city on their bikes. We want to bring new people to the joys and benefits of cycling by giving them the confidence through good infrastructure, improved facilities and better way-finding and signage. This will also be an important part of our transport for Canberra update. We will start work on the Belconnen bikeway, demonstrating our commitment to the next generation of active travel infrastructure.

I will continue a strong focus on encouraging more kids to walk or ride to school and giving parents the confidence that it is safe, easy and fun. This focus will help relieve some of the pressures at the school gate and reduce car park congestion. We also know that walking or riding has added benefits, including improving kids' health and wellbeing, helping them stay fit and setting them up for a more productive day at school.

To achieve all this, just one of the initiatives we have recently introduced is our election commitment of school crossing supervisors. This has started at 20 crossings around the city and has already had extremely positive feedback after just two weeks. The active streets for schools program complements the supervisors and is being delivered at 25 schools in the ACT, with an extra 50 to be rolled out. This includes infrastructure improvements, such as better footpath connections, new pram ramps and the relocation of bike storage facilities and, of course, the wonderful teardrop signage on a number of paths showing a safe route to school.

The appearance of our city is also extremely important to the government. We have some improvements to make as our city grows and we strike the right balance between our newer and more established suburbs. The better suburbs program was launched last year, with extensive community consultation, and we will deliver a finalised better suburbs statement this year after some exciting community engagement and collaboration planned for April. This will build on our investments in our vital town centres, with work underway in Gungahlin, Belconnen and Tuggeranong, as well as planning for works in Woden and a number of our group centres, notably this year in Kambah.

TCCS will also work closely with the City Renewal Authority on their exciting new vision for renewal of the centre of our city. This is important work to complement the vision of the government and the community often expressed through master planning documents. There are currently five road duplication projects underway across the city, responding to the growth of new development areas in Molonglo and north Gungahlin as well as growth in Tuggeranong, and I look forward to each of these reaching completion and/or progressing new stages soon.

This year the government will also focus on animal welfare and management practices by continuing to promote responsible pet ownership across our city. Last year we launched the paws for thought campaign to promote responsible pet ownership and drive cultural change in our community. This will build on the important work undertaken last year in developing the ACT's first comprehensive animal welfare strategy and legislative change and investment to prevent and respond to dog attacks

This year will also be a big year for our waste sector and for households. The government will introduce a container deposit scheme, protecting our environment and supporting local community groups for fundraising. We will also continue the rollout of the green bins service and seek further opportunities to innovate in our waste sector.

Finally, I would like to provide an update on the government's ongoing work to support the higher education, training and research sector. This year my priorities include supporting CIT to modernise and provide even more vocational education and training opportunities to Canberrans; supporting the growth of the sector and collaborating to attract investment and opportunity; and advocating the benefits of the VET sector and rolling out our commitments to women in trades and supporting the reskilling of mature-age workers

Under the leadership of its board, CIT is continuing its journey of transformation through the implementation of the strategic compass 2020. This includes growing our region's economy by adapting course offerings to provide skills for the future and advancing Canberra's workforce. CIT is also focused on updating its campuses to ensure it meets the needs of students and staff in a modern and competitive VET sector.

We know that one in every six Canberrans is engaged with a tertiary education institution. This is a sector that plays an integral role in Canberra's economy and our identity as a knowledge city. It is a priority to support investment and growth in our city's key industry strengths, including cybersecurity, the defence and space industry and the healthy and active living sector.

Our credentials as an education city were enhanced by last year's announcement, with the University of New South Wales Canberra, of the possibility of a new campus in the city east precinct. This is an exciting development and has the potential to strengthen our vision for Canberra as an education city, creating capacity over time for up to another 10,000 students. The ACT vice-chancellors forum, chaired by the Chief Minister, will continue this year. This is an important mechanism to bring together the leadership of Canberra's universities and, of course, CIT.

Madam Speaker, as you know well, the potential of the VET sector can be significantly enhanced, and this year we will focus our efforts on advocating for the VET sector within our schools and the broader community and strengthening relationships with employers. This year we will also implement initiatives to reduce the barriers that women face in entering targeted trades and provide support for

mature-age workers to upskill or re-skill to enhance their job opportunities or seek a new career.

In closing, it is a privilege to outline my ministerial priorities for my portfolios today. I look forward to continuing to work with our amazing public sector, who are on the front line of service delivery every day, whether they are garbage collectors, bus drivers, nurses, physios, doctors, VET teachers, rangers, or all the people behind the scenes who support this work. I know they put the Canberra community first, and I again thank them for their continued service this year.

I look forward to continued engagement with stakeholders and service deliverers across my portfolios. Listening to and working with you is just another of the privileges of this role. Of course, that applies also to the broader community, whose insights and input to our work is vital. After all, you are the reason we do what we do.

I look forward to seeing our important initiatives and big projects become a reality this year. I know 2018 will be an exciting year for Canberra, and I look forward to delivering for and on behalf of people in our community. I present a copy of the statement:

Portfolio priorities 2018—Ministerial statement, 15 February 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Portfolio priorities 2018

Ministerial statement

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.01): In considering my priorities for 2018 across my busy and diverse portfolios, I certainly see a full and exciting year ahead, with much to do. Certainly, there is much more than can be accounted for in a short statement this morning, but I will do my best to provide some information about some of the key areas.

As Attorney-General, I will be continuing with my mission to build a justice system that is even more accessible, timely and transparent. This government remains strongly committed to a justice system where the multiple, complex components work in harmony. This requires us to take a holistic approach to change, to consider the flow-on effect to other parts of the system when one component is changed. Already in this term of government we have provided additional resources to the community legal centres, the DPP and Legal Aid, reflecting that an accessible, transparent and timely justice system requires comprehensive investment, and we will continue to take this approach.

My law reform and policy development agenda for 2018 will be focused on ensuring that our legislation and services support the most vulnerable people in our community. Over the next year I will be introducing legislation and consulting on reforms that represent a commitment to restorative practices. The drug and alcohol court is one such example of those restorative focuses. We are developing a new court that will offer intervention, treatment and support for people whose involvement in the criminal justice system is primarily the result of addiction.

A central piece of our work in 2018 will be responding to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. Changes to our criminal laws and court procedures following the commission's report will ensure that our treatment of survivors in the court process, criminal and civil, is based on the royal commission's thorough examination of the latest evidence. I will continue to work with my commonwealth, state and territory colleagues to develop a redress scheme that will provide real, tangible support to survivors of sexual abuse.

Another area where I will continue to direct significant energy is in gambling harm minimisation, working in partnership with our community clubs to encourage diversification away from gaming machine revenue while working to ensure the long-term sustainability of these organisations which give back so much to the community.

I will continue to engage with all stakeholders in this area, including representatives of clubs and club groups, workers in clubs, people with lived experience of gambling harm, community organisations, academic experts and regulators. We will work to ensure that the territory's gaming regulations continue to offer meaningful and effective harm minimisation, remain up to date with developing technologies and support the Gambling and Racing Commission's implementation of its public health approach to reducing gambling harm.

This year the government will be announcing the way in which we will achieve a reduction in the number of gaming machine authorisations in the territory. They will come down to 4,000, from 4,985, by 2020. We will be talking with clubs, with workers and with members of the community throughout the process.

This is fundamentally a harm minimisation policy, meant to reduce the impact of problem gambling in the community. We will at the same time be looking at ways to support clubs to keep offering their important community services, like sport and recreation. Towards that end, we will this year review the community contributions scheme and look at ways to ensure it is still achieving its purpose.

Following on from this government's achievements last year, 2018 will see the end of the greyhound racing industry. The government's commitment to end the industry will take effect from 30 April this year. The greyhound industry transition task force will continue taking applications for individually designed transition support packages until 30 June. Funding will be available, to be rolled out until 30 September.

In my capacity as Minister for Regulatory Services, I will continue to work with Access Canberra to make it easier for people to access government services. While we continue shifting to online delivery where possible, a focus on the person will remain central, and I have asked our agencies to ensure those citizens who are unable to transact with us digitally are not left behind. This year Access Canberra will be working with community organisations to develop new ways of reaching out to these citizens.

The government also remains committed to ensuring the safety of our citizens. In 2018 Access Canberra will be increasing the proactive focus of its regulatory activities, using data to ensure that those industries and businesses where the risk of harm is greatest or that have poor compliance histories are targeted. Regulators will be working hard to ensure that businesses and individuals understand their obligations, but those who flout the law and put workers or the community at risk will be penalised. We will continue with our red tape reduction agenda, and we will finalise a review of our nation-leading ride-share reforms to ensure we have an on-demand transport industry that is sustainable, safe and reliable.

As Minister for the Arts and Community Events, I am looking forward this year to establishing my new ministerial arts advisory body and to seeing the first official Reconciliation Day take place. We will be focusing on ensuring that Canberra has an exciting, well-coordinated calendar of major and community events to engage locals and attract interstate and overseas visitors to our great city all year round. This will include bringing more events to the town centres and into the suburbs.

We will also see construction of the Belconnen Arts Centre stage 2 commence this year. There will be further progress on the Kingston arts precinct, and facilities upgrades at numerous arts centres. It is also a priority for me that the government's Aboriginal and Torres Strait Islander arts consultation report and action plan, which have been created in close consultation with our Aboriginal and Torres Strait Islander communities, are put into effect to help guide how we can further support and improve inclusion in the arts.

As the Minister for Veterans and Seniors, I will continue to advocate that these groups are considered in all decisions by government. We will develop the next iteration of the active ageing framework, which takes into account health, planning, public and active transport, amongst many other areas of government, to ensure that our senior Canberrans are able to remain active and connected members of the community. We will also undertake consultations to strengthen our protections against elder abuse.

Last year the government launched its veterans employment strategy, which we will continue to build on by creating resources to aid the transition from military service to civilian employment in the ACT. I look forward to announcing the ACT public service's first veterans employment champions, who will work with government to build the service to be a model employer of veterans. There is plenty of other work to be done in the veterans space, including work on recognition and commemoration, health and mental health, as well as supports for families, that I look forward to rolling out throughout the year.

There is indeed much to do, but it is important work to make our city more just, more accessible, more inclusive and more vibrant. I present the following paper:

Statement of priorities—Ministerial statement, 15 February 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Portfolio priorities 2018

Ministerial statement

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.10): I would like to share with members the priorities across my ministerial portfolios for this year.

In the area of climate change and sustainability, we know that climate change is a major challenge for the territory, for Australia and indeed for the planet. As minister for climate change, I am committed to helping the ACT meet these challenges and making sure that we not only do our share but are a leader in responding to climate change. This involves making efforts to mitigate climate change; that is, reducing our emissions to ensure climate change impacts are less severe. It also means adapting to climate change; that is, preparing the city to be resilient to the climate change impacts that we know are already built into the system, to ensure that we remain a healthy and livable place.

One of my top priorities is to develop an action plan covering the next six years, to help the ACT make progress towards net zero emissions. This means that as a city we actually produce no greenhouse gas emissions or that the small amount that we do produce is offset by things such as forests acting as carbon sinks. Net zero emissions means changes to the way the territory currently works, in fundamental areas such as transport and energy. But they are changes that we can achieve, and they also provide great opportunities to improve quality of life and provide improved social and economic outcomes.

A second priority in the climate change space is to negotiate with the federal government and my state and territory counterparts to ensure a good outcome regarding the national energy policy. The draft proposal from the federal government will have a significant impact on the way Australia responds to climate change. The proposed impacts of the national energy guarantee—NEG—will flow through to the ACT, to our own efforts and policies on climate change, and I intend to ensure that these are not jeopardised by substandard federal policies. At the moment the federal policy does indeed appear substandard. It must be improved.

There are quite a few problems with the NEG as it is currently proposed, but I will highlight a few of the key problems. Its emission reduction targets are too weak. The government's target of a 26 to 28 per cent reduction in the electricity sector is not compatible with Paris targets to keep global temperature rises below two degrees, especially as it will leave a disproportionate burden with other sectors. Furthermore, it only models outcomes to 2030, whereas we must be developing long-term targets.

The second concern is that it prevents states and territories from going over and above the federal government's weak emission reduction targets. This is the idea of "additionality" and, given the significant effort by numerous state and territory governments to develop ambitious renewable and climate change policies, it is an absolutely travesty that the commonwealth proposes to undermine those efforts.

The third concern is that it is likely to cement the dominance of a few big energy companies, otherwise known as "gentailers". The obligations it places on the retail sector are likely to help entrench the dominant energy companies, which is bad for competition, prices and innovation.

The fourth concern is that it stymies the development of renewable energy, as it only adds one to four per cent additional renewable energy capacity over 10 years, compared to business as usual. This means the NEG will create little, if any, new renewable energy investment and it artificially extends the life of highly polluting fossil fuels like coal. These flaws make the NEG a deal the ACT cannot sign up to at this point. We will be urging the commonwealth government to lift its game and sign up to a policy that delivers energy security, price stability and environmental sustainability.

In my portfolio of mental health we are working towards the establishment of the office for mental health, and that remains a key priority for me for 2018. We have taken a very deliberate approach to establishing the office, with significant community consultation and engagement feeding into the proposed model. I was pleased to be able to participate in some of the consultation sessions across December and February, and I look forward to receiving the final report very soon and then moving to establish the office by 1 July this year. I believe that the office has the potential to make real and lasting change for mental health consumers, carers and their families.

I believe that one of the first priorities of the newly established office for mental health should be to develop an ACT strategy on suicide reduction, including setting targets in this area. This is a key government commitment under the parliamentary agreement, and I believe the office for mental health will be best placed to take on this important work. This strategy will be informed by the implementation of the LifeSpan suicide prevention framework, which will provide an evidence-based approach to integrated suicide prevention across the Canberra community. Funding for this initiative was provided in last year's budget and the program will start in July this year.

We also understand that as a person's mental health changes they will require different levels of care at different moments in their lives. The mental health system is

designed to provide stepped levels of care, providing access to the right care in the right place at the right time. I am committed to ensuring that we as a community have the right range of models and types of supported housing for people experiencing long-term mental illness. This year I will continue to work on improving access to supported accommodation options in the community, which will provide patients with more options for a step down from acute facilities or a step up from independent living as required.

We know that half of all lifetime cases of mental illness begin by age 14, which is why early intervention and access to mental health support services for children and young people are vital. While last year's budget included more than \$3 million in youth focused mental health initiatives, this area is a continued priority for me and for the government, and we know there is more work to be done.

Already this year I have announced the expansion of the Child and Adolescent Mental Health Service consultation and liaison service at the Canberra Hospital, which will now provide specialist mental health assessments to young people seven days a week. The government has also provided an additional \$100,000 in funding to Menslink to expand their free counselling support service to 10 to 12-year-old boys, to help meet increasing demand for this age group. This year we will continue to work with young people and their families and carers, as well as schools, community organisations and health professionals, on this issue. I want to make sure that services are accessible at the earliest possible opportunity in order to make a significant difference to the overall mental health and wellbeing of young people in our community.

Let me turn to my justice portfolio. In 2018 the restorative justice scheme will expand its operation, making family violence and sexual offences available for referral to restorative justice. This year will also see the appointment of a new Victims of Crime Commissioner, who, as a member of the Victims Advisory Board, will continue to advise government on the development of a victims charter of rights. The charter will provide clear opportunities for victims of crime to be informed and have a voice in the justice process, which will lead to improved outcomes for the community and justice system more broadly, including increased confidence in reporting crimes, reduced re-traumatisation, and a more efficient and transparent justice process.

The Aboriginal and Torres Strait Islander justice partnership 2015-18 is in its final year, and consultation on the next strategy will formally commence next month in a joint community consultation with the elected body and the office for Aboriginal and Torres Strait Islander affairs. I look forward to working with other ministers on its development, as closing the gap in justice requires clearly aligned plans, with targets that stretch all areas of government towards innovation and reform.

The justice reinvestment strategy supports the ninth parliamentary agreement commitment to reducing recidivism by 25 per cent by 2025. As a plan for reducing recidivism is developed it will draw on the ACT evidence base developed as part of the justice reinvestment strategy. This work will continue in 2018 and will build upon the justice reinvestment trials already underway. It is a high priority for me, and for this government, that we make some key changes to the justice system and run a broad range of programs that prevent people from entering or re-entering the justice

system. As prison is by far the most expensive part of our current justice system, a critical step of justice reinvestment is examining how to invest in growing our support programs instead of growing our prison population numbers.

The first trial, Yarrabi Bamirr, involves working with Winnunga, using a family-centric service support model for Aboriginal and Torres Strait Islander families to improve life outcomes and reduce or prevent contact with the criminal justice system. The second, working with the Aboriginal Legal Service, is the bail support service, Ngurrumbai, which is designed to reduce the number of Aboriginal and Torres Strait Islander people on remand and reduce the amount of time spent on remand. These initiatives will be evaluated and used to inform future initiatives.

Turning to the corrections portfolio, one of my main priorities this year is to deliver on the remaining recommendations arising from the independent inquiry into the management and care of Steven Freeman, known as the Moss review. It made eight specific recommendations and one overarching recommendation that seeks to address a number of other conclusions and suggestions relating to the justice system more broadly.

Recommendations 1, 2, 3 and 4 have been completed and substantial work continues on the remaining recommendations. As promised in the government response to the review, I will deliver a ministerial statement and table an annual report in the Assembly next week. This will provide an update on significant reforms that have taken place in ACT Corrective Services, other government directorates and statutory office holders around the provision of health and custodial services at the AMC.

The Moss review recognised the significant proportion of Aboriginal and Torres Strait Islander detainees at the AMC and concluded that there is a need to better integrate Winnunga Nimmityjah Aboriginal Health Service to provide a holistic approach to health care at the AMC in a culturally safe way. In November 2017 a new partnership approach commenced with Winnunga and ACT Corrective Services to establish emotional wellbeing and support services to female detainees. In 2018 this will be expanded to include male detainees.

Effective independent oversight is important to build and maintain public confidence in the ACT's corrections system. In specific response to recommendation 8 of the Moss review, and due to the unique make-up of the ACT's correctional system and growing population pressures, I determined that a new model of oversight was required.

The Inspector of Correctional Services Act 2017, passed in the Legislative Assembly last year, establishes the role of the independent inspector and provides the inspector with the necessary powers and functions to promote the continuous improvement of correctional centres and services. We are currently in the final stages of appointing the inspector, and the inspectorate will be operational shortly after appointment. The inspectorate will provide an oversight framework that seeks to prevent ill-treatment and adverse events in custody and conduct systemic reviews, as well as reviews of critical incidents. It will draw on best practice preventive oversight frameworks nationally and internationally.

The government has set a goal to reduce recidivism by 25 per cent by 2025, and work on the development of a recidivism plan is underway. The plan will set a pathway for achieving recidivism targets. Reducing recidivism in the ACT requires shared responsibility across the justice and human service system. The government will work closely with justice stakeholders, the community sector and those with lived experience to develop the recidivism plan.

As minister for road safety, I am focused on making progress on our vision zero road safety goals. Vision zero means that no death is acceptable on our roads. This requires efforts from individual drivers, the community and the government. As vision zero accepts that people are fallible, it demands that government design a road transport system that accepts and accommodates mistakes. Across government there are a range of steps that can be taken to implement vision zero, from the way we design roads and intersections to the way we communicate with the travelling public. One of my goals is to strengthen this cross-government implementation. It is also my goal to have vision zero better understood and accepted by the public.

My second priority as minister for road safety is to improve safety for young drivers. Young drivers are over-represented in crash injury statistics, and the ACT is taking steps to improve its graduated drivers licence program. That is the program by which young drivers graduate from Ls to Ps to full licence. I will soon be releasing public information about changes we intend to make to our graduated driving system.

Lastly, I would like to mention my role as minister for consumer affairs. This portfolio involves a lot of important but behind the scenes work with Canberra consumers and businesses, as well as with other jurisdictions. My priority in this space is to ensure we have just consumer laws and safe consumer products, to empower the community not only to know their consumer rights but also to engage in thoughtful and sustainable consumption, and to work with my state and territory counterparts to progress these issues nationally.

It looks to be a busy year for all of my portfolios, with a number of very important reforms. There are certainly a number of challenges within some of these priorities. However, I am confident that progress in these areas will continue and that this government is working towards ensuring a sustainable and fair city—one that looks to improve support for vulnerable people. I look forward to working collaboratively with my ministerial colleagues to achieve these important reforms. I present the following paper:

Portfolio priorities 2018—Ministerial statement, 15 February 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Portfolio priorities 2018

Ministerial statement

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) (11.24): I am pleased to have the opportunity to present some of the priorities for 2018 for my portfolio responsibilities of community services and social inclusion; disability, children and youth; Aboriginal and Torres Strait Islander affairs; multicultural affairs; and workplace safety and industrial relations.

This government continues to invest in our community to ensure that all Canberrans have opportunities to participate. As one recent example of our commitment to engagement and participation, in October last year 49 carers and members of the broader community took part in a deliberative process that will lead to a 10-year ACT carers strategy. I thank the carers and other participants for their valuable insights and positive engagement with this process.

In December I launched the result of the panel process—the carers strategy vision, outcomes and priorities statement and carers voice panel report. The new carers strategy will be a framework to better support and recognise Canberra's 48,000 carers. Next steps for the strategy include developing actions and initiatives to deliver on the vision, outcomes and priorities. The final ACT carers strategy, including the first three-year action plan, will be developed and released in 2018.

As members would be aware, in every speech I have made in this place on priorities and achievements I have talked about the importance of early intervention and prevention across the human services system. This philosophy underpins policies across the human services directorates under this government. In the budget review tabled earlier this week the government committed \$1.527 million for a measure called early intervention for vulnerable children and their families phase 1. This project is now known as early intervention by design, following conversations with stakeholders.

I am very pleased to have this opportunity to inform the Assembly about this important project being led by the Community Services Directorate but undertaken collaboratively with the Education Directorate, ACT Health and the Justice and Community Safety Directorate. This group, as many will be aware, has been known as the human services cluster and is now known as the supporting our community cluster.

The early intervention by design project is aimed at improving the integration of early intervention services across the service system to improve long-term life outcomes in three priority areas: vulnerable children and their families, with a focus on early childhood; Aboriginal and Torres Strait Islander families and children; and families who have experienced domestic and family violence. We know that early intervention is applicable across the system, across the life cycle and in relation to many different

types of issues that can arise in a person's or a family's life. This has been made clear by the community sector critical friends who have been supporting the development of this initiative. We certainly take that feedback on board.

The early intervention by design project builds on the significant previous work of the government in reform of the human services sector, including the human services blueprint. This work will also align with key ACT government priorities and policy initiatives. The long-term objective is to develop a more sustainable, flexible and responsive service system that better identifies vulnerabilities, responds early and effectively targets resources based on need. In doing so, the service system will be more cohesive and achieve better focused early intervention and prevention capacity. Intervening early, particularly identifying and working with at-risk children and their families early in the life of an issue, improves longer term life outcomes. It also prevents people escalating into crisis and thereby reduces demand on tertiary and specialist services over the longer term.

Undertaking policy and design work of this nature will necessarily require extensive engagement and partnership with community partners, stakeholders and service users. Particular focus will be given to establishing culturally appropriate mechanisms to engage with Aboriginal and Torres Strait Islander community leaders. It is expected that phase 1 of this program of work will develop options to enhance early intervention and prevention capacity in the human services system, for advice to government in August 2018.

The ACT community services industry strategy 2016-26 sets out a 10-year vision for the community sector and is being implemented again with key industry partners. The workforce capability plan is the first implementation plan of the strategy and builds on workforce development projects already underway. The plan focuses on four themes: growing the workforce to support current and future needs; improving retention of the current workforce; strengthening capability and career development; and cultivating leadership and succession planning.

In 2017 we launched a refreshed ACT volunteering statement, presenting a vision for volunteering in the ACT that reflects a whole-of-government and community commitment to supporting and recognising volunteers. I am pleased to inform the Assembly that community consultation is currently underway on the volunteering action plan. This plan will drive a number of practical actions to ensure volunteers and volunteer-involving organisations are recognised and supported.

The recently established Multicultural Advisory Council will continue to work with the Canberra community and the ACT government to shape a multicultural summit to be held later this year. The summit will provide an important opportunity for the community to identify strategies to promote social cohesion, address barriers to equality and improve economic opportunities for Canberrans from culturally and linguistically diverse backgrounds. The ACT government will also continue to work together with our partners to improve the job and training opportunities available to refugees and humanitarian arrivals as they settle in to our community, including through the implementation of our election commitment to enhance English language programs and job-brokering services.

During Youth Week, in April, we will celebrate the achievements of young Canberrans who have significantly contributed through their personal endeavours and strong leadership to creating a more inclusive community for all. If you know an outstanding young Canberran I encourage you to nominate them for a Young Canberran of the Year award. Nominations are now open. Youth Week grants have enabled a range of activities and programs to be planned and delivered by young people for young people. We hope to harness this enthusiasm to explore ideas and themes to inform the next youth conference that we will deliver in partnership with the Youth Advisory Council later this year.

The implementation of the national disability insurance scheme is only the beginning of the work that still needs to be done to realise the full and equal participation of people with disability in our society. The NDIS is a groundbreaking reform for people with disability. However, eligibility extends to only a small proportion of the 62,000 Canberrans with disability. The ACT government has a responsibility to create an inclusive and welcoming community for all people with a disability. This is why we have established the office for disability, to continue to progress our commitment to achieving outcomes for people with disability through the priorities of the national disability strategy, as well as supporting the ongoing implementation of the NDIS to the full scheme.

One critical area of work that still needs to be addressed is the systemic inequality and disadvantage experienced by people with disability in accessing justice as victims, offenders and witnesses. To this end, I am pleased that we have progressed work on our commitment to develop a disability justice strategy, through a detailed gap analysis, and will shortly commence consultation on the way forward.

