



Debates

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Wednesday, 21 February 2018

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.

Crimes (Consent) Amendment Bill 2018 Exposure draft

MS LE COUTEUR (Murrumbidgee) (10.01): I seek leave to table an exposure draft of the Crimes (Consent) Amendment Bill and associated papers, and to make a statement in relation to the papers.

Leave granted.

MS LE COUTEUR: I present the following papers:

Consent in Sexual Violence Laws—ACT Greens Discussion Paper, dated February 2018.

Crimes (Consent) Amendment Bill 2018—Exposure draft.

Explanatory statement.

This exposure draft seeks to insert a positive, affirmative definition of consent in the Crimes Act and follows through on a commitment I made in 2017 to address this issue and also addresses an item in our parliamentary agreement. Last year I tabled the Crimes (Invasion of Privacy) Amendment Bill 2017, on which I received considerable and consistent feedback that a positive, affirmative definition of consent was something that the majority of stakeholders wanted.

Feedback from the Human Rights Commission at the time indicated that the legal definition of consent is a sensitive area of law that requires careful consideration before being changed and, although we consulted very widely on my bill, speaking with over 100 stakeholders and receiving nearly 20 robust submissions, we thought it would be prudent to round off the discussion about consent into its own bill.

I now seek to fulfil my commitment to create a positive, affirmative definition of consent for the ACT. This exposure draft seeks to align the ACT with other states, all of which have a positive definition of consent in their legislation. The ACT is the only jurisdiction that does not have a positive definition of consent in their legislation. Our Crimes Act defines consent by what it is not, rather than what it is. In that sense our law sees consent by when it is taken away, rather than when it is given. At best, this is confusing and does not help young people learn about how to relate to their sexual partners.

This issue has been raised repeatedly by a number of inquiries and reviews, not least of which was the 2010 Australian Law Reform Commission's report into family violence which stated:

With the exception of the ACT, every Australian jurisdiction has a statutory definition of consent based on one of the following formulations:

- free agreement;
- free and voluntary agreement;
- or consent freely and voluntarily given.

The ALRC saw this inconsistency as so potentially damaging that they included a specific recommendation in the report for all states and territories to include a positive definition of consent in line with this construction.

Both ACT Labor and the ACT Greens committed to finishing the work we started two Assemblies ago and finally implement any outstanding ALRC recommendations on family violence. In fact, we considered this so important that we included it in our parliamentary agreement.

When I was younger there was a major campaign that “No means No” as far as consent goes. And of course it still does. It may seem crazy to younger people here but that actually has not always been a widely understood concept, and arguably it still is not. What we, and the many community organisations and individuals who responded to my bill last year, as well as the ALRC, are saying is that we now need a logical, clear-cut and affirmative definition of consent that would say what sexual consent is and what it is not.

Despite considerable reform to family violence and sexual assault laws over the past few years, inadequacies of the system continue to undermine and restrict survivors’ ability to access protection, redress and justice. The system re-traumatises survivors, with low reporting and conviction rates persisting.

The definition of consent has a central function in determining the outcome of a sexual assault case. In the majority of cases there is no physical evidence or impartial witness and the focus of the trial is thus on the competing evidence from the complainant and defendant about whether or not the sexual activity was consensual.

Our legal system’s approach to sexual offences remain inadequate, despite the considerable headway the ACT government has made over recent years to improve the matter. Unjust outcomes in the court, in turn, reinforce rape myths and perpetuate patterns of non-reporting by victims and non-enforcement of sexual assault laws by police, prosecutors and trial judges in subsequent cases.

In developing this exposure draft I have considered section 22 of the ACT Human Rights Act 2004 which outlines that everybody charged with a criminal offence has the right to be presumed innocent until proven guilty. Our bill is based on feedback from the Human Rights Commission and we have been working with them to refine our definition to make sure it aligns with both our objectives and meeting our human rights obligations. On balance, I believe that the proposed legislation does not unduly burden the right to be presumed innocent and provides appropriate safeguards to ensure that people are not convicted merely because they are unable to overcome an unreasonable burden of proof.

Looking more broadly at the issue of consent, the #MeToo hashtag is a symbol of a cultural shift in attitudes towards women's rights and sexual consent. Unsurprisingly there are now consent apps. Of course there are pluses and minuses to them. Generally they ask parties to consider a range of issues such as contraception and STDs before the sexual encounter. This is a good thing and can only improve sexual relations and outcomes.

The problem, though, with these apps is that they can give you the impression that you can have binding contracts before having sex and completely miss out on the complexity of sexual consent. Sexual consent is not the same as a contract. You cannot just get someone to sign a piece of paper or tap their phone and then a day or even an hour later say, "Ah ha, you agreed to this legally." Consent in this field can be revoked at any time for any reason, and that is the point.

If we approached consent exclusively through a contractual lens we would still have legal marital rape. I hope that we, as a society, have moved past this point and I hope these app-makers are sufficiently aware of what consent is that they will think harder about possibly harmful apps and start working with sexually active people and survivors of unwanted sexual activities as well as community organisations and lawyers to make better ways to promote informed and positive consent.

Of course tackling issues around sexual consent needs more than legislative change. It needs cultural change. There is plenty of research that says educational campaigns about gender, sex, consent and respectful relationships are far more important and effective at preventing sexual assault than the criminal justice system. So we will be working with the government and community to ensure that the education campaigns that Minister Ramsay kindly committed to last year are rolled out. As part of this, it is vital that respectful relationships education provided in schools includes discussions about what consent is and is not.

Along with this exposure draft bill, I have also circulated an explanatory statement and, equally importantly, a discussion paper which I hope and anticipate the community and stakeholders will engage with. In this way we can be assured that the final bill presented to the Assembly will have undergone detailed consideration, in-depth analysis and extensive consultation, as was recommended by the Human Rights Commission.

We must ensure the voices of concerned community members are captured and to that end we are able to move forward with best practice legislation that leads the country. The time for reform in this area is now and I am pleased to be able to table the exposure draft and its associated documents in the Assembly today in order to further this process.

Economic growth

MR PETTERSSON (Yerrabi) (10.10): I move:

That this Assembly:

- (1) notes the recent economic data highlighting the strong performance of the ACT economy, including:

- (a) over 10 000 new jobs being created in 2017, with 80 percent of these new jobs being full-time;
 - (b) trend unemployment for the ACT falling to 3.7 percent in December 2017—the lowest of any State or Territory;
 - (c) the Territory’s population expanding by almost 7 000 people over the past 12 months, on top of the fastest population growth in the country between the 2011 and 2016 census counts;
 - (d) strong increases in dwelling unit commencements and dwellings financed, with commencements rising 101.2 percent in the year to September 2017 and dwellings financed by owner-occupiers increasing by 26.9 percent in the year to November 2017; and
 - (e) first home buyers representing 21 percent of total housing loans taken out in November 2017, which is seven percentage points higher than its proportion a year earlier;
- (2) further notes the economic data indicating the increased diversification of the ACT economy, including:
- (a) strong private sector job growth, as indicated by the 24 percent annual increase in private sector job vacancies as of November 2017, well above the national-average of 17.2 percent;
 - (b) ACT’s service exports increasing to \$1.9 billion for the financial year 2016-17, with education seeing the highest growth of 24.4 percent, the strongest growth rate of any State or Territory; and
 - (c) the significant increases in tourism activity, with international visitor expenditure growing by 27 percent to \$547 million and domestic visitor expenditure increasing to \$1.9 billion; and
- (3) calls on this Assembly to support Canberra’s diverse growth industries.

All members in this place should agree that a strong economy is one of the most important priorities for any government. It is certainly one of the key priorities of this government. Recent economic data tells a great story. Data from the end of 2017 saw low unemployment in the ACT and an increasingly diverse local economy. Our policies to diversify the economy and ultimately create more jobs are working. This will ensure that the massive cuts to the public service from the federal Liberal government will not have the devastating effect on our economy that has happened in the past. This is particularly important given the federal government’s recent announcement that they will seek to constrain wage growth for federal public servants.

Access to well-paying, secure jobs is a core value of this government. As of December 2017 the ACT had the lowest unemployment rate in the country, at 3.7 per cent. This is well below the national average of 5.4 per cent. Over the past year 10,000 new jobs were created, of which 8,000 are full time—8,000! This is an important point because job security is just as important as the creation of new jobs. Youth unemployment remains below the national average. Canberra’s annual employment growth is currently the strongest it has been in a decade.

This massive increase in employment is a huge achievement of this government and our city. This strong growth comes despite the consistent cuts of the federal Liberal

government to the public service. These new jobs are the result of our government's policies, local businesses and community organisations, all in spite of federal Liberal government actions.

This government is focused on diversifying our job market. Not only does this protect our economy from the federal government; growing sectors like education, tourism and hospitality increase the livability of our city. Put simply, more jobs mean better services. The extra 10,000 jobs created over the past year come from a wide range of industries, both public and private, including education, tourism, health, retail, IT and media, defence capabilities, space and aeronautical industries—that is a new one for me—as well as the energy sector.

2017 saw an annual increase of 24 per cent in private sector job vacancies, well above the national average of 17.2 per cent. This indicates continued growth in employment in the private sector. Our government's job creation policies therefore have had a significant positive impact and will continue to do so as they are implemented.

These policies include \$14.7 million over four years to implement the territory's business development plan to create more jobs, and \$5.3 million for partnerships to support Canberra's job market. This \$5.3 million includes \$3 million to support and promote Canberra's tertiary education sector and \$1 million to boost the number of female tradies and upskill mature workers. On top of this, the newly established City Renewal Authority will further drive growth in the economy by supporting development in Canberra's CBD.

The new research and teaching hospital at the University of Canberra will increase the number of jobs available in the health sector, as well as servicing the broader Canberra community. All of these initiatives represent growth across a broad range of industries that offer employment opportunities for a huge cross-section of the Canberra community.

Tourism is a promising growth market for the Canberra economy, and 2017 saw some huge developments. Two international airlines, Singapore and Qatar, will be starting daily flights out of Canberra early this year, with Qatar's first flight already having arrived just last week. Tiger Airways also started low-cost domestic flights out of Canberra last year. These flights have increased, and will continue to increase, the number of tourists travelling to Canberra, especially international tourists.

In the 2016-17 financial year, international visitor expenditure increased by 27 per cent and domestic visitor expenditure increased by 14 per cent. Currently, 16,000 Canberrans work in the tourism industry. This area can continue to grow, as visitors come to see not only our fantastic established events, festivals and cultural institutions but new initiatives as well. The 2017-18 budget delivers \$7.5 million over four years to support a wide range of Canberra events like Enlighten and Canberra Day.

Improvements to Stromlo Forest Park and the arboretum will also ensure that other major events can be held in these areas. On top of this there is \$4.1 million over four years to grow visitation through business events and a new events fund. The upgrades

to Manuka Oval and the National Convention Centre will ensure that national sporting competitions can compete in Canberra, bringing with them fans from across the country.

Our government is committed to supporting women's sport. We will invest \$1.5 million, including continued support for the Canberra Capitals and Canberra United W-League team, hopefully, once again, bringing more and more people to watch sport in Canberra. Canberra is a diverse city with fantastic tourist destinations. We will continue to support the organisations and businesses that help make Canberra a great destination. This is vital for the continued growth of our city.

The second growth industry I want to discuss very briefly is higher education. Our government values the huge contribution tertiary education makes to our economy, which is why we are one of the few states or territories that has a dedicated minister for higher education and research. Currently, one in nine Canberrans is either a student or directly employed by a university or research institution. Collectively, education and research institutions contribute \$2.75 billion a year to Canberra's economy and created 16,000 full-time equivalent jobs when last measured. Since then education exports have increased by 21 per cent and now contribute \$579 million per annum to Canberra's economy.

The memorandum of understanding between our government and UNSW to build a new campus in conjunction with CIT in Reid will create up to 10,000 new student places and further boost the higher education sector in this city.

Our government has a strong relationship with both ANU and UC, and we support research at both of these institutions. This includes \$1.3 million in partnership with industry for world-leading research into autonomous vehicle technology. Canberra is uniquely placed to combine industry, government and tertiary institutions to produce specialised jobs.

An example of this partnership is the space industry. Canberra leads the nation with advanced research and technology at ANU and the CSIRO and space communication complex operated for NASA down south. Increased investment in this industry will continue to put Canberra on the world map as a leader in research and education. Space research will further strengthen and diversify the Canberra economy and it is a key component of our overall economic agenda.

The ACT's population continues to grow, as does the number of dwellings being financed and built in the territory. These are promising indicators that more and more people want to call Canberra home. A natural consequence of having a strong economy and a livable city is an increase in population. The territory's population expanded by almost 7,000 people over the past 12 months. This is on top of the fastest population growth in the country between the 2011 and 2016 census counts.

Our government is focused on long-term planning to meet this growth, focusing on increasing capacity in our schools and hospitals, as well as upgrading our transport system. It is equally vital to ensure that housing in Canberra does not become out of

reach for ordinary families and first homebuyers. In the year up to November 2017, dwellings financed by owner-occupiers increased by 26.9 per cent. Over the same time period first homebuyers represented 21 per cent of total housing loans, which is seven per cent higher than the previous year.

The increase in owner-occupiers is also an indication that Canberra is not becoming like other major Australian cities where investors price out ordinary families. The recent increase in land tax for foreign investors in the ACT will further balance the market in favour of Canberrans when it comes into force. This is an important step in tackling any problems with housing affordability.

I am proud to be part of a government that is overseeing such a strong economy. The creation of 10,000 new jobs, 8,000 of which are full time, is a momentous achievement for this government. Our focus on diversifying the economy will help secure Canberra's economic future. Partnerships between government, community groups and businesses are helping Canberra to grow into an even more livable city. More investment means a better city for Canberrans.

The ACT's increasing population shows that we are not alone in our belief that Canberra is a fantastic place to live. A strong local economy will ensure that Canberrans continue to enjoy a high quality of life in our city, with great schools, hospitals and essential services. I want all members of the Assembly to support this motion.

MR COE (Yerrabi—Leader of the Opposition) (10.20): The opposition welcomes the opportunity to chat about our economy. Of course, the motion before us has two parts. The first part presents some data indicating the economic good fortune of the ACT. The most noticeable feature of the data presented is the low unemployment rate and the job creation figure for 2017. Of course, having a job is fundamental to the health and wellbeing of individuals and society. I trust everyone in this place will view the longstanding record of employment growth and low unemployment in the ACT as a very good thing.