I am pleased to tell you that this year the ACT government will introduce legislation to establish a new ACT office of the senior practitioner to reduce and eliminate the use of restrictive practices. A key aspect of the senior practitioner's role will be to work closely with the ACT community to provide education and improve awareness about restrictive practices, promote best practice and build sector capacity for more positive behaviour supports.

The Attorney-General has spoken of the priority the ACT government is giving to responding to the Royal Commission into Institutional Responses to Child Sexual Abuse. We are committed to learning from the experiences of the brave survivors who came forward, and I look forward to working with the attorney to consider and act on the royal commission's recommendations.

We are constantly improving the way we deliver services to the community, including to some of our most vulnerable children, young people and families. In 2018 proposed legislative amendments to the Children and Young People Act 2008 aim to enhance the way the ACT child protection system operates. This includes progressing our response to recommendations from the 2016 Glanfield inquiry into system level responses to family violence in the ACT, where the ACT government agreed to remove legislative barriers that can prevent child and youth protection services from effectively appraising the safety and wellbeing of a child.

This year a new client management system for child and youth protection services will also be completed, supporting child protection workers, who make difficult and important decisions every day. The existing system, CHYPS, is 18 years old, and although it has been reliable it is a legacy system which has a high administrative overhead and limited future support options. The new system will make recording and accessing information about families simpler and bring together all child protection and youth justice information onto one system. It is designed to help caseworkers spend less time on administration and more time with families, through the introduction of electronic records and functionality that decreases duplicate entries.

I have spoken often of the success achieved through the blueprint for youth justice in the ACT 2012-22. The 10-year strategy provides a framework for significant youth justice reforms by focusing on early intervention, prevention and diversion of young people from the youth justice system, and it has delivered nation-leading results in reducing the involvement of young people in the ACT justice system. The blueprint task force I established last year will shortly provide me with a mid-term report against the blueprint's goals and objectives, which will include their initial advice on what is working well, what are the emerging challenges and what the focus should be for the final five years of the blueprint. I look forward to receiving this report.

In 2018 the ACT government will continue to demonstrate its commitment to achieving equitable outcomes and opportunities for Aboriginal and Torres Strait Islander people in the ACT. We want to create an empowered, resilient and sustainable future for all Aboriginal and Torres Strait Islander people in the ACT. The over-representation of Aboriginal and Torres Strait Islander children in out of home care continues to be a concern in the ACT community and has again been the subject of national conversation over the last fortnight. This concern is shared by the ACT government and me, as both Minister for Disability, Children and Youth and Minister for Aboriginal and Torres Strait Islander Affairs.

The review of Aboriginal and Torres Strait Islander children and young people involved with child and youth protection services is fundamentally about Aboriginal and Torres Strait Islander people making decisions about their children and their community. It is underpinned by a co-design partnership with the Aboriginal and Torres Strait Islander community and will involve in-depth case analysis for all Aboriginal and Torres Strait Islander children involved with the child protection system.

The steering committee for the review—the Aboriginal and Torres Strait Islander leaders and experts overseeing it—have recently given this project a name: “our booris, our way”, “booris”, of course, meaning children in language. We have heard the Aboriginal community and we accept that we must do more as government to listen to them to know the way forward. This will not be always easy or simple, but I am confident our community can step up to this enormous challenge and lead the way forward. I will have more to say about the progress of the review very soon.

We are not standing still while we wait for the outcomes of the review. In November 2017 the family group conferencing pilot program commenced. This pilot program is

led by skilled and trained Aboriginal and Torres Strait Islander workers and aims to divert Aboriginal and Torres Strait Islander children away from the statutory child protection system. Family group conferencing empowers the immediate and extended family of children to make plans to keep their children safe and well and to commit to these plans. We know that the answer to keeping children safe ultimately lies with families and not courts. I look forward to sharing with the ACT community the successes and learnings of the family group conferencing trial over this year. During 2018 feedback from families who participate in the pilot program will be used to improve the model as we work to build a pool of skilled Aboriginal and Torres Strait Islanders workers who can sustain this model.

We also continue our commitment to the local community through the ACT Aboriginal and Torres Strait Islander agreement 2015-18. As I discussed earlier this week, work is underway to start the process of developing the next five-year agreement. Our expectation is that the refreshed agreement will form the basis of the ACT action plan, under the commonwealth's closing the gap agenda, and will allow for the development of a solid evidence base to demonstrate the effectiveness of agreed initiatives.

The eighth hearings of the Aboriginal and Torres Strait Islander Elected Body are scheduled for 14 and 15 March 2018. The hearings process has proved to be a successful method of interaction between the government and the community, culminating in a body of advice that can be used to inform improvements to service delivery and policy development, leading to better outcomes for Aboriginal and Torres Strait Islander people.

A key highlight for 2018, as the attorney has mentioned, will be the inaugural ACT Reconciliation Day public holiday. The first Reconciliation Day, to be celebrated on Monday, 28 May, is of particular significance, as the ACT is the first Australian jurisdiction to gazette such a public holiday celebrating and promoting reconciliation. A whole-of-government approach is being taken to support activities and events associated with Reconciliation Day. A program of events is currently being developed, including a grants program for events in the lead-up to Reconciliation Day. The grants program opened on 12 February, and I encourage all community groups to get involved.

The government remains committed to ensuring the safety of our citizens. While the rate of serious injury and disease in ACT workplaces continues to fall and has done so each year since 2010-11, we still have more to do. In 2018 WorkSafe will be increasing the proactive focus of its regulatory activities, using data to ensure that those industries and businesses where the risk of harm is greatest or with poor compliance histories are appropriately targeted. There will be specific targets in 2018 covering young workers, light rail safety, retail, aged and health care, electrical safety and an ongoing focus on falls from heights. Access Canberra regulators, including WorkSafe ACT, will continue to work closely together to ensure in the first instance that businesses and individuals understand their obligations and that those who choose to deliberately flout the law and risk putting our workers and/or community at risk do not escape the consequences.

I would like to finish by noting that the ACT government will this year fulfil its election commitment to deliver a secure local jobs package. We are committed to using our purchasing power to deliver better outcomes for Canberra workers and local business. The proposed secure local jobs package will introduce an integrated suite of measures directed to ensuring that only businesses meeting high ethical and labour standards will be awarded government contracts. The package will streamline existing procurement requirements, enhance compliance and enforcement measures, and provide a clear, transparent process for resolving issues that arise with respect to ACT government contracts. This package rewards businesses who do the right thing by their employees and abide by their industrial obligations.

I am excited about the year ahead across all of my portfolios and look forward to realising these priorities for the benefit of the Canberra community. I present a copy of the statement:

Priorities 2018—Ministerial statement, 15 February 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Appropriation Bill 2017-2018 (No 2)

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

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.42): I move:

That this bill be agreed to in principle.

I have tabled today the second Appropriation Bill 2017-18 together with a partner bill, the Appropriation (Office of the Legislative Assembly) Bill 2017-18 (No 2), and supplementary budget papers in accordance with section 13 of the Financial Management Act 1996.

Earlier this week I delivered the budget update which shows that the territory's fiscal position continues to strengthen and our economy is powering ahead. This has created room in the budget to make some further priority investments in front-line services for Canberrans in areas like health, education, transport and the concessions program. The appropriations bill, which I have tabled, provides directorates with resources to get these initiatives and projects underway this year so that our community can start seeing the benefits more quickly.

The significant initiatives given effect by these bills include the rollout of our election commitment to give all public school students in years 7 to 12 a laptop to support and enhance their learning. This initiative is being delivered ahead of schedule because we believe it is crucial that students have these tools to thrive at school, regardless of their family circumstances.

The bill also contains funding for the delivery of more surgeries in this current fiscal year, including elective surgeries, to help improve public system wait times and to assist more patients back to health sooner. There is funding for the construction of a new bus depot in Woden to accommodate the growth in the territory's bus fleet and to support the delivery of enhanced transport services across a redesigned network.

As we have discussed already this morning, the second appropriation also includes funding for a \$50 increase to the annual utilities concession to help low income households with their cost of living, as well as an important measure to extend this concession to residents of long-stay caravan parks for the first time. There is funding for a further upgrade to facilities at Manuka Oval, including the configuring and fitting out of the broadcast and media centre to ensure that the ground can play host to more major national and international sporting events into the future.

The supplementary budget papers provide further details of the impact of these additional appropriations as well as the other agencies affected by the bills. Importantly, we are delivering further investment in front-line services whilst continuing to strengthen the territory budget. Our net debt for this year is estimated to be \$371 million lower than expected at the time of the budget. Our overall borrowing program remains unchanged from the time of the budget because we are not borrowing to make these new investments. We have halved the deficit and are projecting a balanced budget and then stronger surpluses across the forward estimates.

In the last budget we outlined a clear set of priorities to deliver an even better Canberra by upgrading and improving local schools; by investing in our city's health services, through renewal of our CBD, town centres and suburbs; by building an integrated, city-wide public transport system; by delivering better services to the community; and by supporting the creation of more jobs. The initiatives contained in these appropriation bills each advance these priorities and will ensure our city's services and infrastructure keep getting better this year and in the years to come. I commend to the Assembly both the Appropriation Bill (No 2) and the somewhat smaller Appropriation (Office of the Legislative Assembly) Bill (No 2) that I will introduce formally shortly.

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

Reference to committee

Motion (by **Mr Coe**) agreed to:

That the Appropriation Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts.

Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2)

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

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.47): I move:

That this bill be agreed to in principle.

This bill is a technical formality in that it needs to be split from the main appropriation bill because it seeks to appropriate an additional relatively small quantum of funds to the Legislative Assembly to undertake some further building works. It is a very straightforward initiative and I am sure all members are cognisant of the work that is occurring next door to us and the need for improved environmental efficiency in this building and would recognise the value in double glazing, particularly to the south frontage of the building at this time. This appropriation seeks to achieve that end. I commend it to the Assembly.

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

Reference to committee

Motion (by **Mr Coe**) agreed to:

That the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts.

Planning and Development (Lease Variation Charge Deferred Payment Scheme) Amendment Bill 2018

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

Title read by Clerk.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.49): I move:

That this bill be agreed to in principle.

I present to the Assembly the Planning and Development (Lease Variation Charge Deferred Payment Scheme) Amendment Bill 2018. The bill establishes a legislative framework for the implementation of a deferred payment scheme for the lease variation charge. As members would be aware, as we have debated this ad nauseum

since the change from the change of use charge to the lease variation charge, the LVC has a simple premise, that the Canberra community should share in the unearned windfall gains from development.

When a developer buys a block of land and receives permission to vary the lease on it to add, for example, more residences or more commercial facilities, this is an unearned windfall gain from a lease variation. The government's very strong view is that the Canberra community should share in some of the resulting unearned increase in value. By capturing some of these unearned windfall gains from a lease variation at the stroke of a pen and the development that then ensues, this allows the government to fund the increases in services and infrastructure that go hand in hand with these new developments in order to protect our city's livability.

This bill introduces changes to the lease variation charge to levy this charge in a way that is clear, transparent and works best within what is a complicated logistical and financing matrix for major developments. The bill introduces a deferred payment scheme that will create more flexibility for project proponents in managing their construction works and cash flows.

Currently a lessee pays the lease variation charge before a nominal lease is varied. Under the deferred scheme, lessees with an assessed charge greater than \$100,000 will have the option of deferring payment to a later date after the lease is varied. In this way, lessees who qualify for the scheme can elect to pay their lease variation charge nearer the end of a project to better match development cash flows. To participate in this scheme, lessees must enter into an arrangement with the Commissioner of ACT Revenue for the deferred payment of the lease variation charge.

Interest will accrue on the deferred amount at the rate of the three-month bank bill swap rate plus 1.8 percentage points. For members' benefit, at current interest rates the total is around 3.6 per cent. This interest rate ensures that the ACT community is not subsidising the deferral of payments by developers.

The bill contains transitional provisions to allow leaseholders who have had their LVC assessed but not paid to apply for a deferred payment before the amendments commence. These provisions will expire after 12 months. Under the arrangement, lessees must pay these deferred amounts before a certificate of occupancy for the building is issued or before the end of a four-year period after the lease is varied, whichever is the earlier. Interest and penalty tax under the Taxation Administration Act will also accrue if there is a failure to pay within the set time frames.

The deferred amounts will be secured by a first charge on the land and, if required, the revenue commissioner may exercise powers under taxation legislation to sell the land to recover the debt due to the territory. This charge on the land and the four-year time frame are important integrity measures to ensure the protection of territory revenue.

The bill will make provision for operational aspects of the deferred payment scheme such as the inclusion of deferred charges in the planning register along with other details of the development application, the application process for a deferral, the process if the LVC amount changes following a reconsideration and the process for

obtaining a certificate of the charge and any other amounts that may be outstanding as part of the sale process should the relevant land be sold in the future.

This bill also amends the existing lease variation charge provisions to improve and simplify administration. Codified lease variations set prescribed values for certain types of lease variations. This provides certainty to leaseholders wishing to make these types of variations and avoids the need for what can be an expensive and time-consuming process of obtaining both before and after valuations.

The bill introduces a legislated role for the Minister for Planning and Land Management in the setting of these codified lease variation charge determinations. While the level of the codified lease variation charge will remain the responsibility of the Treasurer, the Minister for Planning and Land Management will have input into what types of lease variations can be codified in order to ensure that they are consistent with the Territory Plan and other planning controls.

To improve clarity and readability, the seven existing sections for specific purpose remissions will be consolidated into a single head of power. This does not change the existing powers to provide for remissions based on certain circumstances. Remissions will continue to be determined by disallowable instrument by the Minister for Planning and Land Management and the Treasurer.

The bill further inserts an ability for the planning minister to prescribe circumstances where a lease variation charge application is to be lodged with other documents such as a building design and siting application. This will allow for better assessment of certain lease variations to ensure they are consistent with the Territory Plan and other building requirements before a lease variation is granted. This is important because the lease variation charge is just one element of the broader planning regime that drives the shape and form of our city.

The government has laid out an ambitious agenda for city renewal and through this bill we seek to ensure that the policy settings across government are geared to deliver on that agenda. Establishing a deferral scheme will continue to ensure that the Canberra community receives a fair share of the unearned windfall gains associated with a lease variation and associated with the subsequent development, whilst also ensuring city renewal. I commend the bill to the Assembly.

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

Workplace Legislation Amendment Bill 2018

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

Title read by Clerk.

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and

Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (11.57): I move:

That this bill be agreed to in principle.

Today I am pleased to introduce an omnibus bill combining amendments to the Public Sector Management Act 1994 and the Workplace Privacy Amendment Act 2016. The bill is titled Workplace Legislation Amendment Bill 2018.

The bill contains minor amendments to the Public Sector Management Act, to ensure consistency between the Fair Work Act 2009, industrial instruments and the overarching public sector legislation in relation to employer deductions from an employee's salary where an overpayment has occurred.

These amendments clearly express what actions can be taken by the head of service in respect of recovery of overpayments by the territory from its employees. The bill also omits uncommenced provisions contained in the Workplace Privacy Amendment Act 2016 which relate to covert surveillance by an employer on an employee outside the workplace.

The Public Sector Management Act aims to establish and maintain an apolitical public sector with clear values and standards of conduct and a best practice focus that assists the executive government to meet the needs of the community. The main objective and purpose of the proposed amendments is to ensure the ethical management of public funds where an overpayment has been identified. The community expects that the government manage public funds in an ethically sound, prudent and effective way.

The current overpayment provisions require any arrangement for repayment to be subject to the agreement of the public servant. The proposed amendment will authorise salary deductions where agreement cannot be reached. This new scheme applies to all debts in place at the time the legislation becomes active.

There is a need to refine these overpayment arrangements because there are a number of overpayments currently owed to the territory. In the majority of cases, employees are able to negotiate reasonable repayment arrangements without the need for intervention by the head of service.

An overpayment is defined as any payment in respect of pay, allowance or leave, whether by accident or otherwise, to which an employee is not entitled, and there is therefore a debt owed to the territory. The Financial Management Act 1996 requires that, as part of good financial practice, any debt be recovered.

The proposed changes to the current overpayment provision, section 246, allow for recovery action to proceed, consistent with the enterprise agreement provisions, if the employee and head of service cannot agree on a repayment arrangement. The Public Sector Management Act currently includes an overpayment provision but does not provide a direct power. Therefore there are concerns about the interpretation and application of the ACT public service enterprise agreements and their interaction with the provisions of the commonwealth Fair Work Act.

Under the proposed amendments, when determining reasonable repayment arrangements the head of service is required to consider the period over which and the circumstances in which the overpayment occurred, and other factors such as the public servant's financial circumstances or any hardship the arrangement may cause the public servant. Consideration of these factors ensures that reasonable repayment arrangements are established in a compassionate and sensible manner, balanced by the need for the territory to be fiscally responsible.

The head of service will only decide to proceed with an overpayment arrangement after an employee has had an opportunity to be heard and to engage in negotiating a reasonable recovery arrangement. Where employees do not agree to the overpayment arrangement decided by the head of service, employees have access to the Fair Work Commission for resolution through the dispute resolution provisions of industrial instruments. These amendments and the repayment arrangements have been agreed with relevant unions in line with the consultation provisions of ACTPS enterprise agreements.

I will now turn to the proposed workplace privacy amendments. By way of background, the Workplace Privacy Act was introduced in 2011 due to a lack of regulation of the collection and use of surveillance information in workplaces. It aimed to provide a clear framework for the conduct of surveillance in the workplace, consistent with the information privacy laws in the ACT.

The act operates within the broader legislative framework of the Human Rights Act 2004 and seeks to balance a worker's right to privacy with an employer's need to take reasonable steps to protect their business and monitor their workplace. Under the act, employers must inform and consult with workers about any surveillance in the workplace. The act prohibits surveillance of areas where a reasonable person would have an increased expectation of privacy, for example, toilet facilities, change rooms, prayer rooms, sick bays and first aid rooms, and parent or nursing rooms.

Generally it is an offence for an employer to conduct covert surveillance in the workplace. However, an employer may apply to the Magistrates Court for authority to conduct covert surveillance of a worker in a workplace, only for the purpose of finding out whether the worker is engaged in an unlawful activity in the workplace. If satisfied that there are reasonable grounds, the magistrate may issue a covert surveillance authority. Covert surveillance can only be conducted by a nominated responsible person.

In response to a 2015 act review a number of amendments were made via the Workplace Privacy Amendment Act 2016, including allowing employers to apply to the Magistrates Court for an authority to conduct surveillance outside the workplace. At the time, concerns were raised that the threshold for allowing external covert surveillance was too low and would provide powers to employers to intrude into the private lives of workers for non-criminal matters. Consequently the provisions allowing covert surveillance outside the workplace were delayed pending further consultation with stakeholders.

Further stakeholder consultation has now been undertaken on the uncommenced sections of the amendment act. In addition to UnionsACT, which raised the concerns initially, officials have consulted the tripartite ACT Work Safety Council, ACT Insurance Authority, ACT Bar Association and ACT Law Society. All of these parties raised issues with the application and scope of the provisions as currently drafted. Concerns raised included that the provisions had wider scope than was sought and that they posed a risk to vulnerable workers who could be particularly susceptible to coercion or abuse by employers utilising information obtained by covert surveillance outside the workplace.

Following this consultation the government has determined that these provisions should not commence in their current form. The government is committed to improving workplace legislation in the territory and ensuring that all rights are considered in any policy developments.

I commend the bill to the Assembly.

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

Estimates 2018-2019—Select Committee Establishment

MR WALL (Brindabella) (12.05): I move:

That:

- (1) a Select Committee on Estimates 2018-2019 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2018-2019, the Appropriation (Office of the Legislative Assembly) Bill 2018-2019 and any revenue estimates proposed by the Government in the 2018-2019 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) one Member to be nominated by The Greens; andto be notified in writing to the Speaker by 12.15 pm today;
- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee is to report by Tuesday, 31 July 2018;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and

- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

This is the standard motion that is moved at this time of the year to establish a select committee for the inquiry into budget estimates for the upcoming financial year's appropriation. Similarly to last year, and consistent with the make-up of the Assembly, the motion proposes that two members be nominated from the government, two from the opposition and one from the Greens, with the committee to be chaired by a member of the opposition. I note that that is also in accordance with the government's parliamentary agreement with the Greens.

I understand that some members, particularly members of the government, wish to have a bit more discussion of and inquiry into the format of estimates this year. I believe that the government whip is about to adjourn this motion for it to be referred to admin and procedure to be inquired into very rapidly and reported back on next week, so I will leave it for that to happen.

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

Reference to committee

MR WALL (Brindabella) (12.07), by leave: I move:

That Assembly business notice No 1 be referred to the Standing Committee on Administration and Procedure to inquire into the establishment of an Estimates Committee for this year, but also to inquire into any other matter pertaining to the conduct of Estimates in the Assembly going forward, with a reporting date of no later than the 22nd of this month.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Report 5

MS J BURCH (Brindabella) (12.08): I present the following report:

Administration and Procedure—Standing Committee—Report 5—*Review of Continuing Resolution 9—Senator for the Australian Capital Territory—Procedures for Election*, dated 14 February 2018, together with a copy of the extracts of the relevant minutes of proceedings

MR RATTENBURY (Kurrajong) (12.08): I move:

That the report be noted.

I will just speak briefly to this report, on behalf of the committee. Members will recall that at its meeting on Thursday, 30 November 2017, the Assembly passed a resolution regarding the appointment of senators to casual vacancies. It noted the recent issues of eligibility for members of the federal parliament, and asked the admin and procedures

committee to examine what role the Assembly has in ensuring the eligibility of persons seeking to fill casual vacancies, the process undertaken in other jurisdictions, whether the previous appointments made by the Assembly might be considered in hindsight to be unsound, and whether the Legislative Assembly needs to adopt any new practices.

The committee did look at the Assembly's role, and found that the Assembly's role in choosing senators for the Australian Capital Territory is set out in both the Australian Constitution and the Commonwealth Electoral Act 1918. The report outlines the details of those provisions.

The report then goes on to look at what other jurisdictions do, in chapter 3. There is quite some detail there on what other jurisdictions do. It varies quite a bit across the jurisdictions. Ultimately, the committee concluded, as can be seen from the table in section 3 of our report, that it appears that the Assembly has one of the more robust procedures to select a senator when compared to practices in other state or territory legislatures.

Going on from that, the committee makes a single recommendation:

... that the Assembly:

- (a) notes the difficulties posed by the requirements of the Parliamentary Privileges Act 1987 and the need for comity between the Legislative Assembly and the Senate ...
- (b) notes that the matter of the eligibility of an ACT senator is before the High Court of Australia; and
- (c) agrees to consider the findings of the High Court in the context of the upcoming review of standing orders, including the Assembly's continuing resolutions, by the Standing Committee on Administration and Procedure.

That is the report, and I am sure that members of the committee would be happy to discuss it with other members if there is a desire to do so.

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

Health, Ageing and Community Services—Standing Committee Report 3

MR STEEL (Murrumbidgee) (12.11): I present the following report:

Health, Ageing and Community Services—Standing Committee—Report 3—*Report on Annual and Financial Reports 2016-2017*, dated 15 February 2018, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Question resolved in the affirmative.

Health, Ageing and Community Services—Standing Committee

Statement by chair

MR STEEL (Murrumbidgee) (12.11): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health, Ageing and Community Services relating to statutory appointments in accordance with continuing resolution 5A.

I wish to inform the Assembly that during the applicable reporting period—1 August 2017 to 31 January 2018—the standing committee considered the proposed appointment of two part-time members to the ACT medicines advisory board. The committee has advised the minister that it has no recommendation to make on the proposed appointments.

The committee would like to note the importance of being provided with full information regarding appointments when they are sent to committees. This should include information regarding reappointments and the role that particular members are filling in regard to professional memberships required by particular boards or councils. The committee encourages ministers to provide detailed information to committees in the first instance, to avoid unnecessary delays in seeking clarification.

I present the following paper:

Health, Ageing and Community Services—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 August 2017 to 31 January 2018.

Planning and Urban Renewal—Standing Committee

Statement by chair

MS LE COUTEUR (Murrumbidgee) (12.12): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal relating to statutory appointments, in accordance with continuing resolution 5A.

I wish to inform the Assembly that during the period 1 July 2017 to 31 December 2017 the standing committee considered one statutory appointment.

I present the following paper:

Planning and Urban Renewal—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2017.

Executive business—precedence

Ordered that executive business be called on forthwith.

Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2017

Debate resumed from 24 August 2017, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MRS JONES (Murrumbidgee) (12.13): I thank the Assembly for bringing this matter back for a vote. The interesting situation we are in is that we have a facility that obviously has a number of issues and concerns and it seems that not a week goes by where we do not have to deal with something going on in our corrections facilities that is less than ideal. However, the Canberra Liberals do not agree that the ACT Assembly should open itself up to an international body making requests of us at any point in time that we need to comply with.

The people of the ACT vote for a government here. If anybody sits above us, it is the federal parliament, and I think we even resist that to a large extent. Those who are elected here believe that to some extent we are growing up as a jurisdiction and taking responsibility for ourselves. Although many of the aspirations of the UN body may be very good and while there are plenty of matters which we could learn from or implement here, we do not believe it is appropriate to make ourselves permanently available to that international body. So we will not be supporting the bill.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (12.15): I am a little stunned. It is the most extraordinary response from the Canberra Liberals to reject a UN treaty that Australia has now ratified and that the commonwealth Liberal government has now ratified. The ACT is seeking to put in place the enabling legislation, and the Canberra Liberals cannot sign up to that because somehow we are more grown up than anybody else. So, despite the fact that this is a globally recognised treaty that has been signed up to by dozens of countries, Mrs Jones thinks the ACT is above it.

Mrs Jones: That is not what I said.

MR RATTENBURY: That is what has just happened. We are being told we do not need to allow the UN to come in and make these inspections if they ask to come. I am very surprised by that outcome and it is certainly not what I anticipated today.

I thank the Standing Committee on Justice and Community Safety performing its legislative scrutiny role for its helpful comments on the bill. As a result of those comments, a number of minor changes have been made to the explanatory statement. These include clarification that the strong provisions of the bill that protect individuals against reprisals for engaging with the UN subcommittee are necessary, justified and proportionate, notwithstanding that on rare occasions they may limit an individual's right to privacy. Furthermore, the explanatory statement has been clarified to note that whilst the bill has provisions that override inconsistent ACT laws that would limit the ability of the UN subcommittee to perform its functions, this does

not limit the ability of the Legislative Assembly to amend or repeal a bill or enact laws explicitly overriding it.

On 22 December 2017 the commonwealth government ratified the optional protocol to the convention against torture known as the OPCAT, making Australia the 86th state party. Eighty-six countries have signed up to this important torture prevention treaty. Australia had previously signed the OPCAT back in 2009, signalling an intent to become a state party, but the recent ratification brings binding legal obligations on Australia.

Ratifying this treaty represents an important step for improving protection of people deprived of their liberty in Australia. The right to be free from torture and cruel, inhuman or degrading treatment or punishment is recognised in international law as an absolute right that cannot be limited, even in times of emergency or disaster. Prohibition of torture has achieved the status of customary international law and is codified in the UN convention against torture that Australia ratified in 1989. This prohibition is also contained in section 10 of the Human Rights Act 2004.

Noting that the risk of abuse, ill-treatment and neglect can exist wherever persons are deprived of their liberty, even here in the ACT, the OPCAT is an innovative treaty that provides a practical framework for states to fulfil their commitment to prevent torture and cruel, inhuman or degrading treatment or punishment. There have been several high profile cases across Australia in recent years that have emphasised the human, financial and other costs of mistreatment in detention. Likewise in the ACT there have been a number of inquests, reviews and audits about places of detention and treatment in custody, the findings of which tell us that we can and must do things better at times.

The ACT government views OPCAT ratification as an important and significant mechanism to preventing ill-treatment. The global nature of the OPCAT brings with it comparative experience and expertise from other state parties that will be an excellent resource for Australia and from which the ACT can benefit. I very much welcome the ratification and am convinced that the OPCAT framework will have a positive impact in the ACT as well as nationally.

In terms of the practical mechanics of the OPCAT, the treaty requires states to establish mechanisms for independent monitoring of places of detention at two levels. At a domestic level states must designate or establish national preventative mechanisms, or NPMs, that are empowered to regularly visit any place of deprivation of liberty in its jurisdiction and control. At an international level state parties must allow the UN subcommittee for the prevention of torture to visit any place of detention within its jurisdiction and control. So the treaty actually requires us to allow this.

When ratifying the OPCAT in December 2017 Australia elected under article 24 to delay the obligation to establish or designate the domestic monitoring bodies or NPMs. This means the immediate obligation on Australia and, where relevant, the ACT is to allow UN subcommittees to access all places of detention should the subcommittee elect to visit Australia. In addition to accessing places of detention, the

OPCAT requires that the UN subcommittee have the power to speak with whomever they choose in private as well as access all relevant documents.

This bill provides a clear legal framework for the ACT to meet this obligation. Places of deprivation of liberty in the ACT include the Alexander Maconochie Centre, juvenile detention, secure psychiatric units, court cells and prison transport. Under this bill responsible ministers will be empowered to make arrangements to accommodate particular subcommittee visits to places of detention within their ministerial portfolio.

The OPCAT recognises that detainees and others may be reluctant to talk to oversight bodies. The OPCAT notes the importance of protecting persons in these circumstances. This is reflected in the bill, which provides protection for persons giving information to the UN subcommittee and creates an offence for persons intentionally taking detrimental action against someone for giving information to the UN subcommittee.

This is not the first time a bill of this kind has been introduced in the Assembly; the ACT previously introduced a national model legislation in March 2013 to support visits of the UN subcommittee to ACT places of detention. Because ratification was not progressed at that time, the legislation was not debated and the bill lapsed at the end of the last Assembly. This bill largely mirrors that previous bill but with some minor but important changes to better preserve detainees' right to privacy.

Should the UN subcommittee elect to visit places of detention in the ACT as part of a visit to Australia, I am advised that it will not involve significant costs for the territory. The subcommittee's accommodation, insurance and transport costs are borne by the United Nations, and the commonwealth has agreed to coordinate and accompany visits. There may be some small costs in arranging access to facilities and relevant information. However this cost is likely to be minimal given that, based on current practices, the UN subcommittee may visit Australia for a visit of up to two weeks every five to 10 years, and over this time it would visit a number of jurisdictions and not just the territory. Given the international significance of Australia ratifying the OPCAT I think it would be reasonable to expect a subcommittee visit fairly soon after ratification, perhaps in the next 12 months.

After a visit to Australia the UN subcommittee would provide a confidential report with recommendations and observations to the commonwealth government and the coordinating NPM, if one has been established. It is up to the state party as to whether this report is made public. The usual practice is for state parties to prepare responses to the UN subcommittee's report. So if the subcommittee visited the ACT responding to the UN subcommittee's recommendations may involve some work by ACT public service officials. I am confident these costs will not be a significant impost on government. They are, in fact, very necessary to facilitate the oversight provided by the protocol.

I take this opportunity to reiterate the government's support for ratification of this important treaty. The ACT has been a leading jurisdiction in preparing to implement OPCAT obligations. The approach of the recently established ACT Inspector of

Correctional Services draws on OPCAT principles and approaches to monitoring. The ACT's support for OPCAT ratification speaks to our proud history of legislating to protect the human rights of persons in the ACT, including our most vulnerable.

Ratification of OPCAT does not just reflect a further commitment to the prevention of all forms of torture and ill-treatment but it brings international perspectives to inform the continuous improvement of oversight of ACT places of detention. This is very fitting in a human rights jurisdiction where the Human Rights Act imports a human rights lens to the development of our laws, policies and practices.

I look forward to working with the commonwealth government further in the coming months in relation to the establishment of an NPM, which is not dealt with by this legislation. The commonwealth announced in 2017 that the commonwealth Ombudsman would fulfil a coordination role for the NPM. I expect each state and territory will be responsible for deciding on an NPM or NPMs in their own jurisdiction. The passage of this bill will ready the ACT for the UN subcommittee's visit if it chooses to inspect any of the territory's places of detention. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

MADAM SPEAKER: Mr Rattenbury, have you tabled your revised explanatory statement?

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (12.25): Madam Speaker, Thank you for that reminder. I now table the revised explanatory statement.

Leave granted to dispense with the detail stage.

Bill agreed to.

Sitting suspended from 12.26 to 2.30 pm.

Questions without notice

Crime—robbery

MR COE: My question is for the Minister for Police and Emergency Services. In the past 12 months, at least 22 break-ins have taken place at ACT clubs. This includes robberies at the Raiders Weston club, Town Centre Vikings club, Lanyon Vikings club, Raiders Belconnen club and RUC. Many of the perpetrators of these robberies were armed. Minister, what specific steps have you taken to protect our clubs and their staff from these violent crimes?

MR GENTLEMAN: I thank Mr Coe for his question. It is an important question. It is important, of course, that we advise the Canberra community that Canberra is a safe place but we are not immune to criminal activity.

We have been working with ClubsACT to directly support them with identified officers from the criminal taskforce. Indeed, the investigations by the taskforce have been very fruitful in regard to these activities. I understand that there are a number of persons of interest who are ready to be arrested and prosecuted. Police have been working directly with ClubsACT. We have met with them and we intend to meet with them again to ensure that we can provide the support that they need. We have also had ACT police advising on the safety of their staff. So we have been looking not only at the criminality of these matters but also the safety of club staff, advising clubs on how to ensure the safety of their staff.

MR COE: Minister, how many perpetrators have been arrested and how many have been successfully prosecuted for these robberies and attempted robberies in the past 12 months?

MR GENTLEMAN: I do not have the detail in front of me of the number of arrests and prosecutions, but there have been a number. I can come back to the chamber with the exact number. Of course, there are ongoing investigations. I do not want to jeopardise those investigations either.

MR PARTON: Minister, has inadequate funding for ACT police affected their ability to respond to violent crime?

MR GENTLEMAN: Certainly not. We have invested heavily in ACT Policing. We have increased funding for ACT Policing. We signed a \$161 million contract last year, of course, and an extra \$8.8 million went into ACT Policing to ensure that we can respond to criminal activity of this kind. As I said, police are responding. There are investigations in place. They have results on the board already.

Crime—robbery

MRS JONES: My question is to the Minister for Police and Emergency Services. Minister, I refer to the robberies of the Capital Chemist in Waramanga on 15 January this year and of Subway Manuka on 1 December, the Calwell Woolworths on 10 October and the Holt 7-Eleven service station on 6 October last year. This comes on top of at least 22 of our local clubs being the target of violent robberies and break-ins in the past 12 months. Minister, why has there been such a noticeable increase in robberies and break-ins in Canberra?

MR GENTLEMAN: Robberies are cyclic. They go up and down year to year. What I can advise the Assembly and the ACT community is that the 10-year trend is going down. So police have been effective in addressing criminality in the ACT and, as I said, the trend is going down. We support ACT Policing. We support their members on the ground doing the best job they can for the safety of all Canberrans.

MRS JONES: Minister, what steps have you taken exactly to protect hospitality and retail workers and small business people from violent crime?

MR GENTLEMAN: Specifically, I would say the police liquor task force is one of the examples of providing support for our Canberra community against violent crime. This is particularly targeted at offences that occur where people are intoxicated in, for example, the night life precincts of Canberra. We have invested in that. They have had results. That is one of the particular ones. But, as I said, we have invested strongly in ACT police—a \$161 million contract with an extra \$8.8 million for ACT Policing.

MR HANSON: Minister, have you met with any of the victims of these incidents, including staff from Raiders Weston? If so, what did you learn from them?

MR GENTLEMAN: I have not met with those particular staff, but I have met with their representatives. We feel, of course, for those victims of crime. That is why we are providing advice to clubs on safety for their members through the expert advice of ACT Policing.

Crime—motorcycle gangs

MR HANSON: My question is to the Attorney-General and it relates to a report in the *Canberra Times* of January this year entitled “Confidential police files reveal true scale of Canberra’s bkie feud”. I quote from the article:

Since 2015 there has been a continued increase in serious criminal activity known to be associated with outlaw motor cycle gangs including home invasions, assaults, arsons, kidnapping, extortion, drive-by shootings and other offences involving firearms ...

“ACT Policing has also seen an increase in the number of known overt outlaw motorcycle gang runs into, and meetings held in, Canberra involving interstate gang members since 2015.”

As you know, Attorney-General, New South Wales passed their anti-bkie laws in early 2015.

Ms Fitzharris: A point of order.

MADAM SPEAKER: A point of order.

Ms Fitzharris: Madam Speaker, I believe there is a standing order that limits the introduction to a question, and I believe that Mr Hanson may have exceeded a reasonable length of time to ask a question.

MADAM SPEAKER: Thank you, minister. I am not going to uphold the point of order, but it is worth all members realising that there is an upcoming review of standing orders, and members may wish to participate in that. Mr Hanson.

MR HANSON: I will continue, in the interests of brevity. As you know, Attorney-General—through you, of course, Madam Speaker, in accordance with standing order 42—New South Wales passed their anti-bkie laws in 2015, which the ACT currently lacks.

Mrs Dunne: Is there a correlation?

MR HANSON: As Mrs Dunne interjects, there may be a correlation. Attorney-General, given the public interest in and debate on this topic, why wasn't this report made public when the laws were being debated last year?

MR RAMSAY: I thank the shadow attorney-general for his comment; also for welcoming me back almost to *Groundhog Day*. It demonstrates again that the Canberra Liberals are stuck in the one space over and over again.

Mrs Jones: A point of order.

MADAM SPEAKER: Minister, please resume your seat. Mrs Jones.

Mrs Jones: I do not recall there being any questions about *Groundhog Day*.

MADAM SPEAKER: There is no point of order.

MR RAMSAY: Canberra does indeed remain a safe place to live, and we are very happy to continue to provide the materials available—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, the minister is answering your question.

Mrs Dunne: On a point of order, Madam Speaker—

MADAM SPEAKER: Stop the clock, please.

Mrs Dunne: The standing orders require that the minister be directly relevant, and the specific question was: why was this information not made public last year? It is a very simple question. It is not about the general state of affairs in relation to community safety; it is about this publication.

MADAM SPEAKER: Yes, and I am also aware of the standing orders. The precedent here is that we will not direct the minister other than to be concise and relevant. The minister has in excess of a minute to go. While we are stopping the proceedings, I refer to Ms Fitzharris's comment, and refer people to 117, which says,

The following general rules shall apply to questions:

(a) questions shall be brief and relate to a single issue...

Whilst we all recognise a preamble, again, I encourage people to consider the review of standing orders as it comes about. There is no point of order. Attorney, you have the floor to continue, if you wish.

MR RAMSAY: The information that has been made available is broad and has been quite widely available. We continue to work, as we have been, to ensure that Canberra is safe, remains safe and does so in a way that is most effective for the safety of the community.

Mr Hanson: Supplementary question, Madam Speaker.

MADAM SPEAKER: A brief supplementary, Mr Hanson.

MR HANSON: Briefish, Madam Speaker, but with no preamble. Minister, again, why was not this report made public while the laws were being debated last year? Are there any other reports about organised criminal activity that are being kept secret?

MR RAMSAY: I reject the inference that anything is being kept secret.

MS CHEYNE: Minister, is there any evidence from other jurisdictions showing that criminal organisation control laws have ever been used against gangs?

MR RAMSAY: I thank Ms Cheyne for the question and for her interest in this and in the health and wellbeing of the community. What we have made very clear, and we will continue to do so, is that this government will work on not only what is human rights effective but also on what is effective in terms of law enforcement. As we know, there is no evidence that the criminal organisation control orders that are so beloved of the opposition have had any impact or in fact have ever been used across Australia in any jurisdiction.

ACTION bus service—carbon neutral vehicles

MS LE COUTEUR: My question is to the Minister for Transport and City Services and relates to the purchase of 200 new buses for the ACTION bus fleet. Given that the government is committed to reducing greenhouse gas emissions to zero as quickly as possible and that every new bus will have an operational life of at least 20 years, I guess, how will the minister ensure that all new buses purchased under ACTION's contract are electric or other zero-emissions technology?

MS FITZHARRIS: I think Ms Le Couteur referred to an additional 200 buses; we are purchasing an additional 80 buses, and 40 have been purchased for delivery this year. Those buses are not electric buses, but as Ms Le Couteur and members know, there is a trial underway. This is a significant trial, and there are both electric buses and a hybrid bus being trialled in the ACT. We are keen to see the outcomes of that trial. We committed to an electric bus and hybrid bus trial at an early stage so that we could assess the effectiveness of an electric bus, particularly an electric bus that can cover our whole network.

We have been very pleased so far with the performance of the buses. They will be tested over the course of this year but, as I indicated when the purchase of the 40 new buses was made earlier this year, we will continue to explore every opportunity to use emerging electric bus technology because we know that it will significantly decrease

our carbon emissions. We know that, come 2020 when we are 100 per cent powered by renewable electricity that one of the most significant sectors of emissions will be transport. Public transport is only a very small percentage of that, but we think the government can lead by demonstrating an investment in electric vehicles. We have some opportunities with electric buses. We are very much exploring those.

MS LE COUTEUR: Will the 40 buses still to come be carbon neutral? What is the timetable for the entire ACTION fleet to be operationally carbon neutral?

MS FITZHARRIS: It is certainly an objective that we have, to improve the carbon neutrality of our transport bus fleet. We know of course that light rail will be powered by 100 per cent renewable energy. It is certainly an important part. As I indicated in my portfolio priority statement today, the update of our transport for Canberra strategy is being developed in close consultation with ministers Gentleman and Rattenbury, particularly as it relates to both the planning strategy and the important climate change strategy. It is an objective to continue to bring down emissions from our public transport fleet.

The other important note is that we purchased the 40 buses this year in order to roll out, two years ahead of schedule, nine rapid public transport routes across Canberra. We needed to do that in order to bring these rapid bus services on line even sooner than we had originally committed to. We very much look forward to that happening later this year. But it is worthwhile noting that purchasing electric buses is one part of the equation; another important part of the equation is having the depot facilities to both maintain and recharge electric buses. That is one of the more significant components of considering more electric buses in our fleet.

MR STEEL: Minister, can you update the Assembly on the progress of the electric bus trial?

MS FITZHARRIS: Yes. I would be delighted to. We have seen them around the city. One of the buses, in fact, says, "I'm electric." It is pretty obvious. It is a wonderful ride. Hopefully many people across Canberra have had the opportunity. As of 1 January there have been over 20,000 boardings on the buses that have joined, as part of the trial, the Transport Canberra fleet.

Importantly, the electric bus obviously does not use fuel. The hybrid bus has used only 4,000 litres of diesel in its first couple of months of operation, which is four times less than an ordinary bus. We also know that they have performed pretty well across the fleet. There has been a limited amount of unscheduled maintenance and only a very small number of breakdowns.

There is obviously work to do to understand how we can incorporate them into the fleet, how we have the staff with the skills to maintain the buses. I have had anecdotal feedback from people that they love catching an electric bus. They love how smooth it is to ride in. They love how quiet it is ride in. So we are really keen to see the results of this trial and continue improving our fleet.

Alexander Maconochie Centre—drugs

MR MILLIGAN: My question is to the Minister for Corrections. Minister, On 16 January 2018, the *Canberra Times* reported that four inmates at the AMC had overdosed on drugs in the lead up to Christmas. Two patients had to be hospitalised, including one inmate who was in a coma. On 9 December 2017 the *Canberra Times* claimed that a quarter of inmates at the AMC were on the methadone program, almost three times the number in other jurisdictions. Minister, what substances caused the overdoses at the AMC in late 2017?

MR RATTENBURY: I will need to take some advice on that. I will bring that answer back to the Assembly.

MR MILLIGAN: Minister, why are there so many prisoners at the AMC on methadone as compared with other jurisdictions?

MR RATTENBURY: That is a matter for the medical staff at the AMC. That decision is taken by ACT Health staff who make individual decisions on each detainee. This is not a matter that the government dictates as policy; it is a matter of individual medical assessment. That is the answer to Mr Milligan's question.

MRS JONES: Minister, are you working towards, or are you interested in seeing, inmates who are able to transition off methadone?

MR RATTENBURY: I think it is preferable where people can transition off methadone and for that matter other drugs. That is a very positive outcome, and that is something that I am having discussions with ACT Health about.

Government—investment

MADAM SPEAKER: Questions without notice? Tara—Ms Cheyne. It is the first week back after holidays. Forgive me, members.

Opposition members interjecting—

MADAM SPEAKER: I apologise for causing the distraction, members. Ms Cheyne.

MS CHEYNE: My question is to the Chief Minister.

Mrs Dunne: Wait for it.

Mrs Jones: We are all waiting.

MS CHEYNE: I am pleased; I am so pleased. This week the government has announced a significant number of new initiatives through the budget update. Why is the government expediting the delivery of these initiatives?

MR BARR: I thank Ms Cheyne for the question—and Mr Hanson in advance for the interjections. In all seriousness, Madam Speaker, yes the initiatives that we have

outlined in the budget update are important and timely initiatives for this growing community. As I have mentioned more than once this week, the level of population growth and the significant growth in the territory economy and labour market necessitate significant investment in additional services.

To quickly recap, obviously investing in more surgical procedures through the health system, recruiting a new ambulance crew and additional relief staff and, importantly, expanding the reportable conduct scheme to help keep kids safe are at the forefront of initiatives contained within the second appropriation bill that I tabled this morning.

I think it is also important that we deliver a boost to the energy concession for low income earners. The initiatives in the education portfolio, together with the full range of new spending measures proposed in the appropriation bill, are indeed timely. Its quick passage through this Assembly in next month's sittings will be important to deliver those initiatives in this fiscal year.

MS CHEYNE: Chief Minister, what does the budget review show about the territory's debt and borrowings, even as the government is making further investments in local services and infrastructure?

MR BARR: Our general government sector net debt for this year is now estimated to be \$371 million lower than expected at the budget due to the higher balance of funds held in cash and investments and a lower borrowing requirement. I can say that this shrinks the territory's debt to gross state product ratio to four per cent. We retain, of course, a AAA credit rating, and the government seeks to balance its long-term infrastructure investments against the metrics of a AAA-rated jurisdiction.

MS ORR: Chief Minister, how is the government balancing investment in Canberra while maintaining a strong budget position and retaining our AAA credit rating?

MR BARR: There has been a process of steadily and patiently strengthening the territory's budget position over time, particularly responding to the Mr Fluffy crisis and, of course, the implications the 2014 federal budget had for the territory economy. We have maintained a consistent approach to seeking to balance the territory budget whilst at the same time investing in infrastructure and providing additional support in a number of key areas of ACT government responsibility.

Members are aware that more than half of our budget is invested in health and education services, and that will continue to be the case into the future. But we have been very clear about our plans to continue to invest in this growing community, to meet our election commitments and to raise revenue fairly and equitably. And that is the approach the government will continue to take over the balance of this parliamentary term.

Education—enrolment projections

MS LEE: My question is to the Minister for Education and Early Childhood Development. Minister, your directorate enrolment projection for Aranda Primary School for 2016 was 506 students, but the February 2016 census showed that

enrolments were 608 in 2016 and the figure was 621 in 2017. Similarly, 2016 enrolment projections for Palmerston District Primary School were 450, with an actual enrolment of 526 in 2016 and 607 in 2017. Minister, why are your directorate's projections so wrong?

MS BERRY: First of all, I should say that every public school in Canberra can accommodate students who live within the school's priority enrolment area. More than 700 places have been provided in Gungahlin schools for 2017 and for the start of the 2018 year, and in the coming years new schools will be built in Molonglo as well as in Gungahlin. Adjustments are made to priority enrolment areas based on information and advice to the Education Directorate and how they manage school enrolments. This can include reducing out of area enrolments; adjusting the PEA boundaries; making better use of available space, whether that is temporary or for the medium or long term; and planning for temporary capacity increases, which will include permanent structures or transportable structures to ensure that the schools can best meet their communities' needs.

I do not have the detail of every single school's projections in front of me, as Ms Lee might have, but I can assure Ms Lee that the Education Directorate works very hard every year to ensure that schools meet the needs of our students in the ACT.

MS LEE: Minister, how many other schools are close to or exceeding capacity, and which schools are they?

MS BERRY: I can provide the member with some information on the particular question she has asked around a particular school's capacity. But for some more information around capacity, I can let the member know that where schools are projected as having high—or greater than 85 per cent—or low—less than 40 per cent—utilisation, schools use and implement the school enrolment management plans. I can provide Ms Lee with information on those plans as well, to help her with her understanding of capacity in schools across the ACT. Sometimes a school's capacity can be temporarily adjusted to take into account best practice. Sometimes the school capacity working groups, which comprise representatives from infrastructure, capital works, planning and analytics branches, meet to—

Ms Lee: A point of order, Madam Speaker.

MADAM SPEAKER: A point of order.

Ms Lee: We are almost halfway through, so I have taken the time to listen, and the question actually was: how many other schools, and what schools are they? The minister actually has not answered that question.

MS BERRY: I think I did at the very start.

MADAM SPEAKER: I think there was reference to not having that information, and providing it when it comes through.

Ms Lee: Can I confirm that she will take it on notice?

MS BERRY: Sure.

MADAM SPEAKER: Minister, will you take it on notice?

MS BERRY: I will take that part of the question on notice. But I took the chance to then talk a bit more about how schools in the ACT Education Directorate work with school communities in the ACT to make sure that every child gets a place in their local school.

MR MILLIGAN: Minister, when will the next enrolment projection data be produced, and will you table it in the Assembly?

MS BERRY: I will take that question on notice.

Arts—music engagement program

MR WALL: Madam Speaker, my question is to the Minister for the Arts and Community Events. According to the ACT arts policy, one of the principles of artsACT is participation in and access to the arts. One way it does this is through partnerships and collaboration. Further, artsACT recognises that the ACT government's priorities include health and education. On 14 February 2018 the *Canberra Times* reported that in the week before Christmas artsACT defunded the music engagement program delivered by the ANU School of Music. The report says it came as a shock to staff, that there was little or no consultation outside the ANU, and that artsACT has made no public statement. Minister, why did you scrap funding for the music engagement program?

MR RAMSAY: I thank Mr Wall for the question. The ACT government certainly has a very strong commitment to the ANU, including through funding within the ANU School of Music and the ANU School of Art and Design, to deliver the community outreach program. The government is confident, as has been announced, that the new community outreach program will provide a significant range of supports across the whole community and enable it to access music and visual arts programs.

The community outreach program along with the government's other significant arts funding commitments provide strong support for the community to access and participate in the arts, to support and better develop artists and their work, and to support a broad range of local artists.

There is, indeed, a new community outreach program that has been in development for 12 months. It is a shift away from focusing on specifically supporting students to supporting members across the entire community. That new community outreach program better aligns with the ACT arts policy, which has a focus on developing the arts and participation in the arts for the whole community. The government sought independent advice from national peers in relation to the community outreach program in line with the standard assessment process for all arts funding against the aims of the arts policy.

A number of new programs is being implemented under the new agreement: girls rock, which is for young girls to learn rock music; girls jazz for women and girls to learn jazz; community school of rock for any member of the community to develop their playing skills; my song, which is a mentorship program with Gudan Gulwan Aboriginal youth; and developing musicians, which is a non-audition program for years 7 to 12 students for music tuition and ensemble performances.

This will mean the new school of music's programs will receive over \$1.5 million over the next three years. It is an important way of artsACT continuing to develop its work. *(Time expired.)*

MR WALL: Minister, has this program subsumed the music engagement program and, if so, what has happened to the funding?