However, the second part of the motion presents data on “the increased diversification of the ACT economy”. Here the motion fails to make its point. Most of the data presented in the motion is produced by the ABS; also it is conveniently summarised in briefs prepared by ACT treasury. So Mr Pettersson's failures in this description are somewhat curious given these are briefs that his government has prepared.

For example, the motion states that an increased diversification of the economy is indicated by a “24 per cent annual increase in private sector job vacancies as of November 2017”. The percentage change does not really tell us a great deal. If it did then the motion is in some trouble. The ACT treasury brief on job vacancies clearly shows that while private sector job vacancies increased by 23.3 per cent, public sector job vacancies increased by 35.7 per cent. So the figure does not really mean anything at all. But if it does mean something, as Mr Pettersson claims, public sector job increases of 35.7 per cent over private sector increases of 23.3 per cent would suggest that there is a higher growth rate in the public sector, not in the private sector; hence the diversification that he is trying to point to is not happening.

To show an increase in the private sector's share of total employment, it is best to look at the actual figures for private and public sector employment, not job vacancies, from the Bureau of Stats. These show that in the past few years the private sector's share of employment has risen by a couple of percentage points.

But there are other indicators of private sector diversification to consider. A common one is the share of state final demand contributed by government. This was well under 40 per cent in the 1980s, before self-government. It rose to about 50 per cent in the mid-1990s but was largely under 50 per cent for the next decade. Since 2008 it has been in the range of 50 to 55 per cent. In other words, the ACT is not diversifying away from public sector dependence at all. This high and—

Mr Barr: Well, it actually is, but never mind.

MR COE: It is interesting that Mr Barr would point to a chart where I note that the actual Y axis goes from about 38 to 44; so it overdramatises the movement. Further to that, the trend looks only at the past year or two, whereas, as I just said, it was under 40 per cent in the 1980s, it rose to 50 per cent in the mid-1990s, it was under 50 per cent for the next decade, and, since 2008, it has been in the range of 50 to 55 per cent, when you look at state final demand contributed by government.

In other words, the ACT is not diversifying away from public sector dependence at all. This high and stable government share of consumption and capital expenditure, most of it commonwealth expenditure, is, of course, an important part of the explanation for the consistent and stable strong economic performance of the ACT, including low unemployment and high average wages.

The motion's statement on service exports would also benefit from a more considered assessment of the evidence. Education exports, our largest service export category, are up 24.4 per cent, as the motion says, reflecting the location of major public universities, including the ANU. But other major service exports, such as inbound tourism, and research and development services, are down. According to the ACT treasury brief on international trade in services, inbound tourism has been flat over the past five years. Again that is an ACT government brief.

On the other hand there has been a 10.1 per cent increase in the last financial year in technical, trade-related and other business services. This includes such services as architectural, engineering and business services. Over the past five years, these services have grown by 140 per cent, to be worth \$228 million.

The Canberra Liberals certainly support the motion's call to support Canberra's diverse growth industries, but we note that this needs to be based on careful and comprehensive analysis of what is happening rather than selective numbers carefully chosen to support the government's political message. Of course, real analysis leads us to the real question, which is the effect of ACT government policies on businesses and households in the territory.

Here we cannot expect much from this government. It is unlikely to consider the effect of large increases in the cost of ACT government or the low and declining levels and quality of ACT government services. It is unlikely to consider the effect of large increases in rates and taxes to pay for its mismanagement. It is unlikely to consider the immediate impacts of policies on local businesses, such as the Mitchell traders and the green waste collection industry. And it is unlikely to consider the effect of restricting residential land supply on people considering whether to move to the ACT. It is unlikely to consider anything other than selective numbers as demonstrated in the motion today.

It is unlikely that the actions of this Labor-Greens government have resulted in the growth stats that this motion is trying to take credit for. This motion is, once again, just an opportunity for one of the Labor members to get up and pretend that they are caring about something substantial. What the government needs to do is actually go to their own ACT government treasury briefs and have a look at the full story. The full picture is far more complex and shows a territory that is still heavily dependent on the public sector.

MS LE COUTEUR (Murrumbidgee) (10.27): The economic performance indicators listed in Mr Pettersson's motion show the strength of the ACT economy. The sizeable increases in employment, dwelling numbers, exports and tourism, and the diversification of the economy prove the sound economic management of the Greens-Labor government alliance. But while we congratulate ourselves, we need also to consider the nature and the quality of the growth. Quality of growth is an important aspect. Population growth, economic growth and diversification are not inherently good. Aggregate statistics simply oversimplify what are very complicated issues.

If we look more closely at an example of aggregate statistics, Mr Pettersson noted in his motion that the territory's population increased by 7,000 people over the past 12 months. Interestingly, the population of north Canberra is projected to grow by eight per cent, south Canberra five per cent and Belconnen by three per cent.

Meanwhile, no population growth is predicted for Woden; Tuggeranong's population is predicted to decline by three per cent; and Weston Creek's decline is a large seven per cent. Clearly, the quantum and consequences of population growth are very unevenly distributed across Canberra. But is population growth a desirable or even our ultimate goal?

The Greens do not agree with Mr Pettersson's premise that rapid population growth is, in fact, a desirable goal. Population growth poses complex challenges, especially when it outruns infrastructure and services. Look at all the looming problems of imploding cities, for example, Sydney's overcrowded trains, traffic jams and ridiculous housing prices.

There is a growing consciousness in the community that economic growth driven by rapid population growth and high consumption is simply unsustainable. As I discussed last year, our environmental impact is given by our population, times our

affluence, times our technology. I will not again go through this ecology 101 lesson that I went through last year. I am afraid that it is going to fall on deaf ears. There is only one new member, who possibly did not hear it, and she is not here right now. However, I just note that increased population and increased consumption do make it harder to reduce our greenhouse gas emissions and to reduce probably every part of our environmental impact.

Turning to the housing element of the motion, people moving to the ACT need to have housing that is affordable and available. As I mentioned in this place yesterday, Canberra is experiencing an ongoing housing affordability crisis. A majority of people who move to Canberra, especially students or people taking up graduate positions in the public service, will start by renting. In recent weeks there has been considerable media coverage of the difficulties faced by people who have come to Canberra to work or study and found themselves faced by a very tight, and very expensive, rental market.

Mr Pettersson's motion cites a number of dazzling statistics to illustrate the strength of the ACT's economy. Unfortunately, despite all the new dwelling construction statistics, this construction activity has not done much to ease pressure on the ACT's rental vacancy rate, which is currently sitting at a mere 1.3 per cent. The amount of social housing, as a proportion of total housing stock, has been falling for the past couple of decades.

Another issue with the supply of new housing is the type of supply. A study published last year by the Australian Housing and Urban Research Institute looked into housing supply in Australia. It stated:

Most of the growth in housing supply has been taking place in mid-to-high price segments, rather than low price segments. Unfortunately, we are not witnessing a trickle-down effect whereby households buying new housing free up vacancies in the established housing stock that housing stressed households are able to move into at lower prices and rents. Consequently, research studies confirm that low-income households continue to experience growing difficulties accessing low cost housing. Housing in low-priced segments is presumably more affordable, but less than 5 per cent of approvals were in the bottom 20 per cent of the house and unit real price distribution in 2005–06, and this remains the case almost a decade later in 2013–14. Hence, the housing supply issue is more nuanced than commonly thought, as there seems to be structural impediments to the trickle-down of new housing supply.

Thus, the economy may be performing strongly but it does not mean that the benefits are being shared equally. In the affordable housing space, the government needs to do more. The public and affordable housing targets for urban renewal and greenfield redevelopment sites, released on Monday by the City Renewal Authority and Suburban Land Agency, are not adequate to maintain the current rate of public and affordable housing, let alone increase it.

At a time when Canberra is growing and our economy is strong, we are in a good position to ask: what kind of future do we want for our city? The decisions we make now will determine the city we become. As we are growing quickly—reportedly at

the highest rate in the country—we may not be able to keep up with demand for services and infrastructure, particularly in the new suburbs, and it may be easier to get drawn into hasty sub-standard developments.

The Greens believe that it is possible to build a city that still maintains the green spaces and trees that gave us the name of the bush capital. As the nation's capital we certainly should aspire to be something significant for the nation to be proud of. Should we be a treed city, a green city that has all the amenities, sustainable energy systems, recreation, health and mental health benefits and environmental benefits that this allows?

We would also do well to learn from some of the problems that are now besetting Sydney and other big cities: long commutes, ugly developments, lack of public transport, lack of walking and bike routes and lack of access to or even availability of community facilities.

Canberra is clearly a desirable location, which is driving its growth. We need to be careful not to destroy the attractiveness and benefits our city offers. What would maintain us as a desirable location now and into the future? Growth and development are important but we also need to recognise what we have got right so far. The ease and liveability of our city, plus the growing lifestyle opportunities and greater array of businesses, clearly are a huge driver of our growth. But when does that growth become congestion, pollution, long commutes, lack of access to resources and inequality?

Does good development occur in a rush to cash in on growth? Is it driven by developers and economic expansion? Or does good development involve other qualities, for example, civic engagement, the incorporation of values and shared vision? What is the character of our city and what do we love about it? What do we wish to grow and what do we want to improve? What kind of jobs and what kind of growth are we looking for? We do have a choice, and we need to think now about where we are headed.

The motion calls on us to support the diverse growth industries in the ACT. Of course, the Greens absolutely support diversification of our economy. There are many things that we have put forward over the years, including encouraging the night-time economy, the live music sector, strong investment in renewable energy industries and, very importantly, green waste industry support and market creation.

But there is one industry the Greens do not want to see expand. The Chief Minister's recent announcement of defence sector growth is problematic. Should we really be proud of growth based on the arms trade? Is the Chief Minister aligning himself with Malcolm Turnbull's defence export strategy to make Australia a big arms dealer? We have to ask: who is going to buy these weapons systems?

The Turnbull government plans to export arms to markets all around the world, including the Middle East. One country that Australia has recently expanded its military business with is the theocratic dictatorship of Saudi Arabia, which has been locked in military conflict—a conflict that has devastated Yemen. Over 9,000 people

have been killed. Over 75 per cent of the population—that is 22 million people, nearly the population of Australia—are in need of humanitarian assistance.

We should not go blithely into this burgeoning arms trade without considering the ethical dimensions. What are the likely destinations of our weapons and what are the human consequences? Certainly, arms manufacturing is a lucrative high-tech industry that could generate employment, but it comes with serious ethical issues.

Madam Speaker, despite all these misgivings about the indicators we use to measure growth, the Greens will be supporting this motion today because we agree that it is important for the ACT's future for us to support diverse growth industries.

MR STEEL (Murrumbidgee) (10.38): Madam Speaker, I would like to thank Mr Pettersson for bringing this motion forward. It is not every day we can claim that we have the fastest growing economy in the country. According to data released in the *Australian national accounts: state accounts* publication, Canberra's gross state product is growing at a rate of 4.6 per cent. To place some of these figures into perspective, this growth is double what the nation is experiencing. Our government has presented a strong plan to ensure that our economy adapts to new economic realities, and from them create new opportunities. The government has done this by making smart, forward-thinking investments to support our economy for the years to come.

Our economy is changing. It is no secret that we can no longer rely on the public service to support our economy. We saw that yesterday in the announcement about yet more cuts to the Australian Bureau of Statistics in Belconnen. The Liberals' contempt for our city is well known and their agenda of removing, piece by piece, government departments and agencies from Canberra is ongoing and lacks evidence.

But despite this, our economy is growing. We have done this by building on our economic strengths and supporting diversification. The ACT's gross state product shows the positive effects of our government's diversification agenda on our economy. While the public administration and safety industry continues to be the largest industry in the ACT, we are beginning to see the strength of our economy expand into new industries, some of which people may not expect.

According to the latest ABS data, Canberra's own information, media and telecommunications industry grew by about 11.4 per cent. We saw the industry contribute 0.4 percentage points of growth to our most recent GSP. I am sure most of us here have enjoyed shows such as *Rake* and *The Code*, which were filmed here in the ACT. The ACT government has also supported the series *Secret City*. Matchbox Pictures commenced filming of *Secret City* series 2 in Sydney on 12 February this year. Following the Sydney production, the team is scheduled to film in Canberra from 3 March 2018 for three weeks. I am very pleased to say that the ACT government is supporting the production of this second series.

It is also fantastic to have film production companies being established in Canberra. It was fantastic to hear that development expert and executive producer Rita Street and producer-creator Lina Foti have launched a Latin American-focused kids

co-production company called Panita Productions that will be based in Canberra. Panita has actually secured the rights to localise the hit series *The Wiggles* as *Los Wiggles* for a Latin American audience.

Canberra's creative economy is growing with the support of our government because we recognise the value of this to our city. To help continue to propel Canberra's economy into international markets, the Chief Minister last year announced that Canberra's fast-growing screen industry will benefit from a memorandum of understanding signed between Screen Canberra and Screen Wellington. Wellington shares many of the same traits as our city, but it is home to internationally sought-after and award-winning film crews and facilities. That talent will support and help grow our own industry here in Canberra.

With so much to see in Canberra, it just makes sense that we showcase the liveable city that we enjoy every day to the rest of the world. Our tourism industry is booming. It employs over 16,000 Canberrans. Our city is becoming an internationally recognised place to visit. Last year we had more international visitors come to Canberra than ever before.

Our city was named one of the best cities in the world to visit this year by *Lonely Planet*. Over the past year our city has experienced a record-breaking 228,000 international visitors enjoying all that we love about Canberra. We have seen a 10.2 per cent growth in the tourism industry, contributing \$114 million to our economy from the sector.

Our government's plan is to open up Canberra to the rest of the world. It has been one of the great economic successes that we have seen. We will continue to support that growth. The government has made a concerted effort to attract international visitors and international flights to come to Canberra, with daily flight services through the international hubs of Singapore, through Singapore Airlines, and now Doha, through Qatar Airways. This is not great just for our economy; it is great for Canberrans as well. Canberrans are already benefiting from the positive effects of tourism competition between these two international airlines. We are seeing more services, cheaper flights and higher-quality aircraft enter the market.

Our government understands the economic importance of reaching out and engaging and supporting newly emerging industries and innovators. It was incredible to see the professional, scientific and technical services industry grow by 34.6 per cent in 2016-17. The potential of this industry to Canberra is significant.

Take, for example, our already globally competitive space industry. We have the skills, talent and facilities to build a substantial space industry right here in the nation's capital. I saw firsthand the work that is being done in my electorate to build satellites at the ANU's Advanced Instrumentation Technology Centre when I participated in a heritage walk with Dr Bradley Tucker on Mount Stromlo earlier in January.