MR RAMSAY: The music engagement program for years 1 to 6 students and for teacher professional development was not successful in obtaining funding in the new agreement and the music for colleges program for years 11 and 12 students will be transitioned off funding after 2019 when current students complete their course. However, I do wish to note that Canberra students can still access the new developing musicians program, which is a non-audition program for years 7 to 12 students, for music tuition and ensemble performances, which is part of the new community outreach program.

Students are also able to access other government-funded programs including through music for Canberra at the Ainslie Arts Centre and the music engagement activities by the Canberra Symphony Orchestra. Canberra students are also able to access the government's instrumental music program which is delivered in ACT schools. Many Canberra public schools have music programs for their students, such as the Lyneham High School.

There are a number of other local community music organisations that deliver music programs in schools, including Musica Viva ACT, and there is the provision of music programs for young people including by the Young Music Society.

MRS DUNNE: Minister, did you learn anything about the benefits of this program over the past 20 years that have been brought to the wider community and to the school students involved, and did your department do any assessment of the program before the funding was cut?

MR RAMSAY: I thank Mrs Dunne for the question. I refer her to the answer to the initial question, where I noted that the government sought independent advice from national peers on the new community outreach program, which is in line with the assessment processes for all arts funding activities.

National Multicultural Festival—preparations

MS ORR: My question is to the Minister for Multicultural Affairs. Minister, can you please update the Assembly on preparations for this year's National Multicultural Festival?

MS STEPHEN-SMITH: I thank Ms Orr for her interest in the Multicultural Festival, an interest that I am sure is shared by everybody in this chamber. As everyone will have noticed from looking just beyond our doorstep into Civic Square and throughout Civic, preparations for the weekend's festival are well and truly underway. Flags have been hung, tents erected and stages are now being constructed.

I have been fortunate over the past month to see for myself some of the really hard work and effort that go into the organisation of this landmark event. Last week—it might have been earlier this week—Minister Gentleman and I visited the event control centre and observed the operation of the public safety CCTV system that is in place. It has been designed so that festival-goers will not see many visible or obvious changes, but it shows how festival organisers are keeping safety in mind. I understand that a women's safety audit was completed this morning, and a further audit will be conducted after dark this evening. Festival organisers will undertake both audits in conjunction with the office for women, and community stakeholders.

Beyond the visible preparations, our performers, stallholders and volunteers have obviously been preparing in their communities for months. A couple of weeks ago I was able to stop by some rehearsals by the Drumassault group and the Afro Girls Dancers Canberra, both part of the African village showcase, and witnessed just a fraction of the hard work that goes into preparing a performance of one of the festival's 11 showcases. Today I met one of our headline acts, Baker Boy, and I did have a bit of a fan moment, I have to say.

Opposition members interjecting—

Ms Orr: A point of order, Madam Speaker. Mr Wall and Mrs Dunne look like they are having a great time, but I am finding it quite hard to listen to the minister's answer.

MADAM SPEAKER: Yes. Members on my left, Mrs Dunne and Mr Wall.

Members interjecting—

MADAM SPEAKER: I promise that in the second week I will be far more attentive. I do apologise. A supplementary, Ms Orr. The clock was not stopped.

MS ORR: Minister, how can our festival visitors keep up to date with what to see, hear, taste and learn at this year's Multicultural Festival?

MS STEPHEN-SMITH: I did not have time at the end of my previous answer to thank all of the volunteers who will be involved in supporting the festival, of which there are, Madam Speaker, as you know, hundreds—more than 200 community volunteers and thousands in the multicultural community. It is great to see the pride our culturally and linguistically diverse Canberrans have in sharing their cultural heritage with the broader community.

As you know, the festival continues to be a landmark event, with visitors flocking from across the Canberra region as well as interstate to see, hear and taste all that our multicultural community has to offer. That makes it especially important that visitors are able to access easy and up-to-date information about all that is on offer over the three days from the seven stages, 11 showcases and around 340 stalls. That is a lot of information.

For festival goers to keep up to date and find their favourite activities, we are encouraging everyone to download the National Multicultural Festival app. Last year the festival app progressed to number one in the events category in the Google Play store globally. The 2018 app is now available free from the Apple app store and via Google Play for android users.

On Thursday last week, our 16-page festival program guide was published in the Canberra Weekly, copies of which are distributed at shopping centres, information booths and other locations across the city. I was also pleased to share copies of the program guide at the festival launch on Friday. The program guide is also available on the website for download. And for those who use social media, there will be regular updates to the festival Twitter account, @NatMultiFest, and on the Facebook page, @National Multicultural Festival. The team will share photos on Instagram at multicultural.festival, and I encourage all members to do likewise.

Festival goers can, of course, also just turn up and enjoy free entertainment across the seven stages from Friday night until Sunday afternoon. I look forward to seeing many Canberrans at the festival doing just that.

MS CODY: Minister, how will the National Multicultural Festival take into account the needs of diverse attendees such as families, seniors and those with a disability?

MS STEPHEN-SMITH: I thank Ms Cody for her supplementary question. I am happy to inform the Assembly that the National Multicultural Festival organisers continue to keep the comfort of festivalgoers and the variety of their needs foremost in mind. We are determined, as I have said, that the festival be an inclusive and welcoming place for all.

During the 2018 festival there will be two sanctuaries, as there were last year, one specifically for children and parents and the other a place for anyone who would like to rest, recover and recharge from the excitement of the main festival activities. The children's sanctuary will be located in the Canberra Museum and Gallery and Civic Library in Civic Square, providing a space for families to play, create and take part in a range of cultural activities, including storytelling sessions in a range of languages. Last year when I dropped in, kids and adults alike were learning some traditional Aboriginal dances. The general sanctuary will be in Petrie Plaza. It will be a peaceful shaded area—well, as peaceful as it can be during the festival—allowing the opportunity to grab a cool drink and enjoy a somewhat quieter moment away from the hustle and bustle of City Walk and Garema Place.

In addition to these measures, festival organisers have carefully considered the layout of the festival and taken into account issues of accessibility and mobility for festivalgoers, stallholders, participants, performers and, importantly, people with a disability. During the festival, stages one, two and four will have reserved seating for people with a disability or mobility restrictions. The seating will be directly in front of the stages and will be clearly identified by both ground markings and bollards. This will be the first year that the festival has had a dedicated space for people with disability and mobility restrictions in front of the stages. As with all aspects of the festival organisation, feedback will be sought from festivalgoers on the effectiveness of these dedicated areas, to ensure the comfort and accessibility of all Canberrans for future festivals.

As I mentioned, volunteers will be present throughout the footprint. I am sure they will also support people in ensuring that the festival is fun, welcoming, inclusive and accessible for all. (*Time expired.*)

National Multicultural Festival—service of alcohol

MRS KIKKERT: My question is to the Attorney General. Attorney, minority ethnic groups have raised concerns with my office that the ban on community groups selling alcohol at this year's Multicultural Festival has left them feeling that the ACT government sees them as irresponsible and incompetent second-class citizens. This is especially true considering that, one, the Liquor Act specifically allows for non-commercial permits for these kinds of events; two, community groups have been responsibly serving alcohol at the festival for years; and, three, when the decision was made to "reduce the amount of alcohol available on the footprint", it was non-profit community groups that were targeted by the ban, not commercial operators. As Attorney General, what advice have you given to the Minister for Multicultural Affairs on this issue?

MR RAMSAY: The question in relation to liquor permits is something that sits both in terms of Attorney-General and also probably in terms of regulatory services. So I am happy to take the question in that broader context.

In terms of the Liquor Act, clearly the act does allow non-commercial stallholders to serve and provide liquor without the requirement of RSA and in terms of making sure that things are safe. However, regardless of that, the RSA principles always apply under the act to any person serving liquor in the ACT. People must also be governed by the intoxication guidelines.

I know that the event organiser, which is the Community Services Directorate, is well aware of that and has been involved in the decision-making in relation to permits for the Multicultural Festival under that act as well. Yes, we do indeed consult and work across the portfolios and the ministers here. So too do the directorates. It is a whole-of-government approach. CSC has been carrying through the work very effectively.

Mr Coe: Point of order, Madam Speaker.

MADAM SPEAKER: Point of order, Mr Coe.

Mr Coe: Madam Speaker, the specific question that Mrs Kikkert asked was about what advice the minister gave the Minister for Multicultural Affairs. Whilst he spoke about his agency working in collaboration, he has not yet answered what advice he has provided to the other minister.

MADAM SPEAKER: Mr Coe, the minister has 30 seconds left if he wanted to get to that. Mrs Kikkert, a supplementary.

MRS KIKKERT: Sorry, I did not hear the answer. Was that a yes or a no?

Mr Parton: He doesn't wish to answer.

MRS KIKKERT: Can you take it on notice, then?

MR RAMSAY: I have answered.

Mrs Kikkert: You cannot take it on notice?

MADAM SPEAKER: His answer has been concluded, so a supplementary—

Mrs Kikkert: Sorry, what was that?

MADAM SPEAKER: He has concluded his answer, so a supplementary, Mrs Kikkert.

MRS KIKKERT: Will the Attorney-General take the previous question on notice?

MR RAMSAY: The Attorney-General has answered the previous question.

MISS C BURCH: Attorney-General, were you consulted on this decision to favour commercial operators over the territory's minority ethnic groups at this year's Multicultural Festival? Did you approve the decision and will the ACT government extend the ban to other community organisations seeking to obtain non-commercial liquor permits for other Canberra events?

MR RAMSAY: There were a number of questions in there. I am not sure which particular supplementary—

Mr Coe: All of them preferably.

MR RAMSAY: My understanding—

Mrs Jones interjecting—

MADAM SPEAKER: Yes, and I refer everybody to the review of standing orders. Can you do your best to cover as much as you can of that question, attorney.

MR RAMSAY: I will certainly do my best. The decision was rightly made by the event organiser, which is the Community Services Directorate.

Planning—housing choices

MR PARTON: My question is to the Minister for Planning and Land Management. Minister, in your discussion paper on housing choices, you said there has been an increased demand for alternative dwellings such as townhouses, units and apartments. In contrast, the Winton report said that only 4.6 per cent of Canberrans wanted apartment buildings of six storeys or more and 5.7 per cent supported apartments of between four and six storeys. As has been pointed out by former Chief Minister Mr Stanhope, more than 79 per cent of the survey wanted a lot fewer of these. Minister, why has your discussion paper failed to reflect what Canberrans really think about their residential structure preferences, as outlined in the Winton report?

MR GENTLEMAN: There are 410,000 people in the ACT, and we want them to have their say during consideration of the housing choices discussion paper—and it is a discussion paper that goes out to the community. We want to hear what they have to say. It is important that we give them some guidance on what we have heard in the past. As I said yesterday, during the statement of planning intent workshops all of the components of the workshops indicated they wanted to see denser living in the ACT. That is why we are doing the discussion paper, to actually hear what the people of the ACT have to say, not what a particular author has to say, or what a previous Chief Minister has to say. We want to hear what the community has to say, and that is why we are doing the discussion paper.

MR PARTON: Minister, why will you not reissue your discussion paper and give community stakeholders a balanced view, including what was clearly in that Winton report, of what Canberrans really want in the way of housing?

MR GENTLEMAN: It is not for us to provide a view to Canberrans. The housing choices paper discusses the opportunities for Canberra and what we have heard in the past and asks them to come to us with their ideas. That is the very point of it. We continue to go through that. We have a collaboration upcoming in Forde, and I will look forward to engaging with the Canberra community, as we did on Tuesday night. It was a fantastic experience at the Inner South Community Council listening to their views about how they would like to see housing choices in Canberra for the future.

MS LEE: Minister, what actions will you take to guarantee that your policies will not forcibly squeeze people into large, high-density residential developments against their preferences?

MR GENTLEMAN: We are hoping that the outcomes of the housing choices paper will indicate to the directorate and me the various opportunities and options for Canberrans. We do not want to force anybody into any sort of accommodation. There is plenty of choice out there at the moment. We want to increase choice for the Canberra community, and that is the particular reason we are going out with the

discussion paper. It is a fantastic opportunity for Canberrans to tell us how they want to live in the future, not for just a particular couple of authors.

Health—adult mental health unit

MRS DUNNE: My question is to the Minister for Mental Health. I refer to your answers to questions asked in the 2016-17 annual reports hearings. You advised the committee that the average bed occupancy rate at the adult mental health unit was 105 per cent and that capacity was at, near or above 100 per cent for most of the year. Minister, why was the average bed occupancy rate at the mental health unit 105 per cent last year?

MR RATTENBURY: The actual building was built with 40 beds. At this point in time 37 have been funded but at times there is additional demand to that. Those additional beds have been used even though they have not been funded.

MRS DUNNE: Minister, what impact has the high bed occupancy rate for the adult mental health unit had on clinical care for patients and on staff satisfaction?

MR RATTENBURY: Clearly having that level of demand, as in any business when demand is higher, places some strain on people. But I reflect on the fact that our staff are very dedicated and, despite reports in today's paper, I can assure the Assembly that the adult mental health unit is currently fully staffed, adequately staffed. As at 14 February there were 11 full-time equivalent medical staff overseeing patients admitted to the unit. This was an increase from 8½ in July 2017. This speaks to the fact that ACT Health has been working to actively recruit and fill positions at the adult mental health unit to ensure the right level of staff for the number of patients we have and to ensure that staff have suitable clinical qualifications to meet the needs of the clients who find themselves at the adult mental health unit.

MR HANSON: Minister, has the average bed occupancy rate for the adult mental health unit been over 100 per cent during 2017-18? What, if anything, are you doing to bring the bed occupancy rate down?

MR RATTENBURY: Yes, it has, as Mrs Dunne noted in her question—which Mr Hanson evidently did not listen to—it has been, and that was—

Mrs Dunne: No, no; 17-18, not 16-17.

Mr Hanson: Thank you, Mrs Dunne.

MR RATTENBURY: I will take that—

Mr Hanson: I will accept an apology if the minister was misleading.

MR RATTENBURY: I misheard the dates. I will—

Mr Hanson: An apology will be accepted.

MR RATTENBURY: The day you apologise to me for your rudeness, Mr Hanson, is the day you will get apologies back from me.

Members interjecting—

MADAM SPEAKER: Minister to answer the question, thank you.

Mr Hanson interjecting—

MADAM SPEAKER: No interjections; you asked the question. The minister is trying to provide an answer.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, hush! Minister, please.

MR RATTENBURY: Thank you, Madam Speaker. I will take the first part of Mr Hanson's question on notice. In terms of his broader question about how we are working to cope with demand, as I outlined in my ministerial priorities statement this morning, we are looking to ensure that we have the right services available for the right people at the right time.

Having people in acute care is not always the best way to treat and support them with the difficulties they are having. So we are looking at a range of issues in the supported accommodation space to ensure that there are other places people can go to that may be more suitable to the level of care that they need at particular times and to make sure that we have a full suite of facilities available with adequate beds to provide people with the right services when they need them.

Sport—cricket

MS CODY: My question is to the Minister for Sport and Recreation. Minister, it was recently announced that Canberra will host five matches in the women's Twenty20 world cup in 2020. What benefits will this bring to the city and to continuing the push for gender equity in sport?

MS BERRY: I thank Ms Cody for her interest in women's cricket in the ACT and acknowledge that she was there at the launch and the announcement of the T20 series in the ACT. Canberra was announced as the host city for the ICC World Twenty20 to be played in Australia in February and March 2020. The scheduling of the women's competition as a standalone event for the first time will ensure that it is promoted and staged as a major global event in its own right.

Bringing national and international cricket content to the ACT also delivers economic benefits to the territory through direct employment, much related activity, and community development activities, as well as tourism. It is particularly pleasing that it will be women's elite international sport that is driving these outcomes. One strong theme of the ACT's gender equity goals is to build the profile and experience of

women's sport up to be closer to the men's. Our support for this tournament again delivers on that commitment.

MS CODY: Minister, what has been the community response to the Twenty20 cricket in Canberra, now that we have played host to high profile matches in both women's and men's competitions?

MS BERRY: It has been very positive. Canberra has had and continues to have a growing record of involvement with elite level cricket, both national and international, women's and men's. The community demonstrated its eagerness to support international women's cricket during the recent women's ashes T20 series in November, when Manuka Oval recorded the highest match attendance for this series, something the ACT and women's sport can celebrate. A more recent demonstration was the return of the men's big bash league and the women's big bash league on 24 January, which saw a crowd of 11,319 at Manuka Oval for matches which featured the Sydney Thunder and the Melbourne Renegades.

Twenty20 cricket is currently the fastest growing and most accessible format of cricket, as evidenced by its increasing popularity at an international level and the outstanding success of the BBL in Australia. It continues to attract new, more diverse and younger audiences all around the world, and timing is perfect in the ACT for this tournament.

MR STEEL: Minister, what other investments has the government made to support all levels of cricket in the ACT?

MS BERRY: The ACT government has made significant investments in recent years to support cricket in Canberra through events and facilities for players at all levels. Works are underway at Manuka towards upgraded facilities for the first ever international test cricket match. I have mentioned the BBL fixture in 2018, supported through the ACT's partnership with Cricket Australia. The ACT government's commitment to cricket is further demonstrated by way of a \$6.2 million investment in Phillip Oval. Mr Steel and I were able to go along and launch the cricket side of that project being completed. It really is an outstanding facility for elite sports in the ACT, for both women and men. It includes indoor training facilities that make training possible for local cricketers regardless of the weather and in what is a top-quality sporting precinct.

Health—mental health staffing

MS LAWDER: My question is to the Minister for Mental Health. I refer to a claim by the Australian Salaried Medical Officers Federation in the *Canberra Times* of 15 February this year that no permanent psychiatrists are working at the acute mental health unit. ACT Health claims there is one permanent psychiatrist working in the acute mental health unit supported by temporary staff. The Australian salaried medical officers also claim that ongoing issues around morale and the attractiveness of the positions compared to other states and territories is making it harder to recruit specialists. Minister, why are there so few permanent psychiatrists working at the adult mental health unit at the Canberra Hospital?

MR RATTENBURY: As I said in my other answer, I can assure the Assembly that the adult mental health unit is adequately staffed. In terms of whether positions are permanent or not, there are locums working at the adult mental health unit. That is a well-known fact. I think the real question is not whether somebody is working full time or on a locum basis; that question is secondary to whether we have enough staff with suitable clinical qualifications. I can assure the Assembly that we do. Those locums filling those positions are very well experienced and very well qualified.

In terms of the apparent discrepancy about full-time staff or not, I think the difference between the position of ASMOF and Health is that somebody has resigned but is still in the job; they have not left. Somebody is still there who is full time, but they are leaving shortly. That clarifies that.

I can also let the Assembly know that two senior registrars are expected to receive their fellowships in mid-March this year and will commence work in the adult mental health unit as full-time employees. Work is being done to boost those positions, just as there is a range of other recruitment activity going on. As I said earlier, we have now increased the full-time equivalent medical staff overseeing patients to 11 compared to 8.5 in July 2017. I think this reflects the fact that ACT Health is very focused on recruiting new staff.

The recruitment environment is difficult. On the question of morale, this is a challenging area to work in. Acute inpatient units are difficult places to work in and they are difficult places to recruit people to. But ACT Health is working extremely hard to do that.

MS LAWDER: Minister, what impact is the ongoing shortage of psychiatrists and low morale having on the level of clinical care at the Canberra Hospital for people with mental health problems?

MR RATTENBURY: Staff continue to operate in very dedicated ways. They are committed to their jobs. They are working hard to provide the best possible care they can for people who are in difficult circumstances, and it is a difficult working environment. As I have said several times today, the adult mental health unit is adequately staffed. I go back to the distinction I drew in my earlier response. It is not a question of whether people are full time or a locum. The key question is whether staff have suitable clinical qualifications. My firm advice from ACT Health is that they do.

MRS DUNNE: Minister, why are there ongoing issues around continuity, morale and the attractiveness of ACT positions compared to other states and territories?

MR RATTENBURY: I would be interested to hear on what basis Mrs Dunne makes that comparison. It makes it very difficult for me to answer. It is a highly subjective view that she has put. It is not one that I think I can respond to. My earlier remarks were about the fact that we are actively recruiting. We are successfully recruiting into ACT Health.

Mrs Dunne: So you disagree with the salaried medical officers about morale?

MR RATTENBURY: We are actively recruiting into ACT Health, and I have been very clear about this. It is a challenging environment to work in, and it is hard for people some days. But that does not mean that we are not working hard to ensure we have suitable staff in the positions.

Health—medical staff

MISS C BURCH: My question is to the Minister for Health and Wellbeing. I refer to your ministerial statement of 15 February 2018 in which you claimed that the ACT had more medical practitioners per head of population than the national average. Minister, how do you reconcile this claim with the ongoing lack of specialists and GPs in the ACT?

MS FITZHARRIS: From the data provided in the recent report on government services.

MISS C BURCH: Minister, if your claim on medical practitioner numbers is true, why do patients in the ACT have long wait times to see a specialist before they are placed on long wait lists for surgery?

MS FITZHARRIS: It is not my claim. Building on what Minister Rattenbury has also just said, there are particular areas of specialist shortage. That does not mean that overall we do not have a greater number of health workers in our community than most other jurisdictions. As I mentioned in my priorities statement and a couple of other times throughout the course of this week, and as Minister Rattenbury just referred to, ACT Health is very focused on attracting a high quality workforce to Canberra. I have outlined that shortly we will be undertaking significant work in a workforce attraction strategy, and we will be targeting particular medical specialties.

MRS DUNNE: Minister, why does the public health system still lack the capacity in the availability of surgeons, theatre time and after care beds that would allow more operations to be performed?

MS FITZHARRIS: It does not. As I have indicated, though, there are some areas where we have seen challenges, particularly in recruiting specialists. In some areas there is only a very small number of specialists. For example, if one specialist has unplanned or unexpected leave, that can have a significant impact. But I do note that in recent data that has been published nationally we have seen very good timeliness in a number of key elective surgery areas in particular. This includes cardiac, thoracic, gynaecology, head and neck, obstetrics and vascular surgeries.

As we have indicated previously, there are some challenges with recruitment in a number of speciality areas, and that would include urology and, as Minister Rattenbury has said, in psychiatry as well. We are focused and ACT Health is focused on meeting those gaps and we look forward to providing more advice to the chamber and the community about attracting even more medical specialists to our city.

We think that the agenda of investment in health infrastructure, health services and health research that this government has will be of significant interest to medical specialists around the country. Of course with the incredibly high levels of livability, the wonderful services we have here in the territory, we think we can bring all these together to attract even more specialists to Canberra.

Roads—school crossing supervisor program

MR STEEL: My question is to the Minister for Transport and City Services. Can the Minister please update the Assembly on the rollout of the school crossing supervisor program that commenced at the beginning of this school year?

MS FITZHARRIS: I thank Mr Steel very much for the question. I am delighted to update the Assembly about the school crossing supervisor program. It started on 5 February, the beginning of the 2018 school year. Earlier this week I visited Lyneham Primary School to see the school crossing supervisor program in action. It was just fantastic to see the community using one of the busiest crossings in Canberra safely with the help of a friendly and skilled crossing supervisor.

I am particularly excited about this program, given strong linkages with two of my portfolios: health and wellbeing, and transport and city services. Introducing crossing supervisors in 20 schools will help to increase walking and cycling to and from school, assist in taking away some of the traffic pressure and car park congestion issues for schools at drop-off and pick-up times, and contribute to safer and healthier school communities. The supervisors help kids to get across the road safely by directing traffic with a stop sign and providing instructions. I experienced throughout last week and again this week at Lyneham primary the very friendly and engaging crossing supervisors.

Schools in the government, independent and Catholic sectors are part of this program, ensuring that kids right across the territory can benefit from safer crossings. The program is primarily aimed at primary school aged children, younger kids who are still developing the skills that they need to cross the road and who are starting to learn about independent travel. Importantly it also sets them up for a confident future in walking and cycling to school. We have allocated \$3.3 million over the next four years to deliver the program. This includes \$1 million over the next two years to make infrastructure improvements around schools and crossings, ensuring an even safer environment for our kids.

MR STEEL: Minister, what benefits will this program bring to local families, schoolchildren and the wider community?

MS FITZHARRIS: It will bring loads of benefits to families, schools and the wider school communities. Introducing school crossing supervisors will help increase safety for our kids walking and riding to school and helps reduce congestion for motorists by managing the flow of pedestrians and cars across the crossings and around schools.

While we do have an excellent safety record in school zones, there are always more opportunities to ensure that our kids remain safe. Through the Transport Canberra and

City Services schools program, schools will be encouraged to think more broadly about their own school, to increase active travel participation and to improve safety in their local community. The program will help to increase safety by supervising 20 of our busiest pedestrian and kids' crossings adjacent to schools. This will also encourage parents to allow their kids to walk or ride to school each day or even be dropped off partway so that we can also reduce congestion around the school gates. I really think that this program will help to alleviate the key concern raised by parents, and that is for kids to be able to cross the road safely and easily. The supervisors work for one hour in the morning and one hour in the afternoon on schooldays, with start and finish times based around the individual school start and finish times.

This is just another fantastic way we are working with schools, school communities and local families to increase safety for our kids. I really welcome these 20 new supervisors to their roles and thank them for their hard work every day helping to keep our kids safe.

MS CHEYNE: Can the minister outline how this program will link in with other initiatives the government runs to encourage young people to travel actively to and from school?

MS FITZHARRIS: I thank Ms Cheyne for this question. It is great because it simply links with a range of other initiatives that we have that are already being delivered in our local communities. The ride or walk to school program, which has been around for some time now, continues to encourage more children to learn the skills and to build the confidence they need to walk and cycle safely to school.

The active streets for school program is creating and promoting safe routes to school and the crossing supervisors help kids cross roads safely. These three programs combined make walking and riding a safe, easy and fun choice for Canberra families.

Feedback we have already received through the ride or walk to school program tells us that parents are less likely to allow their kids to ride or walk to school if they think that there is a safety risk. Supervisors help to reduce this perceived safety concern and encourage more kids to choose walking and cycling as a way of getting to and from school.