Our government is taking a leadership role in establishing a national space agency to harness our economic strength as a knowledge capital and to grow the potential that

we are already realising in this field. For those who may not see economic value in this initiative, recent figures coming out of the United Kingdom's own national space industry signal huge economic potential. In the past eight years alone, the UK's space industry's economic turnover improved by 132 per cent and grew to add an extra £7.8 billion to the UK economy.

The ACT government understands the value and economic potential of this opportunity and is pursuing it in Canberra. The government is working together with the South Australian government and has signed a new memorandum of understanding to pursue economic opportunities in the space industry. This five-year agreement reflects both jurisdictions' commitment to support Australia's participation in the international space industry by bringing together our strengths and capabilities.

Our government will continue to support our strong record of responsible fiscal management. This year we will continue to ensure that we harness the economic opportunities for our city, continue to build on our strengths and make smart investments to support our growing economy.

The numbers are remarkable. We currently have the lowest unemployment rate in the country and the fastest rate of economic growth. We are seeing this growth in a diverse range of industries across our economy. I look forward to supporting our government's forward-thinking economic agenda this year. I commend Mr Pettersson's motion to the Assembly.

MS CHEYNE (Ginninderra) (10.45): We heard as recently as yesterday that the federal Liberal government continues to attack Canberra and Canberrans, treating our federal public sector workers in some of our most important departments as chess pieces, not only subjecting them to farcical decentralisation proposals but continuing to take the axe to their jobs. The federal government's disgraceful actions and utter mismanagement do have an effect and we cannot ignore that. In fact, everyone in this place should condemn them, not least the opposition spokesperson on public sector management, who has so far been conspicuously silent on this issue.

While the federal government's actions have an effect, that effect has fortunately been lessened over the years, and the ACT economy continues to thrive. Why? Because we are not just a federal public sector town any more. Our economy's success is no longer tied to the positive or negative actions of the federal government. Thanks to the consistent, progressive, successive actions of ACT Labor governments, we have increasingly diversified our economy. And now we do not just weather federal government decisions, we thrive in spite of them.

We continue to be seen as an attractive place to live and work and invest in, and our economic data reflects this. Our government's investment in this city and commitment to industry diversification is not abating, contributing to more confidence and more growth in our economy.

Belconnen is a great example of this. More and more people are living, working, studying, and relaxing within the Belconnen region, supporting local businesses and boosting our economy. Take a drive or a walk around my electorate and you will no

doubt notice the extensive development underway. There is the new hospital at UC, and recruitment for this hospital is happening as we speak. A host of new apartment blocks are under construction, and there are new roads and whole new suburbs out at Ginninderry.

This is all happening against a backdrop of significant residential development over recent years and substantial retail and industrial business areas that continue to prosper. There are over 77,000 people in Ginninderra and over 6,000 just in Belconnen, many of whom have moved to the town centre in the past few years thanks to the growth in dwellings. With so much residential development also in the works, Belconnen will continue to grow well into the future.

The ACT government is preparing for that growth. In addition to newer buses and smarter bus routes, we have invested in the Belconnen bikeway, which will link the town centre with its surrounds. I continue to strongly advocate for light rail stage 3 to come to Belconnen; it just makes sense. This type of investment provides construction jobs, reduces congestion, reduces health costs and makes people happier and more productive, all making more contributions to our economy.

The number of businesses in Belconnen has been growing solidly over recent years. In 2015 there were 529 businesses in the region, up from 474 in 2011. Of these 529 businesses, 25 employed 20 or more staff, 287 had between one and 19 employees and 217 were proprietorships or partnerships.

Against the backdrop of all this change, later this year I look forward to hosting the Belconnen showcase, or market day, which will bring together business with the community and government to identify the future of our town centre. I am confident the showcase will be another step on the way to realising the full potential of Belconnen, showing off how attractive it is and achieving even more growth and continuing our trend of industry diversification. As if that were not reason enough, the federal government's announcement yesterday of more job cuts at the Belconnen institution of the Australian Bureau of Statistics and the movement of ComSuper out of the town centre continue to underline the importance of hosting this showcase.

The ACT government has also put Canberra on the global map, as we have heard today. International flights on Qatar and Singapore Airlines now fly out of Canberra. Manuka Oval is hosting international cricket for both men and women. The just past Multicultural Festival draws visitors from far and wide to our cool little capital, and Enlighten, the night noodle markets and the Balloon Spectacular are all just around the corner.

And who can forget that *Lonely Planet* named us the third best city to visit in the world. Nearly 2.65 million people visited Canberra in the year to June 2017, a new record; records we just keep smashing. I recently spent some time in the US and I can assure you that our stature as a city to visit is growing, not just from my telling people how amazing it is. Our approach is working and it is being given a vote of confidence by business and the public.

As Mr Steel mentioned, growth in the territory is at four per cent, more than a full percentage point forecast in the last budget and the deficit has been halved. Of course a society is more than just growth and investment. As a government we need to help those who, through no fault of their own, have hit hard times. That is why this government is extending the utilities concession to those living in long-stay caravan parks and aged-care centres with embedded electricity networks.

Canberra is growing and it is growing strong, and Belconnen is growing and growing strong. We will always invest in Canberra and stand firmly against Liberal attacks on Canberra workers while making sure we leave no-one behind. I commend Mr Pettersson's motion to the Assembly.

MS ORR (Yerrabi) (10.52): On the coffee table in my office is the well-known children's book, *The Little Engine That Could*. It sits on my table as a reminder of the slogan of my campaign team in the 2016 election—the little team that thinks it can. We thought we could, we thought we could, we thought we could, and it turned out we actually could. As I am sure was the case with many of my colleagues, the end of my first full calendar year in this Assembly led to some quiet reflection. As I sat in my office before the Christmas break looking back at the year that had been, my gaze fell upon my book sitting on the coffee table. I reached across and starting reading. It said:

Chug, chug, chug. Puff, puff, puff. Ding-dong, ding-dong. The little train rumbled over the tracks. She was a happy little train.

Her cars were filled with toy animals—giraffes with long necks, Teddy bears with almost no necks at all, and even a baby elephant.

There were dolls and the funniest little toy clown you ever saw.

But that was not all. Some cars were filled with good things for boys and girls to eat – golden oranges, red-cheeked apples, bottles of milk, and even lollipops for after-meal treats.

Now I may have spent too long around this building over the course of the past 17 months contemplating the ins and outs of the ACT economy, but as I read about the wonderful cargo on board the little train I could not help but think of how it could be representative of all the goods and services an economy delivers—perhaps the virtues bestowed upon Australia as it chugged its little way through 26 years of uninterrupted economic growth. The train could even be representative of the proud Australian economy enabling the delivery of these goods.

I read on:

The little train was carrying all these wonderful things to the good little boys and girls on the other side of the mountain.

She puffed along merrily. Then all of a sudden she stopped. She simply could not go another inch. She tried and tried, but her wheels would not turn!

The Australian economy puffing along nicely for so many years all of sudden appears to have faltered with the end of the mining boom coinciding with a collapse in wage growth and a rise in underemployment. Try as we might to use the same old engine to get things started again, we have not been able to shake off the economic malaise that has shrouded us nationally since the global financial crisis.