As the minister responsible for this portfolio, I am very keen to see more walking and cycling to school. It has the obvious health benefits I mentioned earlier. It provides great social outcomes and helps to reduce congestion and improve safety on our roads. In my own experience, it actually helps your kids get on better. They come home from school yacking to one another rather than hounding mum and dad in the car on the way home from school. It is an unexpected benefit for our family and many others that I have also spoken to.

I look forward to his new initiative supporting schools to create safe, active and healthy communities this year and beyond.

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

Supplementary answers to questions without notice

Planning—affordable housing

MR GENTLEMAN: Yesterday Mr Coe asked me a question about modelling for the foreign investor surcharge. I can advise the Assembly that modelling of the foreign investor surcharge is based on estimated median property average unimproved values and the number of properties.

The estimate of foreign purchasers is based on data from the Foreign Investment Review Board 2015-16 annual report, which reports the volume of approved residential property investments in each jurisdiction. Analysis undertaken in developing the measure indicated that rents in the ACT are predominantly determined by supply and demand. The surcharge is unlikely have any significant effect on the private rental market.

Public housing—Braddon

MS BERRY: I was asked questions by the opposition about a Housing ACT complex in Lowanna Street, Braddon. There were concerns about fire safety in the building and the integrity of the complex. There have been experts engaged to determine the extent of the issues. That has been a time-consuming process but it is nearing completion.

Housing ACT has continued to work with the ACT Government Solicitor, the builder and relevant experts to resolve the issues that have been associated with this complex. I am not able to put a firm date on the resolution. However, Housing ACT will continue to work towards a solution with all of the other parties involved.

Leave of absence

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

That leave of absence be granted to Mr Pettersson for this sitting due to illness.

Suburban Land Agency—quarterly land acquisition report

Paper and statement by minister

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (3.40): For the information of members, I present the following paper:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 43(2)—Suburban Land Agency—Land acquisitions quarterly report—1 October to 31 December 2017, dated February 2018.

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

Leave granted.

MS BERRY: The ACT government established the Suburban Land Agency under the City Renewal Authority and Suburban Land Agency Act 2017. The Suburban Land Agency was established to deliver greenfield development and to encourage and promote urban renewal outside the defined precinct of the City Renewal Authority. To ensure that the ACT government has land available for development, strategic acquisition of privately held leases of land is required to provide for future development.

As I have stated previously, this government is committed to providing certainty, transparency and consistency in the information that is required to inform acquisition decisions and to ensure that these decisions are aligned with the government's strategic plan for land management and development across the territory.

In order to meet its responsibilities, the agency provides me with a report after the end of each quarter on any land acquired by the agency during that quarter, providing any valuations and other information prescribed by the regulation.

The Suburban Land Agency has provided me with its acquisitions report for the period October to December 2017. During the reporting period the agency did not make any acquisitions. Madam Speaker, I commend the report to the Assembly.

Papers

Mr Ramsay presented the following paper:

Coroners Act, pursuant to subsection 102(8)—ACT Coroner's Court—Annual report 2016-17, dated December 2017.

Mr Gentleman presented the following papers:

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Quarterly report—1 October to 31 December 2017.

Cycling Tourism in Kowen Forest and Other Commercial Forest Areas of the ACT—Progress report on the implementation—Response, pursuant to the resolution of the Assembly of 2 November 2017, concerning recreational cycling tourism, dated February 2018.

Freedom from religious discrimination Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Ms Cheyne, Ms Cody, Mrs Dunne, Ms Le Couteur, Ms Orr, Mr Pettersson, Mr Steel and Mr Wall proposing that matters of public importance be submitted to the Assembly for discussion. In accordance with standing order 79, I have determined that the matter proposed by Ms Cody be submitted to the Assembly, namely:

Freedom from discrimination in relation to religion in the ACT.

MS CODY (Murrumbidgee) (3.43): I was born godless to godless parents and have never had the slightest religious inclination in my life. I have, however, seen a rising tide of angst in our community about the role religion plays in our society. This, of course, especially came to a head in last year's unnecessary equal marriage survey. Being neither gay nor religious, but perfectly accepting of both, I found the level of hurt involved awful.

Whilst I do not share their view, I have met with and respect many religious people for whom religion informs their morality and ethics. Whilst not wishing to name names, I can assure the chamber that many of Australia's greatest campaigners for workers' rights, women's right, Indigenous rights, and the causes of equality and socialism are, and have been, religiously motivated. That another group claimed the same religious inspiration for the opposite baffles me.

In saying that, I do not doubt the honesty of those who opposed equal marriage and believed they were representative of the majority of Australians in doing so. I understand that for those whose personal networks are embedded in a community as religious as it was 20, 30 or 40 years ago, these changes have come as a shock.

For those who found themselves so out of step with changing community expectations, it can be a difficult and traumatic experience. And as leaders of the Canberra community, we must be kind and gentle with those who have found themselves out of step. The best approach to doing that is maintaining our secular government, drafting our laws based on human rights and where we fund non-government organisations, doing so on the basis of the outcomes they achieve, not the religions they believe in.

The ACT is Australia's leading human rights jurisdiction. Having legislated the country's first Human Rights Act, we should be proud of that. It is a lead we should maintain. The freedom of religion is an important part of our human rights. This was recognised by the Assembly when we voted to expand the definition of religious conviction and include religious vilification as part of amendments to the Discrimination Act in 2016.

While freedom of religion is part of our human rights framework, that does not mean religious organisations operate outside the law. The ACT has a wide range of regulations which religious organisations must follow. This includes some old laws which benefit numerous religious orders through the establishment of property trusts as well as acts which ensure that people have access to religious services in circumstances where they may be in the care of the territory.

We must take a balanced approach to keeping those laws up to date with fast-changing community expectations. In this context, the ACT's human rights framework provides an effective platform to balance rights and freedoms. The ACT government has made it clear in its submission to the Australian government's Religious Freedom Review that it does not believe that further exceptions or exemptions for those who may have a religious objection in relation to the provision of goods and services to certain people or groups is appropriate.

It is no more acceptable for the mythical cake baker to discriminate against a gay or lesbian couple than it would be for them to discriminate against a single mother or an unwed man in a sexual relationship. I do not even think there is such a cake baker here in the ACT, but that diminishes the importance of this message.

Providing an avenue through the provision of goods and services for people to discriminate does not make it acceptable. Such moves would entrench discrimination, not remove it. That such an approach has even been suggested in 2018 shocks and disturbs me. If someone suggested a law targeting Christians, Jews or Muslims in that way, that person would be shunned by every serious political party in this country.

Time and time again Canberrans have shown that they support a strong human rights and anti-discrimination agenda. Unfortunately, the commonwealth parliament and the Australian government have blocked us from doing that on same sex marriage, when our laws were overturned, and on voluntary euthanasia with the Andrews bill remaining a stain on Australian democracy.

That brings me to an interesting point about the nature of the territory's democracy. It is very disappointing that the hopes and desires of the Canberra community can still so easily be overridden by the commonwealth parliament. That is why this place passed a number of motions last year calling on the Commonwealth of Australia and the Australia government to respect the democratically constituted ACT Legislative Assembly and, through it, the self-determination of the people of the ACT.

With this in mind, the ACT government has made it clear that it does not want this Religious Freedom Review to result in a backward step for the ACT's human rights framework. We do not want our elected representatives disempowered or our constituents disenfranchised from their own democracy.

The ACT's model for protecting human rights, balancing freedoms and building an inclusive and harmonious community is one that has served our city well over the decades. I reject any suggestion that legislating for further discrimination would be a positive step for our community, city or country.

MR COE (Yerrabi—Leader of the Opposition) (3.50): We on this side firmly believe in the principle of freedom. We believe in freedom of thought, freedom of association and, of course, freedom of religion. It is fitting that this coming weekend we have the National Multicultural Festival in Canberra, a celebration of the contributions of so many people from around the world.

Of course, one of the pillars of most cultures, if not all cultures, historically has been faith and, with that, quite often religious institutions as well. We firmly believe that the faiths and religions that are expressed in Canberra make our society a better place. It seems that those opposite would rather a society, and in particular a city, without these religious organisations, without these faith communities. That is, in effect, what Ms Cody was just saying; that faith and religion are not a force for good. I strongly disagree with that. I firmly believe that the migrant communities we have in Canberra

and the multi-faith communities we have in Canberra add to our city enormously. We should be doing everything possible to help them flourish in our city.

When you look at where this debate might go and what really is the end game for those on the other side with regard to this matter of public importance, as I said, of course, they do not want to see religious organisations in Canberra. They do not want to see people expressing faith in Canberra. It is a fierce secularism that so many opposite hold. I wonder how this is going to play out. Are we actually going to see concessional leases across the ACT that so many religious organisations enjoy be threatened? Is that a stick that those opposite are going to be willing to use if they do not get their way?

If you say that you believe in partial freedom, that is not freedom at all. I think it is a very slippery slope that we are on here. I think it is up to the government to outline what it is that they are really trying to achieve here. What is actually the end game?

Whilst I imagine that Mr Ramsay will get up and give a spirited defence of religious institutions, we all know that there are some on his side of the chamber who would not agree. We all know that there are some on that side of the chamber who would happily withdraw concessional leases across Canberra to faith institutions.

We know that there are people on that side who do not believe that the faith communities of Canberra and the religious organisations are a force for good. When you look at the heavy lifting that so many of these organisations provide, if you look at what a church, a mosque, a synagogue, a temple or the numerous other faith communities provide to their communities, the government could not do it even if they tried.

Whilst you might be able to procure services, it is very hard to procure commitment. It is very hard to procure compassion. These are the sorts of things that are delivered in spades at Canberra's faith communities.

We are concerned about the ramifications of what is being discussed here. We do believe, and proudly so, in freedom of thought, association and religion and in so many other pillars of our society. We urge the government to approach this with extreme caution.

MR RAMSAY (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (3.56): We have heard an amazing allegation from the Leader of the Opposition today: that we on this side of the chamber do not want to have religious organisations. It would be a strange thing, and a strange allegation to be made. I certainly value the place of religious organisations. It demonstrates on the part of the Leader of the Opposition, and potentially the opposition, the Canberra Liberals, a fundamental misunderstanding of what is important around the basis of the balance of the freedom from discrimination in relation to religion in the ACT.

Let me outline what the government is trying to achieve, as the Leader of the Opposition has invited. In November last year this government joined Canberra and

the overwhelming majority of Australians in a vocal and joyous celebration of marriage equality. The road to marriage equality was one of ending discrimination and promoting social inclusion. The government's August 2017 submission on marriage equality legislation, which was signed by the Chief Minister, the minister for justice and me, made that very clear. Our joint submission this week to the commonwealth's expert panel on religious freedom is a firm and vocal restatement of this government's commitment to inclusion.

Marriage equality was not a barter. Neither the ACT nor Australia voted "yes" on the basis that in exchange for equal marriages, broad anti-discrimination protections for the LGBTIQ community would be rolled back. But that is precisely what some opponents of marriage equality are now suggesting: that, under the guise of religious freedom, we should repeal longstanding anti-discrimination measures.

Religious freedom is important, and it is enshrined in both the ACT Human Rights Act and the Discrimination Act. As I stated in the Assembly last year in support of maintaining the ACT's existing protections, it is important to recognise that our private religious practices operate in a social context.

There are some expressions of faith which maintain that it is inappropriate for females to have positions of authority over males in their institutions. We have not legislated, and we will not legislate, that this cannot occur within those congregations or denominations; nor do we have any intention of allowing caterers to refuse to supply goods to an organisation on the basis that their CEO or potentially their CPO is a woman.

There are some expressions of faith which maintain that it is inappropriate for previously divorced people to marry. We have not legislated, and we will not legislate, that this cannot occur within those denominations, and I am fully aware that religious celebrants regularly exercise their rights under the Marriage Act to refuse to conduct these ceremonies. But we do not have any intention of allowing people to refuse to supply goods to couples who are celebrating a second marriage following a divorce.

Canberra is a community that values human rights, including religious freedom. We reject a vision of religious freedom that endorses discrimination and exclusion. There is no room for discrimination against people on the grounds of their religious conviction. There is also no place for discrimination on the ground of a person's sexuality in the public provision of goods and services to same-sex couples getting married or to anyone else. The right to freedom of religion is neither greater nor lesser than the rights to equality and protection from discrimination.

The government's position in the submission to the expert panel reviewing religious freedoms is strong in its message: the federal government must not simply replace inequality in marriage with inequality in the provision of goods and services. Any federal legislation that would lock in discriminatory practices, like denying goods and services to anyone based on their sexuality, their race, their gender or indeed their religion, would contravene the ACT's Human Rights Act; and, more than that, would contravene the values of the Canberra community.

Self-government allows the voters of Canberra to decide that this will continue to be the most inclusive, fair city in Australia. It is never acceptable for commonwealth politicians to try to undermine our core values in Canberra in order to appease people who believe that discrimination is okay in their electorates. Harmonious and inclusive communities are the product of effective balance and compromise in the consideration and application of laws, not the pitting of the rights of one group against another.

The ACT's Human Rights Act provides a framework for analysing questions about rights, and resolving them in a way that is consultative and that takes account of competing rights and conflicting viewpoints. My predecessor as Attorney-General, Simon Corbell MLA, spoke at a conference organised by the Human Rights Commission in 2014 that marked the 10th anniversary of the Human Rights Act. He spoke of the importance of our human rights legislation, saying:

Human rights protection is not a finalised end result at which point we can say we have fully protected human rights. It is a dynamic process which will succeed not just because we protect human rights in the statute book.

It is about continually examining and reviewing the practical effect of government policies and processes.

Mr Corbell was speaking from the perspective of a government that made human rights a priority. The ACT is proud to be Australia's first jurisdiction to enshrine human rights in legislation. The ACT Human Rights Act is model legislation that the federal government should adopt, not override. A national human rights framework would provide a valuable and effective underpinning for a robust community debate on the balancing of rights, particularly in circumstances where legislators face challenging decisions of conscience.

Our Legislative Assembly enacted a Human Rights Act with the full support of the community. Our anti-discrimination framework represents a clear statement of this community's support for equality and inclusion. The government has continued and will continue to proudly represent Canberra's progressive values in this national conversation about religious freedom.

Eighty-two per cent of Canberrans participated in the postal survey. Seventy-four per cent of the people who responded endorsed marriage equality. Anyone who joined the Braddon Street party that day in November was left in no doubt that Canberra voted to show its support for equality and to promote inclusion. This government will continue to stand up for equality, and to stand up for self-government. As members we owe it to our constituents to be firm and unwavering in support of our values. Today's matter of public importance is a call for each and every one of us to reaffirm our commitment to those values, and to keep working as members to make sure that Canberra's progressive values are heard and maintained.

MRS KIKKERT (Ginninderra) (4.04): I am grateful for the opportunity to speak on this matter of public importance for a few moments. Freedom from discrimination is an essential element of a free and just society, as was made clear in the Universal Declaration of Human Rights—and I quote:

All are equal before the law and are entitled without any discrimination to equal protection of the law.

In addition it states:

All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

The universal declaration then clearly enumerates the various rights in regard to which all people must be protected against discrimination, including the following:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

This freedom of conscience is one of the fundamental human rights because if a person is not allowed to sincerely hold genuine thoughts, beliefs and values, that person lacks access to an authentic life. It is, of course, equally essential that a person be allowed to act with authenticity on those beliefs and values as long as doing so does not impact on the health or safety of another.

But the freedom of belief is more than just an issue of conscience. For many people, what they believe deeply is an essential part of their cultural identity. This is why, in the anthropological literature, religion is always classed as part of culture.

As shadow minister for multicultural affairs, I am particularly sensitive to making sure that this aspect of cultural identity is protected. Migrants, refugees and those who belong to ethnic minority groups must be kept safe in their right to believe whatever they choose—including nothing at all—and to speak and act in accordance with those beliefs.

As a land that has experienced many waves of migration, Australia has often struggled with these basic protections. For example, the first priest who was allowed to say mass for Irish Catholic convicts in colonial New South Wales was James Dixon, a convict himself, in 1803. This lasted for only one year. When the Castle Hill rebellion broke out, Governor King withdrew Dixon's privileges, and it was another 16 years before mass was legally celebrated again in the colony. Irish Catholics in colonial Australia no doubt understood that an essential part of their cultural identity was being suppressed.

Our modern nation has, of course, come far in its ability and willingness to protect basic human rights, but multicultural Australians still sometimes face significant obstacles. When the UN's Special Rapporteur on Religious Intolerance visited Australia in 1996, he raised concerns about impediments to the establishment of places of worship for Muslims. These obstacles "included planning zone requirements that make it difficult to establish new places of worship, even in areas where there are concentrations of followers". Recent news reports contain examples of Muslim Australians also facing frustration in getting schools and renovations approved by

local councils. Those wishing to construct Christian schools, Hindu temple complexes and other places of essential cultural identity have faced similar frustrations. This must not be so.

Living in a land that says, essentially, that you can hold deeply cherished cultural values but that you should not talk about them, act on them or make them too obvious by getting together in purpose-built places to fulfil them is unacceptable. So is having to live with the fear and uncertainty that comes from having places of worship vandalised with threatening messages, as has happened in recent months near a Jewish synagogue here in Canberra.

Migration to Australia is increasing our religious diversity, and this is a good thing, in my opinion. Islam is the second largest religious group in the nation, whilst Buddhism is third, and Sikhism is now fifth. In fact the number of Sikhs living in Australia has risen 500 per cent just in the past 10 years.

In a truly multicultural society, it is essential that these new Australians enjoy freedom from discrimination for any reason, whether it be because of their language, the way they look, the way they do things, or whatever they believe and hold most dear. It is my wish that all Canberra residents, regardless of their beliefs, are free from discrimination in relation to religion. This is an essential aspect of what it means to be truly multicultural.

MR RATTENBURY (Kurrajong) (4.10): I was pleased to work with the Attorney-General and the Chief Minister this week in putting together a submission to the federal government's inquiry that has been commissioned and is being undertaken by Philip Ruddock on the issue of religious freedoms in Australia. I think the ACT had some very good thoughts to offer in that space.

In my view, government has a responsibility to balance the competing rights of members of our community. There are competing rights, and at times those rights clash. I think the ACT has been very successful in striking that balance both through enunciating those rights in the Human Rights Act and also by articulating the dialogue model that is the core of the Human Rights Act.

That dialogue model seeks to balance various rights. As members know from the various bills we have considered in this place, one of the key elements of that dialogue is trying to find a proportionate response when rights must be constrained or when they are impinged on in some way. The strength of that model is that it gets a robust discussion going about how you can best bring those things together. I think that is what we need to bring to the broader rights discussion: we need to be able to balance these rights out and find ways for them to coexist.

The Chief Minister summed it up quite well in a comment I heard him make on radio. He talked about the essence of the ACT's government's submission being that there should be both freedom of religion and freedom from religion. That summed it up quite well. Those who seek to follow a faith should be able to do so without fear of vilification, without discrimination and with freedom to pursue that religion as they see fit. Equally, those who choose not to be religious should have that freedom to

pursue their view of the world and not be impinged on unduly by those who pursue religion as their pathway. This is the community we should seek to live in, where people are free to pursue their view on life without being vilified by others. I think that that is the balance we have imagined to achieve in the ACT. This is the point that the government is trying to make in our submission.

A good example of this is the way we dealt with the issue of privacy zones around the Marie Stopes clinic or the abortion facility in the ACT during the last term. We received reports that women who were accessing that facility felt that they were being targeted by protesters who were opposed to that facility. My view is that people have a right to protest; I think that is quite well known in this place. But I also felt that it was unfair that those individual women were being made to feel uncomfortable, being made to feel lesser citizens of this city, because of their accessing that medical facility.

I think we were able to draw up a good response to that. We created an exclusion zone around that facility of 100 metres. That means that people can access that facility without being identified and have a right to privacy in their medical choices. At the same time, those who are opposed to that facility are free to protest right throughout the rest of the city. That is quite appropriate as well. As I have said a number of times before, they are more than welcome to set up in Garema Place, City Walk or right out the front door of the Assembly, if they wish. That is the appropriate way to have that freedom to continue to protest and express those particular views.

Unfortunately, we see religious vilification and discrimination alive and well in our society. Unfortunately, it is experienced by people of many faiths. In particular, in this modern age, where we have a perpetual war on terror and an abundance of fake news, some people have decided to tarnish an entire religion because of the atrocious behaviour of terrorists who claim to be Muslims. It is a disturbingly regular occurrence for people or groups to attack or abuse people of Muslim faith simply because of their faith.

The level and extent of vilification occurring is simply appalling. It is not limited to online and social media; it happens in public. Sometimes these things overlap. For example, there is the self-proclaimed Patriot group filming and abusing Sam Dastyari in a pub; the group called the Australian Defence League following and photographing Muslim women on public transport and posting videos of them online with abusive comments; and the far right group Party for Freedom storming a church in Gosford dressed as Muslims and shouting, "Terrorists not wanted here." These things are not welcome in Australia. They are simply not welcome. That is simply uncalled for behaviour, and it fails to respect the right to freedom of religion and the right to practise one's faith.

If anyone here wants to see the tip of the iceberg, they should try defending religious vilification laws on social media. As members who were here last term will recall, and perhaps others who noticed it in the press, I introduced an amendment to the Assembly last year during debate about our anti-discrimination laws to add religious vilification laws to the ACT statute book to make sure that there was a provision there, because there had been some lack of clarity in the previous interpretation of the

anti-discrimination laws around those particular forms of behaviour. That was unanimously supported in this place. It was one of those very welcome moments; unfortunately those things are often not celebrated. So much of political reporting is about differences. It was a great moment where everybody in this place recognised that this was a positive thing to do, and I was very pleased about that. There was a good discussion in the Assembly.

Since then, I have been subjected to a torrent of online abuse from people who want to be able to attack Islam and Muslim people. A lot of the material is extremely offensive and constantly contains abuse and worse. I am fortunate that I am an elected member and I am in a privileged position where I am able to turn off some of those media comments and social media comments and mute them, ignore them. I start off by trying to have some discussion with people and it quickly descends into a lot of quite offensive material.

It was illustrative of the willingness of some people in our society to use the anonymity of social media in particular to be extremely hateful, hurtful, divisive and discriminatory. There is a series of terms that can be used to describe some of the content. As I say, I feel quite fortunate that I do not have to live that every day in the way that some people do. You can only imagine what it must be like for people of Muslim faith who openly express their religion through the way they dress and other elements of their religious beliefs to be subjected to that sort of offensive conduct on multiple occasions.

I feel very fortunate that here in the ACT we have been able to strike the right balance. I urge Mr Ruddock, in conducting his inquiry, to reflect on the fact that here in the territory we believe we have provided a good model of how one can balance these sometimes competing rights. I would be disappointed if this inquiry, which was started in the context of the immediate aftermath of the successful marriage equality vote, were to be seen as a way to unpick some of that equality that has been hard fought for and won through that postal survey process. I hope that the inquiry reflects very carefully on the model that the ACT has been able to achieve and perhaps promote it as something that the federal government might look at more closely.

Discussion concluded.

Standing committees—membership

Motion (by **Mr Wall**) agreed to:

That:

- (1) Mr Parton be discharged from the Standing Committee on Environment and Transport and City Services and Miss C. Burch and Ms Lawder be appointed; and.
- (2) Ms Lawder be discharged from the Standing Committee on Planning and Urban Renewal and Mr Parton be appointed.

Adjournment

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

That the Assembly do now adjourn.

Tourism—cycling

MR RATTENBURY (Kurrajong) (4.19): Earlier today Minister Gentleman tabled a response to a discussion we had had in the Assembly previously about mountain biking trails in the ACT. I thank Mr Gentleman for that response. I think that the material contained in it speaks to some positive developments in this space.

I welcome the efforts made to address some of the short-term issues where we have unfortunately seen forestry operations in our pine forest areas destroying mountain bike trails that have not only been built with considerable volunteer effort but also are enjoyed by many people in our community and that are a terrific recreational resource. The better communications and cooperation that have been put in place to help preserve trails and better manage the harvesting process are a welcome development and will be positively received by those in the mountain biking community who have been dismayed to see the destruction of those terrific facilities through the harvesting process.

I look forward to working further with the minister and my other colleagues on longer term solutions. I am concerned that the goodwill that has been built up here could be short lived. The simple moving on of somebody to a new job, when they leave a position and suddenly some of that corporate knowledge is lost, has afflicted this area before. New people, new contractors come into the game and some of that built-up goodwill is lost, not through any deliberate effort but simply through the passage of time. I would like to think that we might be able to formalise some of that good work into an operating protocol, some sort of MOU or something like that, a policy position that can ensure that over time we do not undermine the good work that has been done to get to this point.

We also need to develop a better understanding of the economic benefits of mountain biking and other recreational activities like it, and of the benefits that can come from our forests standing rather than felled. I am not suggesting here that these are unique ecological landscapes; they are pine forests after all. But I think the evidence is changing that the value achieved from harvesting is not necessarily as great as the value that can be achieved from recreation. I will quote from some comments that I have made earlier in this place.

Numerous other jurisdictions have done work to determine the broader value of their planted forests. Just one example is a study of the recreational value of a planted forest on the fringe of Rotorua in New Zealand, which estimated its value at about \$5.2 million annually from walking and \$10.2 million annually from mountain biking. The value of the mountain biking alone is actually five times the annual timber revenue from that forest. We need to do that same work here in the ACT, because if

Rotorua has identified those economic benefits then that is something that is likely to be replicated here in the ACT. The authors of the Rotorua study summed it up very well. They said:

Recreation is an important environmental service provided by many planted forests. The value of this service, however, is not well known. For policy makers and land managers to make informed decisions on planted forest management for multiple benefits, they need to recognise the value of the environmental services provided.