Can some of our state economies deliver the growth required to put some fire in the engine of the national economy again? On I read:

“Here comes a shiny new engine,” said the little clown. All the dolls and toys cried out together, “Please, Shiny New Engine, won’t you pull our train over the mountain?”

“Our engine has broken down, and the boys and girls on the other side won’t have any toys to play with or good food to eat unless you help us.”

But the Shiny New Engine snorted: “I pull you? I am a Passenger Engine. My train has sleeping cars and a dining car with waiters to serve hungry people. I pull the likes of you? Indeed not!”

And off he steamed.

In my head I thought this was like relying on the property booms in the two biggest states—New South Wales and Victoria—to drive the national economy again. Neither state has been willing to take on the tax reform necessary to smooth out the boom, which over time has and will only serve to further the housing affordability issues already prevalent in major cities. I turned back to the story:

Soon the little clown called out, “Look! A great big strong engine is coming.”

“Please, oh, please, Big Engine,” cried all the dolls and toys. “Won’t you pull our train over the mountain?”

“I am a Freight Engine,” the Big Strong Engine bellowed. “I have just pulled a train with big heavy machines. I am a very important engine indeed. I won’t pull the likes of you!”

And the Big Engine puffed off.

The big engine reminded me of the mining states—too tired from pulling the national economy through the mining boom and so conscious of their economic status that they are now more focused on claiming a greater share of commonwealth funding than driving the next phase of economic growth. As the story says:

The little train and all the dolls and toys were very sad. “Cheer up,” said the little clown. “The Big Engine is not the only one in the world.

“Here comes another. He looks very old and tired, but our train is so little, perhaps he can help us.”

But the Rusty Old Engine sighed. “I am so tired. I must rest my weary wheels. I cannot pull even so little a train as yours over the mountain. I can not. I can not. I can not.”

And off he rumbled.

The little train and all the dolls and toys were very sad.

And off he rumbled. Sounds a little bit like South Australia or Tasmania. I read on:

By now, the dolls and toys were so sad they were ready to cry.

It is a difficult time for many Australians. What we have tried before has not worked this time. We are experiencing the first generation whose standard of living will have gone backwards since the industrial revolution made it a virtual guarantee that each generation would be better off than their predecessors. The nation and, indeed, the world have been doing some hard soul-searching in recent years to work out how we might turn things around.

It got me thinking about how the ACT might represent something different, as we seem to keep on chugging along despite what might be happening elsewhere. As I continued reading I could not help but think the ACT might be the little blue engine come to save the day. As it says in the story:

But the little clown called out, “Here comes a little blue engine, a very little one, maybe she will help us.”

The very little engine came chug, chugging merrily along.

What is the matter, my friends?” she asked kindly.

“Oh, Little Blue Engine,” cried the dolls and toys. “Will you pull us over the mountain? Our engine has broken down and the good boys and girls on the other side won’t have any toys to play with or good food to eat unless you help us. Please, please help.”

“I am not very big. I have never been over the mountain. But I think I can. I think I can. I think I can. I think I can.” And the Little Blue Engine hitched herself to the train.

The little blue engine is the ACT. It speaks to exactly what we as a city and as a community stand for—we think we can. We think we can deliver a prosperous community where everyone has the same opportunity, and we are willing to climb that hill even when everyone else has given up. We think we can be a leader in economic and social policy, and while we may not be the biggest and we may not have tried something before we will have a go.

When it comes to tax reform we are doing what almost every economist in the country is telling the states to do. When it comes to equality it is not simply a case that

Canberrans are the best paid in Australia but, according to the Bureau of Statistics, we are also the most equitable city. As I kept reading, I thought we might well be that little blue engine willing to hitch ourselves to the nation and lead it over the hill, tugging and pulling all the way. As it says in the story:

She tugged and pulled and pulled and tugged and slowly, slowly, slowly they started off.

Puff, puff, chug, chug, went the Little Blue Engine. "I think I can—I think I can—I think I can—I think I can—I think I can."

Up, up, up. Faster and faster the little engine climbed, until at last they reached the top of the mountain.

The ACT offers a different path to economic growth, one based on the pillars of education, health and infrastructure. It is the slow and steady path to sustainable, inclusive economic growth, and on many measures it appears to be working. On the Organisation for Economic Cooperation and Development regional wellbeing measures, the ACT ranks the highest of any state or territory on six of 11 measures and second on four others.

Compared to all OECD regions the ACT ranks in the top 18 per cent in access to services, the top 15 per cent for education and the top 10 per cent for health. It is no surprise that the ACT also ranks in the top 10 per cent for safety, the top eight per cent for jobs and the top seven per cent for income. Of all the regions making up the OECD, the ACT ranks in the top seven per cent for life satisfaction. This has not happened by accident; it requires a government to put its money where its mouth is and invest in its people. The Commonwealth Grants Commission as part of its annual update report considers that when you factor in size and need the ACT has the highest spend per capita of any jurisdiction on health and education.

As I finished reading the story I was filled with pride in what we are attempting to achieve here in the ACT:

"Hurray, hurray," cried the little clown and all the dolls and toys. "The good little boys and girls in the city will be happy because you helped us!"

And the Little Blue Engine smiled and seemed to say as she puffed steadily down the mountain, "I thought I could. I thought I could. I thought I could."

Whilst we might not have reached the top of the summit just yet, we certainly continue to think we can. We continue to work on our housing policy to address the needs of the most disadvantaged in our community. We are reviewing our education policy to prepare our school system for the next 10 years. We are delivering on our election commitment to increase nurse-led walk-in centres in the ACT. And this year we will deliver the first stage of the light rail in the ACT, realising a key aspect of the original Griffin plan from over 100 years ago.

There is still plenty to do, and I would rather be on the side that stands for Canberra getting on with the job of climbing that mountain to deliver to a wonderful people.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.00): I thank members for their contributions this morning. It is always good to talk about the success of the ACT economy and it is always insightful to hear the wide variety of perspectives on the economy, and indeed, one might extrapolate, on life.

It is fascinating, as you observe people's instinctive responses to issues raised in this place, to see that many, it would appear, have as their default starting point that very little good can happen ever; that there is always something wrong, something else or more that should be done; or that the task is forever unfulfilled, unable to be completed unless some other element of economic, social or political debate could be engaged in.

It is instructive, in the context of where the territory economy is now, to hear the different perspectives of the three different political parties in this place. I will simply make the observation that I am very proud and pleased to be a member of the Australian Labor Party, which has a positive perspective on both this city and its future, and which is in the business of talking Canberra up, of encouraging this city to be even better.

I would invite anyone who later reviews the *Hansard* report of this debate to compare the approach and the outlook of members of the Australian Labor Party with those of the other parties. It will be instructive, and I think it will demonstrate very clearly who is in the business of driving opportunity, growth and improvement in Canberra and whose starting point is that everything is measurable and nothing good could possibly ever happen. That really clouds how everyone works in this place. Even factoring in opposition, crossbench and government roles, it is instructive. Members might want to reflect upon their fundamental outlook on life if everything is so miserable. But I digress.

I am very pleased to be able to advise the Assembly that according to the ANZ, in their most recent snapshot of state and territory performance, the ACT was the best performing state or territory in the fourth quarter of 2017. That is according to their Stateometer index. They said:

The labour market was the standout sector supported by strength in both public and private hiring. Trade and household sectors were also positives.

On the question of diversification, which is a topic of consistent debate in this place, they said:

The ACT's small and concentrated economy has become marginally less small and less concentrated. Helped by solid population growth, it posted stellar 4.6% gross state product growth in 2016-17 and is on track for another good year.

Exports—including international education and tourism—are helping to broaden the ACT's economic base and have made a positive contribution to the ANZ Stateometer since mid-2016.

International student enrolments have been solid and the ACT government now estimates university and vocation education students contribute around AUD750m to the economy annually. That is equivalent to around 4% of total consumption.

On the question of the labour market, they said that participation was very high. It is not at an all-time record, but 72.9 per cent in trend terms represents a high level of participation. They said:

The unemployment rate has therefore remained broadly steady ... over the last year even though employment growth was a solid 4.8% y/y—

year on year—

in trend terms. Job vacancies suggest solid employment growth is ahead.

In relation to investment, they said:

Public infrastructure has been dominated by the light rail project, law courts upgrade, health and public housing. Underlying public investment rose to a record high in the year to September 2017 ... Dwelling investment has also grown strongly and ... Canberra house prices did not rise as quickly as Sydney and Melbourne over the last three years.

They said:

We expect moderate growth to continue in 2018, helped by a solid labour market and population growth, especially due to overseas immigrants.

So, overall, there is a very positive picture of the territory economy in the latest data.

Mr Pettersson's motion goes to the detail of other significant improvements in the territory's economic position. I want to particularly focus on the strength of the labour market and the 10,000 new jobs that were created in 2017, the vast majority of those full time and the overwhelming majority of those in the private sector. The jobs have been created in a broad range of industries: in education and training; retail trade, IT and media, health care; construction, and the energy sector. This means that there are more good opportunities for Canberrans from all backgrounds, not just office workers. This is encouraging. The point I would make on the diversity of the ACT economy is that although the commonwealth share of state final demand has been decreasing, there are many measures of diversity, and what is happening outside the commonwealth sector of our economy is exciting to see.

I will take a few moments in my comments to respond to Ms Le Couteur's remarks on the defence sector and the ACT government's objectives. The ACT government recognises that a strong defence sector in the Canberra region has many benefits, including spillovers to other parts of the economy and our broader community. Economic modelling shows that from each billion dollars spent on defence operations in the Canberra region, gross state product will grow by around \$1.4 billion and we

will see the addition of around 8,000 extra jobs. Defence expenditure stimulates employment across many sectors in the Canberra region, including transport, retail trade, construction and the professional and technical services sector.

The ACT government values the skills and experience that our defence workforce brings to the economy, including recent veterans, who have an enormous amount to contribute after their active military careers. Many of these skills are now finding their way into new businesses in Canberra and helping us to build the industries of the future. Our intent is to foster the positive social aspects and impacts from defence innovation undertaken by our defence companies and our education and research institutions.

From world leaders like Electro Optic Systems, this means, for example, using tracking lasers to map and understand space debris and protect our satellite services. For the University of Canberra, it means expanding military-focused human performance research into fall prevention technologies for the elderly. And at CEA Technologies, their new workforce is being trained in technical precision manufacturing. We also acknowledge that our defence industry plays an important role in providing humanitarian capabilities. For example, Aspen Medical delivers maternal and child health care in developing nations and is at the forefront of major international medical responses, including the 2014-15 Ebola crisis in West Africa. They are a couple of snapshots showing the important role that the defence industry plays in the ACT.

There are further examples where defence-related industries in the territory are working to support a range of other really important outcomes. This includes in cyberspace and technology where organisations like QuintessenceLabs are doing work that is related to the defence industry but also helps a range of organisations in how their data is collected, communicated and stored, using a blend of advanced cybersecurity and quantum technology.

Our defence industry is an important part of the territory economy and has significant spillovers into other areas of economic and social activity in our city. It is naive in the extreme to confine debate around defence industries in the ACT to the manufacture of weapons. It is much broader than that. In fact, the ACT's strengths are not in those areas, but in the areas I have mentioned this morning and similar areas.

Having said that, I commend Mr Pettersson for his motion and thank those who have contributed in a positive way to this debate about the territory's economic future.

MR PETTERSSON (Yerrabi) (11.10), in reply: Thank you to all the members who contributed to this debate today. There were more speakers than I expected.

In judging our government's economic leadership, the results speak for themselves. The ACT has the lowest unemployment rate in the country, at 3.7 per cent. Over the past year, 10,000 new jobs were created, 8,000 of which were full time. It is an incredible result that is worth repeating time and time again: 80 per cent of them were full time. Private sector job growth remained strong, with an annual increase of

23.3 per cent in private sector vacancies, well above the national average of 17.2 per cent, with public sector vacancies doing pretty well, at 35.7 per cent.

When Mr Coe spoke earlier, he had two pretty strong views: first, that the economy is not diversifying; and, second, that strong job growth across the board is somehow a problem. We on this side of the chamber are not going to apologise for strong job growth across the board. Our government's job creation policies have had a positive impact and will continue to have as we continue to roll them out. Tourism and higher education have been particular stand-out growth sectors of our local economy, and that growth is set to continue. I will be saving my pennies up to go on an overseas holiday on one of these new direct flights.

The ACT Liberals may try to attack everything we do on this side of the chamber. It must be in their DNA. All we can assume is that the Liberals will oppose whatever we say. We do not know what they stand for; we simply know they stand against anything we do.

Canberra's economic growth is stronger; our employment numbers are higher; our unemployment numbers are lower. These outcomes are not by accident. They are the result of policies enacted by this government over a number of years and the hard work of this city.

Question resolved in the affirmative.

ACT Ambulance Service—staffing

MRS JONES (Murrumbidgee) (11.13): I move:

That this Assembly:

(1) notes:

- (a) the ACT Ambulance Service (ACTAS) is made up of hardworking men and women who dedicate themselves to serving the ACT community;
- (b) after working a 10-hour day shift or 14-hour night shift, these men and women regularly work overtime to fill shortages in the emergency ambulance system;
- (c) 35 923 hours of overtime were worked by ACTAS qualified ambulance officers in 2016-17;
- (d) 35 923 hours of overtime is equivalent to 98 hours and 25 minutes of overtime worked each and every day; and
- (e) despite requiring 35 923 hours of overtime from ACTAS ambulance officers, the ACT Government failed to meet minimum crewing levels for 41.5 percent of all emergency ambulance shifts in 2016-17; and

(2) calls on the Government to:

- (a) provide an exhaustive list of reasons for the amount of overtime worked in 2016-17;

- (b) explain why ACTAS emergency ambulance shifts fell below the minimum crewing level for 41.5 percent of all shifts, despite 35 923 hours of overtime being worked; and
- (c) report back to the Assembly by the last sitting of March 2018.

I move the motion because the Ambulance Service is made up of men and women who work so hard for our community. They have a generous and professional nature. As with all our emergency service workers, the men and women of ACTAS are some of the best people in our community. They are dedicated, kind, caring people. They often put their physical and mental wellbeing on the line in the service of others.

These workers put in long days and nights and are often away from their families at important times such as family meals, school assemblies and Saturday sporting matches. It is always important when dealing with our emergency service workers to remember the sacrifices that they make every day for our community.