Similarly there was a terrific story on the ABC in late December last year about the town of Derby in Tasmania. The story goes that a few years ago Derby was a typical Tasmanian town: few job opportunities, a falling head count and bargain basement real estate. But then the Blue Derby mountain bike trails were built in the hinterland. Almost everything in Derby changed. The article goes on to talk about the impact it has had on the town. It says that, since 2015, 30 kilometres of trail have been built, the first stage of a planned 80-kilometre network that is scheduled to cost \$3.1 million. In the article they talk to the mayor of the town. The article says:

Talking about the figures being driven by the mountain biking gets the Mayor sitting up straight in his chair; 30,000 visitors on the trails every year, tourists are staying four to five nights in Derby then another five days elsewhere in Tasmania.

It adds up to an estimated \$30 million-a-year return on that \$3.1 million investment.

It is an extraordinary outcome for this town in Tasmania where, as the article talks about, they were struggling prior to that, and I think it demonstrates the strength of the opportunities. This is what we want to see replicated here in Canberra. It talks about the owner of the local mountain bike shop which has sprung up now who is so busy his eyes are circled in red. He talks about how it is not just about getting the mountain bike shop running and it is not just about the money; he hires a few teenagers who have come in to work in his shop and he sees their pride and confidence in witnessing the transformation of their home town.

These are the sorts of economic opportunities we must be pursuing for this city in making sure that we provide the necessary infrastructure and that the ACT, which has a great reputation already, is able to compete with other towns that are making these sorts of investments.

Planning—urban environment

MS ORR (Yerrabi) (4.24): Those of you who know me know that I usually talk about one of two things when I rise for an adjournment. I can see the collective winks of those still assembled here, thinking, “Not Giralang again.” Do not worry; I will save that for next week. Today I would like to talk about my other great passion: urban planning.

In October last year my office hosted an event called the making space initiative here in the Assembly. The making space initiative brings together built environment professionals to discuss how city design can respond to the needs of the people who live in and experience our city. The initiative brought together students, academics, planners, architects, landscape architects, engineers and designers, as well as members of the community and elected representatives from the ACT Legislative Assembly. In discussing making space I must take the opportunity to thank the steering committee, made up of representatives from the built environment professions, who helped conceptualise, organise and realise the initiative.

The theme of the first event, back in October, was home. We heard from five members of the ACT community. Each of our speakers spoke for five minutes on what their home meant to them. One of our speakers was Douglas. Douglas and his wife bought their home through the ACT government's land rent scheme in Moncrieff in my electorate. However, he and his wife work in Sydney and use IT to "commute". It is not uncommon to hear of one partner working from home, but we were fortunate to hear how a married couple remained sane whilst not only living together but also working together in the same house.

Another community member was Deb. Deb has lived her entire adult life in Curtin, a suburb that she loves very much, moving houses three times as she has transitioned through the different phases of her family life. We heard from Lachlan, a university student, who lives in a German master-built wooden cabin that serves as a granny flat in his landlord's backyard. Penny spoke about her specific living needs while living with a disability in inclusive social housing. We also heard from Sunjaan, a seven-year-old boy who enjoys drinking babyinos on Lonsdale Street and one day would like to live in the hotel in Cairns his family once stayed in that has five swimming pools and, to quote Sunjaan, "The best breakfast ever." It was clearly a very diverse group.

You might ask what that all has to do with planning. The key message the evening highlighted was that a one-size-fits-all approach to planning might not be appropriate. The variety of needs and requirements demonstrated by the making space initiative indicates that our approach to housing of any shape must be flexible and adaptable to the people it will accommodate. This was very clear on the night, when the audience asked question after question of our presenters. It was an opportunity for the built environment professionals in the room to speak to the people they design cities for, to ask how our presenters perceive, how they use and what they wish they could improve about their homes, their suburbs and their city. Ultimately this is what making space is intended to do: to get the built professions in one room, talking to members of the community to improve the understanding each one has of each other.

Following the positive feedback we received about the event, we have decided to hold it again. This year the initiative will be presented in two parts. The first evening, on Wednesday, 18 April, will again see five Canberrans present, this time on the theme of "socialise". Our speakers will tell us how they socialise, where they socialise and what they do when they socialise. We have asked them to tell us what they would like to do that they cannot do already and how socialising has changed for them over the

years. This will again be followed by a question and answer session where all audience members will have the opportunity to further their understanding or to question the presenters on certain aspects they may be mulling over. The second event will take place in October. The format for this evening will be a panel discussion involving representatives from the built professions and community groups. The discussion will attempt to draw out the key concepts raised on the first evening and see whether the various groups can find agreement on how best to approach some of the challenges brought up.

Through this engaged discussion we might start to discover a new way to talk about planning matters here in the ACT. Take this as a save the date for the first Assembly event on Wednesday, 18 April at 5.30 here in the Legislative Assembly. I look forward to seeing everyone there to have a listen and a chat.

Catholic Church—response to slavery

MRS DUNNE (Ginninderra) (4.28): Last Thursday I had the pleasure and privilege of attending the launch in Sydney of the Catholic Archdiocesan response to modern slavery. This was done by His Grace Archbishop Anthony Fisher OP, the Archbishop of Sydney, on 8 February which is, as everyone in this place knows, the feast of St Josephine Bakhita who is the patron saint of Sudan and of slaves. There was a very spectacular and well-attended mass. Part of the liturgy was presented by the Sudanese Catholic community of Sydney and was officiated at by Anthony Fisher OP and the other bishops of the Sydney Archdiocese.

In his homily Archbishop Fisher spoke about the impact of slavery and reminded us that this is not an issue that has gone away with the abolition of the slave trade between Africa and the American continents, as many of us would think. And he impressed upon those in the audience, Catholic and non-Catholic alike, the importance of our making a stand today in this world and reminded us of some of the recent statements of His Holiness Pope Francis who has dedicated his pontificate to the eradication of modern slavery. He concluded his homily by reminding us, as leaders in the church and the community, of the words of William Wilberforce, slavery abolitionist, who said, “You may do nothing about it but you cannot say that you know nothing about it.” And we do all know of instances of modern slavery in our lives and we need to be attuned to them.

After mass at a reception nearby the archbishop launched the report of the archdiocesan task force on anti-slavery. I pay tribute especially to John McCarthy QC and Katherine Maloney who were the principal movers and shakers in the archdiocesan task force. There were other members involved as well. Mr McCarthy and Ms Maloney have been working essentially full time on this for the past year or so.

The task force made a series of recommendations to the archbishop which he has accepted, which I will touch on here because it shows what can be done if people are willing to do so. The recommendations of the task force which have been accepted by Archbishop Fisher are to seek to slavery-proof all procurement by the Archdiocese of Sydney through implementing the Australian model of supply chain regulation. When

you consider that, through such organisations as the Sydney Catholic schools, Catholic Care Sydney, the Australian Catholic University, St Vincent's Health, there is a lot of money spent in relation to purchasing of goods in the Sydney area and the Catholic Church can have significant impacts on supply chains.

The recommendations also include to develop guidelines for purchasing goods and services for parishes and church agencies; to equip the lay faithful to make ethical purchasing decisions consistent with the archdiocese's anti-slavery chain regime; to conduct anti-slavery education initiatives in schools, parishes, universities and through church agencies; to develop an anti-slavery media and communications strategy; to investigate the provision of needs-based services for survivors of modern slavery in Australia; to seek to influence decision-makers in Catholic dioceses and religious institutions, education, health and aged care, welfare and finance to adopt the same principles—remembering that Sydney is an archdiocese unto itself and has no influence anywhere else—and to lobby civic leaders, leaders of other churches and faiths, leaders in business and other wider community groups to join the campaign.

These are the main recommendations. I would like to congratulate Archbishop Anthony Fisher OP for his leadership and commitment in this matter and the great work that has been done by the task force. The task force is very willing to share its experiences with anyone who is willing to listen to them and speak to them. I would recommend their report to anyone who is interested in this space.

Youth employment—workplace obligations

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) (4.33): I rise to speak against the ongoing exploitation and mistreatment of young people in the workplace, which is sadly all too common. I was nothing short of appalled to read the outcomes of the Fair Work Ombudsman's recent blitz on Canberra businesses which was prompted by complaints from young workers. In its south Canberra and region blitz the ombudsman audited 52 businesses in Phillip, Weston, Woden, Holder and Queanbeyan after it had received a high number of requests for help from young workers in these areas.

As a result of this blitz the Fair Work Ombudsman recovered almost \$30,000 for employees who had been ripped off. We know that young workers can be vulnerable to unscrupulous employers who prey on their lack of awareness of workplace rights and limited work experience. Shockingly, one-third of the businesses audited were not meeting their workplace obligations—maybe not so shocking in an environment where the federal government actually facilitates the exploitation of vulnerable young workers.

The sad fact is that the federal Liberal government's youth-focused employment initiatives reinforce bad employment practices and fail to provide any pathway to secure employment for young workers. These programs undermine the social security

system, undermine genuine employment opportunities and add unnecessary barriers between young people and income support.

Some might say we should be grateful that young people receive any support after the proposals that were put forward for the 2014 budget which, fortunately, were seen off before they saw the light of day but which would have seen young people removed from all forms of income support, in fact, people under the age of 30. As Ms Candice Burch said, it depends on your definition of “young”.

The PaTH program I will draw on as the first example. It pairs young welfare recipients with employers through unpaid, so-called internships. These interns receive \$200 a week from the government for between 15 and 25 hours of work. This amounts to as little as \$4 per hour paid by the government for young people who are working to generate profits for commercial businesses, including cafes and fast food franchises. Meanwhile the government gives a \$1,000 cheque to the business on top of the free labour.

Likewise, the Liberal’s Y4Y youth force is a \$1.4 million trial program that aims to “connect unemployed former students with short-term employment opportunities in the task-based, or gig, economy”. At a cost of \$17,500 per participant, the program aims to connect young people with short-term gigs like “gardening, driving and delivery, catering, and child minding” Madam Assistant Speaker, as you know, these are valuable services that can be delivered by businesses that employ permanent staff who have full access to the pay and conditions and protections that other Australian workers receive and enjoy.

But it does not stop there. The Liberals’ my maintenance crew program will create a “social enterprise” that provides event clean-up and maintenance services. This enterprise will hire young people as independent contractors, not as true employees. This initiative will cost \$18,700 per participant, or roughly \$7,000 more than a year’s worth of youth allowance, which might be okay if it provided any real training or skill development. But the fact is that it does not increase opportunity or skills for young people, it just uses them as an excuse to give taxpayer money to private businesses.

Company profits are soaring while wages stagnate. Insecure employment is preventing the next generation of workers establishing a stable position from which to negotiate better compensation from employers. Insecure employment is leaving workers exposed to greater exploitation. The most vulnerable workers in our society are being robbed of their hard-won rights and protections for the benefit of higher and higher company profits.

Meanwhile the Liberals are throwing money at rebranded work for the dole programs that are more focused on reinforcing bad employment practices than actually supporting unemployed young people to secure stable employment. Of course the Liberals shirking their responsibility in this regard is nothing new. Young people are not in the workforce for pocket money; they are there to support themselves through study, support their young families, support their parents or other relatives or try to build a stable life either as full-time employees or while they participate in education. The Liberals may think young people who want a fair go from their employer are job

snobs but the real job snobs are those who think low-skilled and unskilled workers do not count. (*Time expired.*)

Question resolved in the affirmative.

The Assembly adjourned at 4.39 pm until Tuesday, 20 February, at 10 am.

Answers to questions

ACT Ambulance Service—staffing (Question No 662)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 22 September 2017:

- (1) What is the working minimum amount of crews the ACT Ambulance Service (ACTAS) provides at any given time.
- (2) How many times have ACTAS been below this level of minimum crewing during (a) 2017, (b) 2016-17 and (c) 2015-16.
- (3) Has there been a drop in the ACTAS emergency response times this year.
- (4) How many qualified ambulance officers are/were employed on a full-time contract with flexible working arrangements in (a) 2017, (b) 2016-17 and (c) in 2015-16.
- (5) Of those qualified ambulance officers employed on flexible working arrangements, what are the average hours they actually clock-on for per week.

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

- (1) ACTAS aims for a minimum of 10 emergency ambulance crews during each shift and provides for two additional demand crews each 24 hour period. These crews assist in the management of peak periods of community demand.

The minimum crewing level for emergency ambulances is informed by historical and predictive data analysis and reporting.

To further assist in response times and community safety, ACTAS utilises a deployment matrix to guide and inform the best placement of its available resources at any given time.

- (2) There are two shifts per day (day shift / night shift), which equates to approximately 730 shifts per year. The table below represents the number of times where fewer than 10 emergency ambulances were available during a shift:

Financial Year	Shifts with less than minimum crewing
2015-16	222
2016-17	303
2017-18 (to 6 December 2017)	115

During known periods of low demand, ACTAS may operate with fewer than 10 emergency ambulance crews in the knowledge that the high standard of care for the community is maintained. The figures in the table above include these instances.

- (3) ACTAS emergency response times are publically available in the Report on Government Services (ROGS) at <http://www.pc.gov.au/research/ongoing/report-on-government-services> and in Justice and Community Safety Annual Reports at <http://www.justice.act.gov.au/page/view/197/title/annual-reports>.

- (4) Staff numbers on flexible workplace arrangements fluctuate significantly over the course of a year. The table below represents the number of individual staff members employed on flexible working arrangements as at June each year:

Date	Number of individual staff members employed on flexible working arrangements
June 2015	24
June 2016	25
June 2017	32

All officers are permanent public servants working a variety of part-time hours.

- (5) Providing a response to this question would require a considerable amount of staff time and resources to answer, and unreasonably redirect ESA personnel away from important functions. As such, I have determined it is not appropriate to provide a response to this question.

Canberra Hospital—patient flow management (Question No 774)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 27 October 2017:

- (1) In relation to the question taken on notice on 16 August 2017 about patient flow management, how many code yellow incidents occurred at The Canberra Hospital in (a) July 2016, (b) August 2016 and (c) September 2016.
- (2) Under the capacity escalation procedure, issued on 5 December 2016, for (a) July 2017, (b) August 2017 and (c) September 2017, how many (i) level 1, (ii) level 2 and (iii) level 3, escalations were recorded;
- (3) What are the criteria that determine each escalation level.

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

1. A Code Yellow is an emergency response code to deal with any internal incident that threatens to overwhelm or disrupt services.

Canberra Hospital and Health Services no longer refers to Code Yellow for patient flow pressures. Instead, a numerical escalation that is represented as Level 1 to Level 3 is outlined in the Capacity Escalation Procedure.

Number of equivalent code yellows recorded at the Canberra Hospital by month:

- | | |
|-------------------|-------|
| a. July 2016 | One |
| b. August 2016 | One |
| c. September 2016 | Three |

2. Canberra Hospital and Health Services was at Alert Level 3 throughout July, August and September 2017. The following measures were put in place in order to safely manage capacity:

- Winter inpatient bed management strategies.
- Nine more Emergency Department (ED) beds opened as the final stage of ED expansion in July.
- Additional nurses recruited in paediatrics, as well as permanent and casual positions in the nurse/midwifery relief pool.
- Adjusted wards person rosters to meet afternoon/evening demand through ED and Medical Imaging.
- More Hospital Assistants to clean beds and maintain medical stock levels.
- Increased afternoon and evening availability of the central equipment courier for transporting items including medication to and from pharmacy and pathology.
- Winter testing regime in Pathology, increasing instrument capacity, staff availability over the weekend, and prioritising ED and inpatient samples.
- Daily operational focus on managing patient movement through the hospital.
- Organisational targets focusing on discharging patients who are safe to go home earlier in the day; ensuring continued safe discharges across the weekend and reducing length of stay where clinically appropriate.
- Aim to keep long length of stay patients below 250 (days).
- Communications strategies throughout Canberra Hospital to ensure staff were cognisant of demand pressures.

3. As outlined in the Capacity Escalation Procedure, there are three levels of alert and the criteria that determine each escalation level are:

Alert Level 1 - beds available for new admissions and patient flow being achieved.

Trigger: two or more of the following:

- Hospital 90-94 per cent occupancy across all Divisions
- Five or below bed booked patients in the Emergency Department (ED)
- Intensive Care Unit (ICU) at capacity (funded beds)

Alert Level 2 - limited availability of beds, patient flow is compromised

Trigger: two or more of the following:

- Hospital 95-99 per cent occupancy across all Divisions
- Between six or 10 bed booked patients in the ED
- ED resuscitation room full
- ICU over capacity (funded beds)
- Isolation beds unavailable
- Ambulance off loads in ED corridor

Alert Level 3 - bed availability critical services disrupted

Trigger: two or more of the following:

- Hospital > 100 per cent occupancy
- More than 11 bed booked patients in ED
- All surge beds open
- Unable to decant resuscitation room
- Unable to admit patients from other hospitals
- Isolation beds unavailable and cohorting unable to be implemented
- ICU over capacity (funded beds)
- Considering cancellation of surgery.

Health—waiting times (Question No 775)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 27 October 2017:

In relation to the answer to question on notice No 524, how many (a) category 1 patients were on a wait list and of those, how many were on a wait list for longer than 30 days, (b) category 2 patients were on a wait list and of those, how many were on a wait list for longer than 90 days and (c) category 3 patients were on a wait list and of those, how many were on a wait list for longer than 365 days on (i) 30 June 2016, (ii) 31 December 2016 and (iii) 30 June 2017.

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

1. The following table shows:

- the number of patients Ready for Care and
- the number of Patients waiting longer than clinically recommended time frames on the Gastroenterology Waiting list for the requested time periods.

period	Clinical Urgency	Clinically recommended time frames (days)	Ready for care Patients on Wait list	Patients waiting longer than clinically recommended time frames
30 June 2016	1	30	785	684
	2	90	1535	1108
	3	365	1536	586
31 December 2016	1	30	364	261
	2	90	1843	1613
	3	365	1779	871
30 June 2017	1	30	430	223
	2	90	1614	1340
	3	365	1741	1061

Rural fire services—radio network (Question No 828)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 1 December 2017:

- (1) What fireground radio communications devices and software do ACT Rural Fire Service (RFS) units use.
- (2) How does this compare with the NSW RFS counterparts.
- (3) Is fireground radio communication between ACT and NSW RFS units direct and secure; if not, what actions are being undertaken to resolve this.
- (4) Are there any plans to upgrade the ACT RFS fireground radio communication devices and software.

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

- (1) The ACT Rural Fire Service (ACTRFS) units use handheld and vehicle mounted radios using either the Territory Radio Network or Very High Frequency (VHF).
- (2) The NSW Rural Fire Service (NSWRFS) units use handheld and vehicle mounted radios using either the Government Radio Network, VHF, Ultra High Frequency (UHF) or Private Mobile Radio (PMR). The radio in use is dependent on the area of NSW you are in.
- (3) Currently there are no ACTRFS radio channels that are secured and there are no plans to secure them as the ACTRFS re-broadcasts some operational channels on a local open VHF channel for situational awareness for ACT landholders. There is full interoperability between ACTRFS and NSWRFS on the Government Radio Network and Territory Radio Network (GRN/TRN).
- (4) The ACT Government (including the ACT Emergency Services Agency) is in the process of procuring new radios under the Computer Aided Network and Territory Radio Network (CAD/TRN) technology upgrade. The tender evaluation is in process and commercial in confidence.

**National disability insurance scheme—transition
(Question No 829)**

Ms Lee asked the Minister for Disability, Children and Youth, upon notice, on 1 December 2017:

- (1) Does the latest ACT Public Dashboard on the National Disability Insurance Scheme (NDIS) state that as at 30 September 2017 (a) 6 309 participants have been determined eligible and active and 6 021 of them have a plan and (b) 1088 are ineligible and 355 are inactive; if so, what is the current status of the 288 that, as at 30 September, did not have a plan.
- (2) Of the 1088 that were found to be ineligible (a) how many were previously recipients of support packages from the ACT Government and (b) what were the reasons for ineligibility.
- (3) How long can a person with an NDIS plan that is categorised as inactive continue to have that plan.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) (a) The figures quoted from the ACT Public Dashboard on the National Disability Insurance Scheme (NDIS) as at 30 September 2017 are correct.
- (b) The National Disability Insurance Agency (NDIA) is responsible for the approval of participant plans. The current status of 288 identified active eligible participants who do not have approved plans is a matter for the NDIA. The ACT Government, through the Office for Disability, is able to advocate on behalf of individuals who may have concerns regarding their planning process. However, only the NDIA can advise on the current status of the 288 active eligible participants who did not have approved plans as of 30 September 2017.

- (2) (a) The ACT has fully transitioned all eligible participants to the NDIS. The ACT Government is not aware of any people found ineligible by the NDIS that were previous recipients of ACT Government services and/or supports.

There may be instances where the NDIA has subsequently determined that an individual no longer meets the NDIS eligibility requirements, or proposes a significant reduction in the individual's package. Should such instances be drawn to the ACT Government's attention, the Office for Disability would contact the individual and advocate on their behalf, as appropriate.

- (b) Confidential NDIS participant information is not made publicly available and is not generally provided to the ACT Government.
- (3) An NDIS participant's plan is reviewed every 12 months, including consideration of the participant's ongoing eligibility.

Sport—ovals (Question No 830)

Mr Milligan asked the Minister for Sport and Recreation, upon notice, on 1 December 2017:

- (1) In relation to the provision of additional facilities for groups using Amaroo Playing Fields and maintenance of off-oval event areas, can at least two additional throw circles be provided on the lower oval at Amaroo Playing Fields.
- (2) Can Gungahlin Little Athletics Centre be assisted with a reduced hiring fee for the usage of the main (football) oval.

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

- (1) The Amaroo Playing Fields are currently serviced by five throwing circles. While there is no capacity to provide additional throwing circles at this time, this request will be considered among other competing priorities for future upgrades of sportsground facilities.
- (2) Hire fee rates have been established through consultation with the sporting community and already provide for reduced rates for junior sport use. The government applies a fair and consistent approach to providing public subsidies to all user groups.

Transport—light rail (Question No 836)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) In relation to the answer to question on notice No 668, what requirements are Canberra Metro required to comply with in accordance with the local industry project agreement.

- (2) What targets does this agreement apply in regards to contracts awarded to local entities.

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

- (1) The Canberra Metro Consortium has a contractual obligation to recognise the ACT Government's requirements for local industry participation.
- (2) In accordance with its contractual obligations, Canberra Metro has prepared its Local Industry Participation Plan (LIPP), which contains the commitment to a percentage of locally resourced products and services during delivery phase of 50%.

Energy—concessions (Question No 839)

Ms Le Couteur asked the Treasurer, upon notice, on 1 December 2017:

- (1) Given that from 1 July 2017 the energy and utility concession and the water and sewerage rebate were combined into a single Utilities Concession at a maximum rebate of \$604 per household and prior to this renters received up to \$426 and home owners \$850, how many renters are able to access the concession.
- (2) What was the additional cost to government per year of the changes in concession.
- (3) Is the Treasurer able to say what would the cost to government have been for providing renters with the same total level of concessions that home owners received.
- (4) Given that rates rebates used to be 50 percent of rates for eligible home owners and is now capped at \$700 per annum except for pre-existing eligible homeowners where the rebate has been rebate capped at the 2015–16 level if it exceeded \$700 in that year, what would the total cost to government have been if the 50 percent rates rebate was continued for eligible home owners.
- (5) How many homeowners receive the 50 percent rebate.

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

- (1) Data specific to renters is not available for the new scheme as this is not collected.

However, while eligible home owners had access to the former water and sewerage rebate, there were around 18,900 energy and utility concession recipients, out of a total of 33,400, who did not receive the water and sewerage rebate in 2016-17 prior to these changes. The numbers used are approximate as these can change monthly.

This included a combination of renters, unit owners, and any other cases where a person who was eligible for the energy and utility concession did not have a water and sewerage account in their name or was not listed on the title of the property as owner or part owner.

There is no equivalent data for 2017-18.

- (2) The changes introduced from 1 July 2017 are a redistribution of the concession and there is no additional cost per year.
- (3) The additional cost in 2017-18 to provide the same value of assistance that home owners received in 2016-17 to all concession recipients would have been around \$8 million.
- (4) Analysis undertaken prior to the 2016-17 Budget estimated the cost of the uncapped 50 per cent general rates rebate would reduce by around \$100,000 in 2016 17. The revenue savings associated with freezing the uncapped rebate increase over time as general rates increase in line with the government's tax reform program to abolish conveyance duty.

Eligibility to receive the uncapped concession was based on year of entry, with all other eligibility criteria the same as the uncapped concession. This meant the gap between the two schemes was increasing. The freezing of the uncapped rebate was introduced to make the scheme fairer by reducing the gap between the uncapped and capped schemes over time.

- (5) 2,643 properties received the uncapped 50 per cent rebate in 2016-17 (up to the value of the concession received in 2015-16). On average, the uncapped rebate is around \$910 compared to the capped rebate of \$700. Around 16,000 properties received the capped rebate in 2016-17.

Schools—advertising and sponsorship (Question No 842)

Ms Le Couteur asked the Minister for Education and Early Childhood Development, upon notice, on 1 December 2017:

- (1) In relation to alcohol advertising restrictions at Education Directorate facilities, what is the ACT schools' policy for types of advertising and sponsorship.
- (2) Are schools restricted in their options for sponsorship.
- (3) Can alcohol companies sponsor activities run by ACT schools.

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

1. As stated in Part 3.2 of the Directorate's Corporate Sponsorship Procedure, which can be found at:
[https://www.education.act.gov.au/publications_and_policies/policy-search?result_791371_result_page=\\$&queries_name_query=sponsorship&search_page_752597_submit_button=Submit¤t_result_page=1&results_per_page=10&submitted_search_category=&mode=](https://www.education.act.gov.au/publications_and_policies/policy-search?result_791371_result_page=$&queries_name_query=sponsorship&search_page_752597_submit_button=Submit¤t_result_page=1&results_per_page=10&submitted_search_category=&mode=)

Direct sponsorship agreements will only be negotiated with organisations whose public image, products and services are consistent with the values, corporate purpose and specific policies of schools, the Directorate and the ACT Government. Any company or organisation whose name is associated with the manufacture, distribution or sale of tobacco products, alcoholic beverages, pornography or armaments is not regarded as an appropriate sponsor.

2. Yes schools are restricted in their options for sponsorship.
 3. No, alcohol companies are not able to sponsor activities run by ACT schools.
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**Housing—rental bond scheme
(Question No 843)**

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 1 December 2017:

- (1) Further to the answer to question on notice No 653 in relation to the Rental Bonds Scheme, are people who are on government welfare benefits eligible to apply for a bond loan.
- (2) How quickly are bond loans processed.
- (3) How long does a person have to pay off the loan and what is the average repayment schedule.
- (4) How is the bond loan scheme being promoted.

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

- (1) People on statutory incomes may apply for the rental bond loans scheme providing they are within the income test thresholds applicable for their circumstances and meet the eligibility criteria of the scheme.
 - (2) For the period 1 July 2017 to 30 November 2017, the average time between receipt of application and approval of the bond loan was 10 calendar days.
 - (3) Rental Bond Loans are repaid over 20 months from the start of the repayment schedule. The repayment schedule begins no later than 3 months from the date the loan is granted. For the period from 1 July 2017 to 30 November 2017, the average amount paid per instalment was \$26.98.
 - (4) Information about the rental bond loan scheme is available on the Community Services Directorate website. I have also taken the opportunity to write to key external stakeholders to highlight the scheme and encourage those who are eligible to apply.
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**ACTION bus service—bus shelters
(Question No 847)**

Ms Le Couteur asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) Is advertising for alcohol allowed on Adshel private bus shelters.
- (2) What are the terms of their contract.
- (3) Are there any other restrictions in their contract.

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

- (1) Yes, alcohol advertising is permitted in the ACT. However, all advertising has to meet the guidelines set by the Outdoor Media Association (OMA), the Australian Association of National Advertisers (AANA) Code of Ethics, the AANA Code for Advertising and Marketing Communications to Children and the ABAC Responsible Alcohol Marketing Code.
 - (2) Under the contract, prohibited advertisements include those that:
 - (a) are political, religious, pornographic, false or misleading;
 - (b) depicts smoking or tobacco products or products or activities contrary to public health;
 - (c) resembles any traffic signs, or has the appearance of giving any instructions or other directions to traffic, or constitutes a traffic hazard;
 - (d) promotes unlawful or illegal goods, services or activities;
 - (e) are determined by the Territory acting reasonably to be offensive; or
 - (f) are determined by the Territory acting reasonably to have negative impact on the Territory's promotion of public transport.
 - (3) There are no other restrictions other than all advertising content meeting the Outdoor Advertising Standards which is set by the Advertising Standards Bureau.
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Housing—residential tenancy legislation reviews (Question No 853)

Ms Le Couteur asked the Attorney-General, upon notice, on 1 December 2017:

- (1) In relation to previous and ongoing reviews of residential tenancies legislation in the ACT, what reviews, either internal or via an external agency or consultant, have been undertaken into residential tenancies legislation or process in the last five years.
- (2) What were the recommendations, resolutions or outcomes of those reviews, broken down into (a) completed (with date), (b) in progress (with tentative completion date), (c) ongoing, (d) rejected and (e) lapsed.

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

- (1) The Residential Tenancies Act 1997 (RTA) was formally reviewed once in the last five years. The review of the RTA took place from 2014 to 2016. The Justice and Community Safety Directorate (JACS) undertook public consultation between 24 July 2014 and 12 September 2014. Public consultation was advertised on the JACS website and the ACT Government's 'Time to Talk' page. JACS officers also notified community organisations about the review.

Two discussion papers were developed about the RTA to assist with consultation. One focused on general RTA issues, while the other focused on social housing issues. Feedback on the review was provided through written submissions, telephone submissions, an online survey and attendance at one of two public forums held during the consultation period. The public forums were facilitated by an external facilitator, Ms Cathi Moore.

The online survey received 94 responses. JACS received four submissions through the JACS website, 23 by email and eight by post. Approximately 40 people attended the two public forums.

- (2) The report on the review of the RTA was tabled in the ACT Legislative Assembly during the June 2016 sittings. The report included first and second tranche recommendations.

First tranche recommendations

The RTA and *Uncollected Goods Act 1996* were amended in 2016 to give effect to the first tranche recommendations in the report. The *Residential Tenancies Legislation Amendment Act 2016* made the following amendments:

1. The RTA contains an optional 'fair clause for posted people', which the parties to the agreement can terminate the agreement if posted elsewhere in the course of their employment (e.g. military deployments in the defence force). The RTA was amended to provide:
 - (i) in order to be valid, a notice exercising the posting clause must be accompanied by evidence, such as a letter from the employer confirming the details of the deployment and confirming that the timing is non-negotiable; and
 - (ii) the notice period for exercising the posting clause that has the effect of terminating a fixed term lease be increased from four weeks to eight weeks.
2. The RTA was amended to provide that, where a protection order has been granted with an exclusion clause, a protected person can apply to ACAT for an order to terminate the tenancy and to require the lessor to enter into a tenancy agreement with that person.
3. Section 44 of the RTA was amended to include a note stating that where an interim domestic violence or personal protection order with an exclusion clause is in place and the protected person is a tenant who wishes to leave the property, this may constitute grounds for termination of a fixed term agreement due to significant hardship.
4. The Standard Terms of the RTA were amended to expressly permit a protected person under an interim or final order (whether a tenant or person residing at the residence) to change the locks. A copy of the key to the changed lock must be provided to the lessor or their agent as soon as possible unless doing so would compromise the safety of the protected person.
5. The RTA was amended to include a requirement for end-of-tenancy inspections in the presence of both the lessor and the tenant. The amendment also requires a condition report based on the final inspection and signed by both parties where possible.
6. The RTA was amended to require the lessor to notify the tenant if they will be making a claim on the bond and the reason for the claim.
7. The Uncollected Goods Act was amended to clarify the application of the Act for lessors dealing with goods, including abandoned vehicles, left on leased premises and in common areas of complexes by an outgoing tenant
8. The RTA was amended to allow the inclusion of an optional additional 'break-lease' term similar to those available in NSW.
9. The RTA was amended to provide a right of access to a lessor or their agent where they reasonably believe that premises have been abandoned. The amendments include safeguards to prevent any potential misuse of this provision.

10. The RTA was amended to require properties without an Energy Efficiency Rating (EER) to be identified as such when advertised for rent.
11. The RTA was amended to mandate smoke alarms in all rental properties in the ACT, with tenants responsible for replacing batteries and reporting when the smoke alarm is not working, and lessors responsible for installation and maintenance.
12. The RTA was amended to recognise the reasonable costs of re-securing a property in response to a failure by a tenant to return keys to the lessor as a legitimate matter for a bond deduction.

Second tranche recommendations

The second tranche recommendations cover issues that were identified as significant during the review but required further legislative development. The report made the following second tranche recommendations:

1. Consider amending the RTA to include provisions similar to those in the NSW Act that a tenant may terminate a fixed term lease with 14 days notice if they can demonstrate they have accepted accommodation in social housing premises or an aged care facility or the lessor intends to sell the premises and did not disclose this before entering into the fixed term agreement.
2. Consider amending the Standard Terms to reduce the notice required for a lessor to terminate a periodic tenancy from 26 weeks to 12 weeks.
3. Consider amending clause 28 of the Standard Terms to reduce the maximum rent payable in advance to two weeks, instead of the current four weeks.
4. Consider amending the RTA to include a power for ACAT to issue notices about additional inconsistent terms that may be included in a lease without seeking ACAT endorsement. Notices issued by ACAT would be notifiable instruments. Criteria for inconsistent terms would be developed under s 10 (6) of the RTA.
5. Consider amending the RTA to provide that the unlawful inclusion of terms that are inconsistent with the RTA, or additional terms that have not been endorsed by ACAT, constitutes grounds for a tenant to terminate a lease.
6. Consider amending clause 70(a) of the Standard Terms (Tenant must not use the premises for illegal purposes and must not disturb the neighbours) to remove or modify the requirement for a 'detriment to the lessor's interest in the premises'.
7. Consider amending the RTA to remove the self-executing component of the conditional termination and possession order (CTPO) provisions, so that a breach of a CTPO does not automatically end the tenancy.
 Where a breach occurs, the lessor would have the right to apply for a termination and possession order and a warrant for eviction within 60 days of the breach initially occurring. If a lessor chooses not to pursue a breach of a CTPO, the tenancy and order would continue unaffected, with the debt remaining with the tenancy. Further breaches may be actioned within 60 days of occurring.
8. Consider establishing a working group to consider the issues relating to occupancy agreements and develop recommendations. The working group would be asked to consider the development of standard occupancy terms, with particular emphasis on providing occupants with protections similar to those enjoyed by tenants as far as possible while retaining flexibility.
9. Consider amending the RTA to provide that a lessor cannot unreasonably refuse a subletting arrangement for part of the property, or a request to join a party to the lease, similar to the NSW provision. This amendment would not apply to social housing tenancy agreements.

10. Consider amending the RTA to:
 - (i) preserve a periodic tenancy notwithstanding termination by a co-tenant, broadly consistent with s 101 of the NSW Act; and
 - (ii) permit remaining co-tenants to apply to ACAT to terminate the tenancy as a whole.
11. Consider amending the RTA to allow a single co-tenant to terminate a fixed term tenancy while preserving the tenancy for the remaining co-tenants, provided that it is appropriate to do so in the circumstances of the case, similar to s 102 of the NSW Act.
12. Consider developing minimum standards for reasonable security in ACT rental properties, similar to Western Australian requirements, with guidelines to be developed in consultation with stakeholders, and standards to initially apply only to new properties in the rental market.

Since the passage of the Residential Tenancies Legislation Amendment Act, JACS officers have been considering the second tranche recommendations. All of the second tranche recommendations are under consideration and none of the recommendations have been rejected. Three working groups of key stakeholders have been formed to examine issues relating to occupancy agreements for different types of accommodation: short term crisis accommodation, student accommodation and caravan and mobile housing. These groups have met in 2017 and will continue to meet in 2018 with a view to developing recommendations for Government.

JACS officers have also been consulting with key stakeholders on the conditional termination and possession order (CTPO) provisions of the RTA. This engagement will continue in 2018.

Domestic and family violence—government initiatives (Question No 854)

Ms Le Couteur asked the Attorney-General, upon notice, on 1 December 2017:

- (1) In relation to the 2010 Australian Law Reform Commission (ALRC) Report into *Family Violence – A National Legal Response* (Report 114) and Parliamentary Agreement item 11.2 regarding the implementation of any outstanding ALRC recommendations on sexual assault, can the Attorney-General provide an update on what the Sexual Assault Reform Program has achieved or worked on over the past twelve months
- (2) What were the recommendations, resolutions or outcomes of the ALRC Report's 187 recommendations' implementation in the ACT, broken down into (a) completed (with date), (b) in progress (with tentative completion date), (c) ongoing, (d) rejected and (e) lapsed.

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

- (1) The last meeting of the Sexual Assault Reform Program met in March 2016. However, the Government intends to consult the Sexual Assault Reform Program on future work on sexual assault legislation reform. This forum will continue to provide assistance relating to sexual assault reform which falls outside the remit of Royal Commission reforms.

- (2) Part of the unified Australian response to the report included arranging a national working group; the Standing Council on Law and Justice working group on national response to ALRC/NSWLRC report into family violence which assessed each recommendation and categorised the recommendations into four categories:
- 131 States and Territories only recommendations;
 - 22 Commonwealth only recommendations;
 - 24 joint Commonwealth and State recommendations;
 - the remainder as National collaboration project recommendations.

The ACT Government systematically reviewed the recommendations in the report to assess those that impacted on the ACT. As part of this review, the ACT received written submissions and hosted six roundtable consultations with government and non-government agencies from 2012 to 2016.

Of the 131 State and Territory recommendations, over 60 percent have been actioned. Some had already been implemented or required no action in the ACT (for example the recommendations which applied to specific provisions in other jurisdictions), around 20 percent were implemented through legislation in the *Family Violence Act 2016*, with a number requiring non-legislative, cultural or administrative changes (for example police operating guidelines or codes of practice for family violence).

A comprehensive review of the implementation program will be revisited in line with possible future amendments for the *Family Violence Act 2016* to be advanced in 2018.

The remaining recommendations fall into the following categories:

- the recommendations interact with Federal reviews, and need national consensus on jurisdictional-specific amendments that align with federal laws (for example, the intersection between the child care and protection and family law systems)
- the recommendations were likely to be covered in more specific detail through the Royal Commission into Institutional Responses to Child Sexual Abuse and should be considered in that context (for example, amendments to tendency and coincidence laws); or
- the recommendations involve particularly complex human rights, legal or technical changes that require significant further planning and consultation (for example creating homicide defences).

Implementation on the remaining recommendations will be progressed in accordance with other family and sexual violence commitments that the ACT Government has made.

Fyshwick—waste to energy plant (Question No 857)

Ms Lee asked the Minister for Climate Change and Sustainability, upon notice, on 1 December 2017:

- (1) In relation to the Waste to Fuel incinerator planned for Fishwick, what assessment has been done of the similarities between the proposed incinerator at Fishwick and the incinerators used in countries like Sweden that have burnt waste to convert to energy since 1904.

- (2) Given Sweden recycles nearly 100 percent of their household waste and heavy metal emissions have been reduced by 99 percent since 1985 even though they burn three times more waste today than in 1985, why has the Minister ruled out any consideration of such technology.
- (3) What other overseas countries use incineration of waste to generate energy.

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

- (1) The planning and land authority has advised me that an application was previously submitted for a materials recovery facility and waste to energy facility in Fyshwick. The proponent has now submitted a new application for a materials recovery facility only. The planning and land authority is currently preparing a scoping document for the proposal, hence, assessment of the application has not yet commenced. If a subsequent application for a waste to energy facility is lodged, consideration will be given to how similar proposals operate as part of the assessment process.
- (2) The ACT Government operates according to the principles of the waste hierarchy, where the highest value use of materials is prioritised. Incineration of materials for energy generation does not necessarily constitute the highest value use of materials. Material recycling is a higher value use, as is biological processing of organic materials. Both of these options present a more favourable environmental outcome than incineration of waste for energy capture.

This is particularly true in the ACT where the use of electricity from the incineration of non-biomass materials (e.g. plastics) would increase the emissions intensity of our electricity supply. The emissions intensity of electricity from the incineration of non-biomass materials is roughly equivalent to that of electricity from coal-fired power stations.

Achieving a high resource recovery rate is not the only consideration in making decisions on waste management. We need to take a holistic approach to waste management which considers broader economic, social and environmental impacts of treatment options, including greenhouse gas emissions. It is important that resource recovery outcomes are balanced with emission reduction outcomes and consider whole of life impacts.

- (3) The recovery of energy from waste by way of incineration is used in a range of countries across the world. There is a concentration of waste incineration plants in the countries of the European Union and Asia.

Roads—Barton Highway roundabout (Question No 861)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) How many traffic incidents (crashes) have been recorded at the Barton Highway/ Gundaroo Drive/ William Slim Drive roundabout in (a) the period from 20 December 2016, when the traffic signals at this intersection became operational, to 30 June 2017, (b) the full financial year of 2016-17 and (c) 2017-18 to date.

- (2) Has any analysis been conducted of the traffic incidents which have been recorded at the Barton Highway/ Gundaroo Drive/ William Slim Drive roundabout since the intersection was signalised to assess if further upgrades to the intersection are required; if so, what were the findings of that analysis.
- (3) Has any analysis been conducted of the traffic flows on surrounding roads since the Barton Highway roundabout was signalised; if so, what were the findings of that analysis.
- (4) What conclusions have been reached regarding the effectiveness of the project to signalise the Barton Highway/ Gundaroo Drive/ William Slim Drive roundabout.

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

(1)

Time frame	Injury crashes	Property Damage Only crashes	Total number of crashes	Comments
01/01/2016 - 31/12/2016	2	62	64	Barton Highway Intersection Signalisation construction continues disrupting flows. Intersection signalisation in operation December 2016
01/01/2017 – to date(12/17) (Preliminary)	4	43	47	Barton Highway Intersection Signalisation construction completed (William Slim Drive approach) February 2017

Please note 2017 data is only preliminary.

- (2) The available reported crash data set is currently not sufficient to carry out an appropriate analysis to see if further upgrades to this intersection are required.
- (3) No, for evaluation purposes, travel data is collected over a year to compare to prior travel patterns to measure the success and impacts of the intersection improvements. The range of roadworks across the Gungahlin district impact the travel patterns of drivers through the network, full appreciation of the impact and effectiveness of the intersection improvements will not be clear until these works are completed.
- (4) Taking an average traffic volume of 43,705 vehicles per day (max 46,806 vehicles per day) as assessed November 2017, there have been no complaints regarding delays or queueing at the intersection since the intersection signalisation has been in operation and the initial acceptance period elapsed.

Signalisation of the intersection has resulted in reduced delays in the morning peak, and in the evening peak; with significantly less queuing during these periods. The signals operate to balance the green time for each phase and the volume of traffic on each leg of the intersection.

Similar reductions are evident in the reverse evenings flows out of the city along the Barton Highway and William Slim Drive.

Egress from Crace is markedly improved with no complaints from the residents of this estate received following completion of the intersection improvements.

**Transport—light rail
(Question No 862)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) Could the Minister advise, since the beginning of the 2017-18 financial year, the total number of employees dedicated to public relations, communications or media related functions for Stage One of the light rail project.
- (2) What has been the total number of employees dedicated to public relations, communications or media related functions for Stage Two of the light rail project since the beginning of the 2017-18 financial year.
- (3) What has been the total salary expenditure for employees dedicated to public relations functions, communications or media related functions for Stage One of the light rail project since the beginning of the 2017-18 financial year.
- (4) What has been the total salary expenditure for employees dedicated to public relations functions, communications or media related functions for Stage Two of the light rail project since the beginning of the 2017-18 financial year.
- (5) Can the Minister list any external organisations contracted to advise on or undertake public relations functions, communications, design or media related functions for either Stage One or Stage Two of the light rail project from 1 July 2017, including those organisations with an ongoing contract as at 1 July 2017.
- (6) In relation to part (5), can the Minister provide (a) value and duration of the contract, (b) costs paid to date and (c) purpose of the contract.

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

- (1) There are seven employee roles for performance of duties across Stages 1 and 2 of the Light Rail project in public relations, communications and media related functions. One of the roles is not dedicated solely to light rail, that is, it spends time on other TCCS communications.
- (2) See above.
- (3) The total salary expenditure for employees in public relations functions, communications or media related functions for Stages 1 and 2 of the light rail project since the beginning of the 2017-18 financial year is \$363,480. Note that these roles have not been filled for this whole period.
- (4) See above.
- (5) There have been two external organisation contracted to advise on or undertake public relations functions, communications, design or media related functions for either Stage 1 or Stage 2 of the light rail project, either "from 1 July 2017" or with "an

ongoing contract as at 1 July 2017"; they are Elton Consulting Group Pty Ltd and Struber Pty Ltd.

- (6) (a) The value of the contract with Elton is \$214,724.00 (Excl. GST), and the duration of that contract is 12 months. The value of the contract with Struber Pty Ltd is \$120,448 (upper limit) and the duration of that contract is approximately 2 months.
- (b) The cost paid to Elton from 1 July 2017 to date is \$15,030. The cost paid to Struber from 1 July 2017 to date is \$44,485.
- (c) The purpose of the contract with Elton was to produce and implement a Communications and Stakeholder Management Program for LRS2 that was implemented in May-June 2017. Following that process, Elton have provided ongoing advice that informed the development of the LRS2 Business Case. The purpose of the contract with Struber awarded in November 2017 has been to produce a Stakeholder Management Program for LRS2 to be implemented throughout 2018.

Same-sex marriage—public artworks (Question No 864)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) Can the Minister provide the total number of roundabouts and garden displays that were decorated in response to or as part of an event, including events recreational or political in nature, for each financial year since 2014-15 to date, and including the (a) nature of the event, (b) nature of the roundabout or garden display, (c) location of the roundabout or garden display, (d) cost of the project and (e) length of time the roundabout or garden display was decorated for.
- (2) Does the ACT Government receive any revenue from the decoration of roundabouts or garden displays decorated for events; if so, can the Minister provide for each financial year since 2014-15 the (a) event, (b) total value paid to the ACT Government by the event or associated entity, (c) total cost of the display, (d) location of the roundabout or garden display and (e) length of times the roundabout or garden display were decorated for.
- (3) Does the ACT Government have a policy or guidelines on the decoration of roundabouts or garden displays; if so, can the Minister provide a copy; if not, why not.
- (4) When was the rainbow roundabout at the intersection of Lonsdale and Elouera Streets in Braddon commissioned.
- (5) Did any Minister give directions to install the rainbow roundabout at the intersection of Lonsdale and Elouera Streets in Braddon; if so, what (a) Minister, (b) was the date the decision was made and (c) was the date of the directions.
- (6) How many public servants were involved in the procurement and installation process of the rainbow roundabout at the intersection of Lonsdale and Elouera Streets in Braddon and in what capacity?

- (7) How many volunteers assisted in painting the roundabout at the intersection of Lonsdale and Elouera Streets in Braddon and how were they selected.
- (8) If volunteers were selected from an organisation or Government entity, can the Minister provide the name of the organisation or entity and the number of volunteers.
- (9) Will Transport Canberra and City Services (TCCS) alter further roundabouts or garden displays in response to the “Yes” vote in the Australian Marriage Law Postal Survey or to otherwise display a rainbow or lesbian, gay, bisexual, transgender, intersex and questioning (LGBTIQ) design during the remainder of 2017-18; if so, can the Minister provide (a) the locations of roundabouts or garden displays which have been identified for inclusion, (b) what work will be undertaken and (c) the budget of the project, or a breakdown of the cost of the project.
- (10) Can the Minister provide a breakdown of the budget of each roundabout or garden display supporting the “Yes” vote in the Australian Marriage Law Postal Survey or otherwise displaying a rainbow or LGBTIQ design, including (a) design, (b) procurement, (c) materials, (d) installation and (e) maintenance.

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

- (1) (a) (b) (c) (e) Three floral displays planted regularly since 2014-15 as detailed in the tables below.

Floral Bed located on Northbourne Avenue, City Hill.

Organisation	Dates
Diabetes Australia	September 2014- January 2015
Department of Immigration and Citizenship- Harmony Day	January - April 2015
Capital Football- Kanga Cup	April - June 2015
Cancer Council ACT	September 2015 - January 2016
ACT Seniors Week	March - June 2016
Vietnam Veterans	July - October 2016
Lifeline	November - March 2017
Australian Rescue and Foster	May 2017

Floral bed located at the intersection of Northbourne Avenue and Antill Street, Dickson

Organisation	Dates
World Alliance for Breastfeeding Action- World Breast Feeding Week	April - September 2014
Diabetes Australia	September - December 2014
Events ACT- Asian Cup	January - March 2015
Autism Asperger ACT	April - October 2015
PANDSI	August - December 2016

Floral bed located at the intersection of Drakeford Drive and Marconi Crescent, Kambah

Organisation	Dates
MS Australia	April - October 2014
L’ARCHE Genesaret Inc	November - March 2015
Autism-Asperger ACT	May - August 2016
Corroboree Frog	October 2016
Lions Club	April 2017

- (d) The estimated cost for Transport Canberra and City Services to install each City Hill floral display is \$7,000 and \$4,000 per display at Dickson and Kambah.
- (2) No revenue is received by the ACT Government for floral displays.
- (3) Yes, the ACT Government has guidelines for floral bed displays. Please see policy attached.
- (4) October 2017.
- (5) The City Renewal Authority briefed the Chief Minister to seek agreement to the installation of rainbow artworks in October 2017. On 5 October 2017 the Chief Minister agreed to the recommendations of the brief – noting that the Elouera and Lonsdale Street Roundabout should commence as a recognition of a ‘yes’ vote after the resolution was known.

(6)

WHO	NUMBER	CAPACITY
LGBTIQ Office	2	Coordination of volunteers
TCCS	1	Procured artist and coordinated delivery of artwork
CRA	1	Coordination of CRA activities
CRA	1	Coordination of and volunteers on day of painting.

- (7) 21 volunteers assisted in the painting of the roundabout at the intersection of Lonsdale Street and Elouera. The Office for LGBTIQ Affairs sought expressions of interest from community groups to assist in painting the roundabout.

(8)

Organisation	Number of Volunteers
Canberra Gay and Lesbian Qwire	7
YWCA Youth Programs	6
Australians for Marriage Equality	5
ANU Ally Network	3

- (9) There are no plans to alter other roundabouts in response to the ‘Yes’ vote in Canberra at this stage.

(10)

Roundabout – Lonsdale Street (final costs)

Procurement	\$0
Artists costs	\$0
Materials	\$3,961.50 (ex GST)
Installation (traffic Management)	\$1,400 (ex GST)
Maintenance	\$0
Promotion	\$0

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

**Roads—planning
(Question No 865)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) How many requests have been made to the ACT Government regarding proposals or development of new or connecting roads each financial year since 2014-15.
- (2) How are requests from the public regarding the development of new or connected roads assessed by the ACT Government.
- (3) Can the Minister provide an outline of how the ACT Government determines whether new or connecting roads are necessary.
- (4) Can the Minister provide a breakdown of the cost components of developing new or connecting roads, including (a) planning costs, (b) materials, (c) contractor costs and (d) any other relevant categories of cost.

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

- (1) TCCS does not currently record a register of independent requests from the public for the development of new or connecting roads.
- (2) Specific requests for the development of new or connecting roads submitted by the public are considered by Roads ACT when annual review of road network capacity is assessed.
- (3) TCCS maintain an extensive record of road network data and analysis processes. Transport planning and the provision of new road infrastructure responds to a range of variable factors such as traffic growth, urban development, public transport changes and safety factors. Each of these considerations and many more will determine the priority of road infrastructure upgrades.
- (4) Road infrastructure project delivery costs can vary significantly depending on the nature of the proposal. For example the retrofitting of infrastructure into an existing operating environment versus a Greenfield development area. TCCS refer to the national guidelines for Road Construction costs prepared by the Federal Government Department of Infrastructure and Regional Development for advice.

**Transport—light rail
(Question No 866)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

- (1) What is the projected date for the \$375 million capital contribution for Light Rail Stage 1.

- (2) What contract variations have taken place for Light Rail Stage 1 and can the Minister outline for each variation (a) the effect of the variation, (b) why the variation was necessary and (c) the date the variation came into effect.
- (3) What is the projection for the availability payment for each year of the Light Rail Stage 1 contract.
- (4) What is the projected date for Light Rail Stage 1 to be open to the public or passengers.
- (5) Has the cost of the Light Rail Stage 1 project increased; if so, can the Minister provide (a) the amount it has increased by, (b) the reason it has increased and (c) when the Government was made aware of the increase.
- (6) What will be the total cost of the Dickson bus station interchange.
- (7) If this is an increase from initial estimates, can the Minister outline why the cost has increased and by how much.
- (8) What will be the total cost of the Gungahlin bus station interchange.
- (9) If this is an increase from initial estimates, can the Minister outline why the cost has increased and by how much.
- (10) Has the Light Rail consortium or members of the consortium been commissioned to do additional work outside of the Light Rail Stage 1 contract; if so, what projects have been commissioned and at what cost.
- (11) What other works relating to Light Rail Stage 1 have been commissioned by non-consortium members that do not form part of the Light Rail contract.
- (12) How much has been spent to date on Light Rail Stage 2 contracts.
- (13) How much is expected to be spent before a decision is made by cabinet on whether to proceed with Light Rail Stage 2.
- (14) When is cabinet likely to make a decision about whether to proceed with Stage 2.

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

- (1) Late 2018.
- (2) Various contract modifications have been made as opportunities for more efficient project delivery or better user outcomes have arisen, and as design development has continued. The effect of the variations has been to enhance the delivery of, or user outcomes from, the project. Those variations have been adjudged to be necessary or desirable by the ACT Government. They have occurred at various times.
- (3) Please refer to the project's contract summary, pages 14 and 15.
- (4) Late 2018.

- (5) No. The Territory's project cost remains within the total D&C cost described in the project's Contract Summary.
 - (6) \$4 million.
 - (7) No, in line with initial estimates.
 - (8) The budget for the Gungahlin Bus Station is \$4 million.
 - (9) No, in line with initial estimates.
 - (10) The Light Rail Consortium or members of the consortium have not been commissioned by TCCS to do additional Light Rail Stage 1 work outside of the Light Rail Stage 1 contract. However, TCCS understands the D&C Contractor from the Light Rail Consortium has recently finalised contract negotiations with the Suburban Land Agency to undertake work (unrelated to light rail) along the Light Rail corridor. Contract details are a matter for the Suburban Land Agency.
 - (11) There has been the commissioning of an artwork by Indigenous artist "Uncle Jimmy" as a result of a competition run by Canberra Metro.
 - (12) Expected expenditure to November 2017 including accruals is \$13,915,386.
 - (13) The timing of a decision being made is a matter for Government. An estimate cannot therefore be provided.
 - (14) The timing of a decision being made is a matter for Government.
-

**Education—homestay program
(Question No 868)**

Mrs Kikkert asked the Minister for Education and Early Childhood Development, upon notice, on 1 December 2017:

- (1) How often do homestay providers/coordinators conduct inspections of homestay premises for the purposes of checking compliance to the Australian Government School International Homestay Standards.
- (2) Where a breach of standards has been found, what is the subsequent process in addressing breaches and enforcing standards.
- (3) As part of checking up and providing support, how often do homestay providers/coordinators contact (a) host families, (b) students and (c) school staff.
- (4) How often do host families and students undertake training or education sessions.
- (5) Have there been any requests by host families, students or school staff for particular topics to be addressed as part of a training or education session; if so, what are the topics.

- (6) What guidelines, procedures and standards are in place to ensure that homestay providers/coordinators are consistent in their practice of conducting assessments and inspections, as well as ensuring regular training and education sessions.
- (7) What mechanisms for review or redress are available should a host family, student or school staff member wish to make a complaint about the homestay program.

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

- (1) The International Education Homestay Program is managed by the Directorate's International Education Unit (IEU). The Homestay Coordinator undertakes an initial inspection and meeting with prospective homestay hosts and ensures that all members of the homestay aged 18 or over have current Working with Vulnerable People (WWVP) checks in place before approving an international student placement. Within the first ten weeks of each international student's arrival, an orientation visit by IEU staff occurs to support the student and homestay family to achieve a successful transition into study and life in Canberra. In addition, the IEU Homestay Coordinator completes a physical inspection of the suitability of every homestay residence at least every 12 months. As of 1 January 2018, the IEU will be undertaking more frequent accommodation suitability checks every six months, to align with the Commonwealth Department of Education and Training's new *National Code of Practice for Providers of Education and Training to Overseas Students, 2018*.
- (2) If there is a breach of standards found around the suitability of the residence, the homestay is provided with the opportunity to rectify the issue. Contact is made by the Homestay Coordinator with the homestay hosts to discuss and rectify any concerns raised in order to achieve a satisfactory resolution. If the issue is not remedied to a satisfactory standard, arrangements are made to transfer the student into another homestay deemed appropriate.
- (3) Homestay host families and students are contacted at least once a term by IEU staff and more regularly if required. Liaison between school staff and IEU staff occurs regularly and as required and more formal meetings are conducted once per school term. The IEU is available to homestay families and international students during business hours for assistance. For all urgent issues outside of business hours, an emergency help line is available at 1800 682 175.
- (4) Homestay host families undertake the following training:
 - initial training and information session before hosting a student,
 - training and an in home visit within ten weeks of each new student arriving, and
 - an annual mandatory training session which outlines homestay host rights, responsibilities and best practice.

All international students are provided with an initial orientation session upon arrival, a follow up orientation session within the first month after their arrival and subsequent compulsory information sessions each semester. In addition, all schools hosting international students provide an orientation session in the first week of the academic semester.

- (5) There are regular requests from all parties to address specific topics, such as advice about providing assistance to integrate students into both their new families and the broader community, part time work, dietary and food expectations, expectations around household chores, curfews and meeting the expectations of offshore parents.

- (6) The Directorate's Homestay Coordinator conducts all assessments and inspections and coordinates all training and education sessions. The standards and procedures for assessing and inspecting homestay host residences and the requirements for ongoing training sessions are articulated in the ACT Government Education Directorate's *Guidelines for participants in the Homestay Program for International Fee Paying Students* which are available on the Directorate's website. These guidelines are informed by the Australian Government Schools International (AGSI) Homestay Standards, which were compiled in recognition of the importance of ensuring the safety and welfare of under 18 year old international students and their requirements under the ESOS legislation.
 - (7) All international students are able to raise any concerns with the homestay program through a number of channels. These include the following:
 - School based International Private Student Coordinators
 - Manager, International Education Unit or
 - the Directorate's Liaison unit on (02) 6205 5429 at http://www.det.act.gov.au/contact_us
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Schools—cybersafety (Question No 869)

Mrs Kikkert asked the Minister for Education and Early Childhood Development, upon notice, on 1 December 2017:

- (1) Did, from October 2014 to November 2017, 38 government primary schools and 9 995 students participate in cyber-safety programs via webinar sessions guided by their classroom teachers; if so, which primary schools delivered the webinar sessions each year for the years 2014–2017.
- (2) How many students participated in the webinar sessions in each primary school and each year for the years 2014–2017.
- (3) How often were webinar sessions delivered in each primary school and each year for the years 2014–2017.
- (4) Are the webinar sessions also being delivered to government high schools and colleges in the ACT; if not, why not; if so, (a) which (i) high schools and (ii) colleges delivered the webinar sessions each year for the years 2014–2017, (b) how many students participated in the webinar sessions in each high school or college and each year for the years 2014–2017 and (c) how often were webinar sessions delivered in each high school or college and each year for the years 2014–2017.
- (5) Are there any other forms of cyber-safety education being delivered to government schools in the ACT; if not, why not; if so, (a) what is the nature, duration and frequency, and delivery mode of these initiatives and (b) which schools have undertaken these initiatives each year for the years 2014–2017.

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

- (1) The webinars were created and presented by the Office of the E-Safety Commissioner and co-ordinated by the Education Directorate. Details of participating schools are at [Attachment A](#).

- (2) The webinar sessions are designed for years 4, 5 and 6 primary level students. The total number of participating students for each year from 2014-17 is as at Attachment A. Data for the number of participating students by school is not available.
- (3) The number of sessions offered to the schools is as below

Year	Number of Session offered
2014	1
2015	10
2016	13
2017	12
Total	36

- (4) Due to the complexity of timetabling secondary schools directly contact the Office of the E-Safety Commissioner to organise specific sessions and times.
- (5) As part of the election commitment to deliver devices to secondary students, the Government also undertook to work with experts and develop e-safety tools, parent factsheets and policy guidelines to ensure students are safe online.

The ACT Education Directorate has partnered with the Office of the E-Safety Commissioner to deliver cybersafety programs to ACT schools and there are complementary resources on their website available for follow-up classroom activities. This site is also a good resource for parents looking to extend these skills and strategies into the home environment.

Cyber-safety is included explicitly in the Australian Curriculum in learning areas of Health and Physical Education, and Humanities and Social Sciences, but is predominantly dealt with in the information and Communications Technology (ICT) Capability, one of the seven general capabilities of the Australian Curriculum that is addressed through the content of learning areas. Students' ICT Capability is developed systematically across learning areas in ACT public schools, in ways similar to Literacy and Numeracy capability development.

In developing and acting with ICT capability, students:

- Apply social and ethical protocols and practices when using ICT
- Use ICT tools safely to communicate, collaborate, share and exchange information
- Understand computer mediated communication.

Attachment A

Date	# of participated Students	Participated School	# of Schools after delete duplication
16/10/2014	726	Calwell PS, Campbell PS, Chapman PS, Macgregor PS, Wanniasa School	5
2014 Total	726	0	5
11/02/2015	160	Fraser PS, Gilmore PS, Gordon Monash PS, Namadgi PS, Wanniasa Hill PS	6
13/05/2015	164	Arawang, Gold Creek, Lyneham PS, Namadgi, Turner PS	4

20/05/2015	388	Campbell PS, Gold Creek, Gowrie PS, , Lyneham PS, Monash PS, Turner PS	1
05/08/2015	273	Chapman PS, Hawker PS, Torrens PS	2
12/08/2015	172	Chapman PS, Torrens PS	0
26/08/2015	185	Chapman PS, Torrens PS	0
09/09/2015	334	Gold Creek, Gordon PS, Hughes PS, Monash PS, Torrens PS	1
14/10/2015	318	Farrer PS, Gilmore PS, Torrens PS, Wanniasa Hill PS	1
21/10/2015	199	Farrer PS, Gilmore PS, Taylor PS, Torrens PS, Waniassa Hill PS	1
28/10/2015	242	Farrer PS, Gilmore PS, Torrens PS, Wanniasa Hill PS	0
2015 Total	2,435	0	16
16/02/2016	527	Arawang PS, Campbell PS, Gold Creek, Hughes PS, Majura PS, Mount Rogers PS	2
17/02/2016	165	Arawang PS, Red Hill PS, Taylor PS	1
18/02/2016	229	Arawang PS, Red Hill PS, Taylor PS	0
24/02/2016	257	Arawang PS, Evatt PS, Majura PS, Red Hill PS, Taylor PS	1
25/02/2016	130	Arawang PS, Red Hill PS	0
18/03/2016	214	Farrer PS, Garran PS, Maribyrnong PS	2
04/05/2016	230	Caroline Chisholm, Gilmore PS, Maribyrnong PS, Namadgi, Wanniasa	2
25/05/2016	353	Gilmore PS, Lyneham PS, Macgregor PS, Maribyrnong PS, Torrens PS, Wanniasa, Yarralumla PS	1
07/06/2016	431	Curtin PS, Gilmore PS, Gold Creek, Lyneham PS, Maribyrnong PS, Namadge, Torrens PS	1
02/08/2016	277	Gold Creek, Harrison, Hughes PS, Kingsford Smith, Maribyrnong PS	2
09/08/2016	206	Campbell PS, Gold Creek, Hughes PS, Maribyrnong PS	0
25/10/2016	220	Gold Creek, Hughes PS, Namadgi, Turner PS, Yarralumla PS	0
02/11/2016	173	Calwell PS, Curtin PS, Hughes PS, Turner PS	0
2016 Total	3,412	0	12
06/02/2017	1,350	Bonython PS, Calwell PS, Duffy PS, Evatt PS, Hawker PS, Hughes PS, Garran PS, Gold Creek, Lyneham PS, Maribyrnong PS, Monash PS, Namadgi, Taylor PS, Yarralumla PS	2
28/03/2017	459	Curtin PS, Gold Creek, Gowrie PS, Hughes PS, Namadgi, Neville Bonner PS	1
29/03/2017	262	Curtin PS, Gold Creek, Gowrie PS, Hughes, Torrens PS	0
16/05/2017	166	Curtin PS, Duffy PS, Evatt PS, Maribyrnong PS	0
06/06/2017			
20/06/2017	306	Yarralumla PS, Calwell PS, Namadgi, Amaroo, Evatt, Curtin, Maribyrnong PS	1
27/06/2017	222	Yarralumla PS , Harrison School, Namadgi School, Curtin PS, Evatt PS	0
07/09/2017	248	Calwell PS, Florey PS, Maribyrnong PS, Gordon PS	1
13/09/2017	85	Torrens PS, Hughes PS	0

19/09/2017	324	Florey PS, Torrens PS, Turner PS, Hughes PS, Gold Creek School	0
24/10/2017	87	Waniassa, Harrison	0
07/11/2017	48	Waniassa, Harrison	0
2017 Total	3,557	0	5
Grand Total as of 7/11/2017	10,130	0	38

Roads—planning (Question No 870)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 1 December 2017:

Are there any plans to duplicate Ginninderra Drive in anticipation of the Ginninderry land development; if so, what is the recommended traffic safety management solution for the Tillyard and Ginninderra Drives intersection in light of the development, for example, installation of traffic lights, construction of a roundabout etc; if not, in what ways will the projected increase in traffic be managed as a result of the development, and what plans are there to ensure traffic safety for all road users in the area.

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

At this stage there are no immediate plans to duplicate Ginninderra Drive in response to the Ginninderry land development however TCCS will monitor traffic flows in the area as the development progresses. TCCS continues to be involved with the planning works associated with the future development by the Ginninderry Development Group.

Environment—weed management (Question No 874)

Ms Lee asked the Minister for the Environment and Heritage, upon notice, on 1 December 2017:

- (1) What work has been scheduled for the current late spring/ early summer season to address the spread of African love grass which is currently growing profusely on median strips along several ACT major roads including Barry Drive.
- (2) What assessment is made to ensure that spraying is done at optimal time of seed set to effect a higher success rate.
- (3) What work is being done to address the spread of (a) Paterson's Curse and (b) St Johns Wort in nature parks and on public lands throughout the Territory.
- (4) What criteria are used to determine which invasive weeds are placed on the biosecurity alert list on the ACT Government's website.
- (5) What funds have been directed in the first six months of the current financial year to the eradication of invasive weeds in ACT public areas.

- (6) How frequently is the NSW Weed Risk Management System for ACT Conservation and Natural Environments reviewed to ensure it reflects changes to weeds entering the ACT and remains proactive.

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

- (1) African lovegrass is a highly invasive weed and is widespread throughout arterial roads and suburban parkland areas across Canberra and NSW. It is spread by wind and water, mowing activities and movement of soil, animals, pedestrians and vehicles. Due to the extensive occurrence of this weed, the ACT Government implements the following strategies with the aim of minimising its spread in the ACT, with the primary focus on protecting high value conservation areas, such as nature reserves:
- Mowing strategies currently in place to minimise the spread of African lovegrass include:
 - Directional mowing - mow from low infested areas to high infested areas;
 - Designated clean down areas – specified sites where mowers are blown down/washed to limit spread of the weed;
 - Cleaning of mowers prior to moving to another region; and
 - Raising the height of the mowing cut to give other, desirable species the opportunity to flourish and become a competitor to the African lovegrass.
 - Protection of high value conservation areas:
 - Trialling of various methods to manipulate the grass/groundcover species in an attempt to outcompete the African lovegrass and/or reduce seed load adjacent to high conservation areas;
 - Herbicide spraying of African lovegrass in and adjacent to high value conservation areas; and

Creation of buffer zones (no mow areas) adjoining conservation sites to provide competition from tall vegetation and prevent the spread of the weed. In 2017-18, \$416,000 is budgeted to be spent on African Lovegrass control across Canberra Nature Park nature reserves, urban native grasslands, Murrumbidgee River Corridor nature reserves, Namadgi National Park, Tidbinbilla Nature Reserve and Googong Foreshores and rural roadsides. This represents approximately 30% of the entire invasive plants control budgets for these areas.

- (2) There are two registered herbicides for African lovegrass control: glyphosate and fluproponate. These herbicides are used according to the directions of herbicide labels and related permits. Glyphosate is applied when the plants are actively growing, which means from spring to autumn, as African lovegrass is a warm season grass. The optimal time for use of fluproponate on African lovegrass is also when the plants are actively growing. Spraying African lovegrass at seed set does not kill the seed. Spraying before seed set helps reduce volume of seed that is added to the seed bank and helps to slow spread. This is the approach that is taken when controlling this invasive grass in reserves and along rural roadsides.
- (3) a) In 2017-18, there will be approximately 95ha of Paterson's curse control across 20 sites as part of rehabilitation work in some reserves. Paterson's curse is a weed of disturbed areas so it is a lower priority than the highly invasive plants, e.g. African lovegrass and St John's wort. New reserves that are being rehabilitated, e.g. offsets

reserves, have more resources allocated to this species. Biological control has been very effective in reducing the extent of Paterson's curse, which use to blanket Canberra hill sides.

b) In 2017-18, there will be approximately 2,100 ha of St John's wort control across 46 sites, focusing on where it is encroaching on wildflower areas and to protect neighbouring grazing properties.

- (4) The Biosecurity alert list on the EPSDD website is for high risk new and emerging weeds, not for established high risk weeds. The Invasive Weeds (Invasive Plants) Operations Plan which can be accessed from the Biosecurity-Invasive Plants section of the web site lists the methodology for determining weed risks and feasibility of coordinated control. This methodology and the prioritised list of projects for 2017-18 are listed in the plan at:

https://www.environment.act.gov.au/__data/assets/pdf_file/0003/1076385/2017-18-Invasive-Weeds-Operations-Plan.pdf

- (5) Complete figures for expenditure directed in the first six months of the current financial year to the control of invasive weeds in ACT public areas are not yet available. However an estimate is available based on completed work and projects in progress:

a) Canberra Nature Park nature reserves, urban native grasslands, Murrumbidgee River Corridor nature reserves, Namadgi National Park, Tidbinbilla Nature Reserve and Googong Foreshore: Invasive weeds expenditure \$474,000.

b) Offset reserves, Lower Cotter and Molonglo River Reserve: Invasive weeds expenditure \$142,000.

Note that expenditure on weed control is highly seasonal and depends on a number of climatic variables.

- (6) The NSW Weed Risk Management System is used to help set priorities in the Invasive Weeds (Invasive Plants) Operations Plan. The plan is produced annually but the weed risk management system is only updated on an ad-hoc basis by NSW.

Questions without notice taken on notice

Environment—nature strip guidelines

Ms Fitzharris (*in reply to a question by Ms Le Couteur on Wednesday, 25 October 2017*):

The guidelines will be finalised and made publicly available after the ACAT decision is made and any implications for the content of the guidelines have been considered.

Planning—lease variations

Mr Gentleman (*in reply to a question and a supplementary question by Mr Coe on Wednesday, 1 November 2017*):

Depending on the nature of a concessional lease a lessee may part-pay for some of the land upfront, over a period of time and/or may also choose to pay lump sum amounts over time. In the case of the Woden and Dickson Tradies, Block 28 Section 34 Dickson paid a combined total of \$3,445,375.00 and Block 13 Section 3 Phillip paid a combined total of \$511,000 before the leases were deconcessionalised.

Planning—lease variations

Mr Gentleman (*in reply to a supplementary question by Mr Parton on Wednesday, 1 November 2017*):

The development application for Block 28 Section 34 Dickson to remove the concessional status of the Crown lease was lodged on 19 April 2016. \$554,625.00 was paid on 13 September 2016 which was the outstanding market value amount to be paid to remove the concessional status of the Crown lease. A market value lease, that had the concessional status removed, was registered at Land Titles on 24 February 2017.

No Waivers or Remissions were applied to the concessional Payout amount for Block 28 Section 34 Dickson. The amount was calculated using the legislated formula and was the remaining amount that was required to be paid for a full market value lease.

A development application for Block 13 Section 3 Phillip to remove the concessional status of the Crown lease was lodged on 7 June 2011. \$1,271,288 was paid on 31 January 2016 which was the outstanding market value amount to be paid to remove the concessional status of the Crown lease. A market value lease, that had the concessional status removed, was registered at Land Titles on 12 May 2014.

Environment—Mugga, Isaacs and Tralee

Mr Gentleman (*in reply to a question and a supplementary question by Ms Lee on Tuesday, 28 November 2017*):

I am unaware of any works currently being undertaken in the area the member cites as a wildlife corridor linking Mugga, Isaacs and Tralee.

The Suburban Land Agency is currently undertaking sub-division works in Section 22 Hume. The works are to service 20,000m² of industrial land which was released to the market in June 2017.

The works commenced in November 2017 and are expected to run for twelve months. The works were subject to a development application which observed a public notification period from 9 March 2017 to 30 March 2017 and was approved on 24 May 2017. An Environmental Impact Statement was not required for these works.

The works are to the west of Tralee on the other side of the existing railway line. It should be noted, however, that these works do not impact on Tralee, and are well removed from Mugga and Isaacs.

Aboriginals and Torres Strait Islanders—police apprehensions

Mr Gentleman (*in reply to a supplementary question by Mr Milligan on Wednesday, 29 November 2017*):

- (1) Approximately 150 ACT Policing members have attended the cultural awareness training package.

The training package was delivered between 1 August 2017 and 5 September 2017 in six sessions, with an approximate attendance of 25 members at each session.

- (2) At this point in time this particular training package has not been made compulsory for all ACT Policing members. The target audience to attend this training are police members who require it to perform their frontline duties.

This training includes the importance of:

- Culture
- Respect/Trust
- Local History
- Positive Police Interaction

With the Chief Police Officer's increased focus on building better relationships across the Aboriginal and Torres Strait Islander Community, ACT Policing is reviewing cultural awareness training in order to build capability to engage more effectively with the community

However, the Federal Police Development Program incorporates cultural awareness training as part of the ongoing recruit courses, and is mandatory.

The training package currently includes:

- Culture and identity
- History timeline to current
- Contemporary issues
- Police interaction

As mentioned the ACT Policing Community Safety team will review the package in early 2018 in consultation with the ACT Policing Aboriginal Liaison Officers. The package will incorporate an increase in practical information specifically relating to engagement and interaction with the Aboriginal and Torres Strait Islander community within the ACT.

Government—land acquisition arrangements

Mr Barr (*in reply to a supplementary question by Mr Coe on Wednesday, 29 November 2017*):

There was no new lease issued, the existing lease for Winslade was purchased by the Land Development Agency.

The business case considered the purchase for future urban growth of Canberra taking into consideration an initial assessment of constraints including preliminary environmental matters on the site.

Roads—traffic management

Ms Fitzharris (*in reply to a question and a supplementary question by Mrs Kikkert on Wednesday, 29 November 2017*):

The community has been informed of the outcomes of the study, including the final scheme for improvements in the study area and the priorities for implementation. The outcomes were distributed via Newsletters to residents in the study area. Information is also available on the Transport Canberra and City Services website.

Justice—suspended sentences

Mr Ramsay (*in reply to a supplementary question by Mr Hanson on Wednesday, 29 November 2017*):

The Government is examining the issues raised by the former Victims of Crime Commissioner in his 22 November 2017 issues paper, *Suspended Sentences*, and as noted in that paper precise data on the outcomes of breaches of suspended sentences are not available.

It is important to recognise that decisions on suspended sentence orders are a matter for the judiciary. Judicial independence in considering appropriate sentences for offenders is an important tenet of the rule of law and separation of powers.

The Government will consider the VOCC's information and issues raised in that paper as part of its ongoing program of reviewing, and seeking to improve, the criminal justice system including our legislation for sentencing.

Municipal services—Dickson

Ms Fitzharris (*in reply to a supplementary question by Ms Lawder on Thursday, 30 November 2017*):

No. However, I am advised by TCCS that not all streets with raised paving are classified as a shared zone including those within Local Group and Town Centres. Raised paving is used as a form of traffic calming to slow vehicle speeds.

Examples of where raised pavements are used that are not shared zones include:

- Wombat crossings with a marked zebra or pedestrian crossing with appropriate signage to indicate motorists are required to give way to pedestrians or cyclists; and
- Threshold treatments which are provided to slow vehicle speeds and give motorists visual cues that they are entering a slower speed environment however, there is no requirement for motorists to give way to pedestrians. For example a 40Km/h speed limit area.

Municipal services—Dickson

Ms Fitzharris (*in reply to a question and a supplementary question by Ms Lee on Thursday, 30 November 2017*):

To improve pedestrian safety in this location I am advised by TCCS that shared zone signage has been installed. The installation of the signage reinforces the arrangement which is already in place in terms of the speed environment.