After putting in a 10-hour day shift or 14-hour night shift, our ambulance officers often are asked to work overtime to backfill vacant shifts. So, after having done a 14-hour night shift the night before, starting at 6 pm, it can suddenly become much longer, dragging into the hours later in the day. And when this has become a standard practice it leaves members of the force quite concerned. In fact in 2016-17, 35,923 hours of overtime were worked by our qualified ambulance officers. That is on average 98 hours and 25 minutes of overtime worked every single day. Almost 36,000 hours of overtime were worked by our ambos, yet the minister last week claimed that there were not workplace management problems and that there was no need to worry.

Despite our ambulance officers putting in 36,000 hours of overtime last financial year, still 41.5 per cent of all shifts were below the minimum crewing levels. It is scary to think how much worse this figure could have been if our workers were not able or willing to put in this additional overtime, which really cannot be demanded of people after working a 10 or a 14-hour shift. Let that sink in for a moment. Despite ambulance officers working 36,000 hours of overtime last financial year, above and beyond their rostered work requirements, the ACT government still failed to provide enough emergency ambulance service crews to meet the minimum crewing level for over 40 per cent of the time last year.

This is not good governance. It is not good workplace management and it is putting our ambulance officers under further stress. It is leaving the Canberra community vulnerable. It is leaving that workforce vulnerable to the long-term effects of overwork and overstress. Any workplace that relies on overtime just to keep up with normal operations is clearly not set up correctly. Even with 36,000 hours of overtime there was such a short staff issue.

But the Barr government and Minister Gentleman do not seem to be too concerned. When I called on them last week to provide an explanation as to why 41.5 per cent of all emergency ambulance shifts fell below minimum crewing levels, the minister amended my motion instead to call for a review into whether we should maintain the

minimum crewing levels as a measure at all. That would be a bit of a lame joke if it were not such a serious issue.

The ambulance officers are rightly upset at the minister's response: after being called out for not providing enough ambulance officers to meet the minimum crewing level, the minister decided that maybe they should just do away with the minimum crewing measurement completely. Now, that is not quite what he said; he said he will review it. But the intention is clearly to ask the question whether this is going to be our future measure or whether something less could be the future measure, and the ambulance officers know it. How sad that the government is operating under the principle that if you at first do not succeed, possibly redefine success; shift the goalposts.

Has the minister asked ambulance officers how they feel about the idea of doing away with minimum crewing levels? Did the minister consult with them at all before making that announcement? Will he? Or will the minister just do what is politically expedient for him and the Labor Party? I sincerely hope the minister will not adopt the same approach in today's motion as he did last week. The motion today is very straightforward. It steps out the facts in a logical manner. It does not include much argument or editorial; it simply presents the facts and calls for an answer and for information.

I believe that the people of the ACT and the people of the ambulance service deserve an explanation. I am calling for these answers because Canberrans deserve open and accountable government. We have not heard much of it from this government in its latest iteration, but when Katy Gallagher was here one of her favourite phrases was "open and accountable government". Tell them the truth even when the truth is uncomfortable for ministers, because the trust has been broken for ambulance officers and the reality is that their lives have been quite uncomfortable for some time now.

I acknowledge that the minister has announced new recruits, some of whom will be coming into the service over the next few months. That is good news and I thank the minister for this. However, the announcement does not wash away the past. It does not negate the government's responsibility to explain to the people who elected them why the service is in the position it is in and was in in 2016-17.

I am calling on the government to provide an exhaustive list of the reasons for the amount of overtime worked in 2016-17. The public deserve to know the reasons why a massive 36,000 hours of overtime worked is not enough to maintain minimum crewing levels. There are no doubt multiple reasons for this, and not all of them preventable. However, people deserve to know the reasons, not just the reasons the government feels comfortable talking about.

I am also calling on the government to explain to the people they represent why, despite all of that overtime, 36,000 hours, the government failed to provide enough ambulance crews to meet the minimum crewing level 41.5 per cent of the time in 2016-17. It is not a radical request; it is a measured response to what is quite shocking information.

As the Assembly knows, there are two emergency ambulance shifts per day: a 10-hour day shift and a 14-hour night shift. The day shift is 8 am to 6 pm, and the night shift is 6 pm to 8 am. There are 168 hours worked in the week. There are five weeknights, and 14-hour-long shifts. That equates to 70 hours per week. That means that 70 hours a week is considered a weeknight shift. Coincidentally, 70 hours out of 168 hours, or 41.5 per cent of the week, is the same percentage of shifts which were below minimum crewing. In his response to my motion last week, the minister stated:

... if it is known that there are not enough staff to roster to crew 10 emergency ambulances in the middle of the day, every effort is made to backfill the rostered shifts. The same effort to backfill rostered shifts might not be applied for night shifts during the middle of a working week. In these instances, ACTAS accepts operating with fewer than 10 emergency ambulance crews in the knowledge that the high standard of care for the community is maintained.

Given that 41.5 per cent of the week is considered a weeknight night shift, and 41.5 per cent of all shifts were below minimum crewing, is the minister saying that essentially the ambulance service was below minimum crewing practically between 6 pm and 8 am every single Monday, Tuesday, Wednesday, Thursday and Friday of last financial year? I hope not. I do not think that that would be as easily the case. However, it is quite a coincidence, or perhaps it is not a coincidence, that the two numbers are similar. It goes to show that Canberrans do deserve an explanation. There is not an understanding of exactly how we got into this position and exactly how it has affected our ambulance service. Even if it is, the numbers of weeknights in a year do not add up to 303, which was the number of shifts below minimum crewing in 2016-17. However, the point demonstrates that even if every weeknight was below minimum crewing there would still have been other shifts that were below minimum crewing that were not during a weeknight. So, by the minister's own measures, this would mean that some of the shifts that were below minimum crewing occurred during high-demand periods. Clearly the reassurances that the minister provided last week do not add up. It is not enough information for people to truly understand what has happened.

During last week's debate I spoke of the stress that the constant requests to work overtime and the massive amounts of backfilling puts on the ACTAS workforce. In response to my points, the minister made it clear that if a shift becomes vacant it needs to be backfilled. The minister stated:

Those of us who have worked shiftwork and those of us who have an understanding of workforce capability will tell you that if a shift becomes vacant it needs to be backfilled. It is a normal operational procedure that happens in every shift operation across the country ...

So said the minister last week. So there you have it: the minister is arguing that if a shift becomes vacant it needs to be backfilled, while also arguing that if a shift becomes vacant it does not need to be backfilled. Can the minister please make up his mind? If an emergency ambulance shift becomes vacant, do we or do we not need to backfill it? As always, the minister is trying to have it both ways, in an effort to avoid explaining what is actually going on.

My uncle spent a long career working as an ambulance officer. I know the stress that shiftwork puts on these workers as well as their families. He ended up with a broken marriage. I understand sleep deprivation pretty well, as the mother of five children and as the wife of an army officer. I understand the importance of looking after shiftworkers, as a former union organiser. In this field in particular, often lifesaving work, we need a workforce that is rested, that has had appropriate breaks, that is alert and that is being properly looked after. Otherwise eventually there will be outcomes which are less than what we want.

That is why I am asking for answers, and I am asking for these answers by the last sitting in March. I think the minister knows the answers; I think he just does not want to tell them. The people of Canberra must be given an explanation. There are still too many questions that remain unanswered, and the minister knows these answers. If he does not, he is incompetent. If he does and will not say them, he is hiding the truth to protect himself.

The Barr government and Minister Gentleman need to come clean: no more spin, no more trying to turn this into something that they like to talk about. They need to fess up: tell us exactly what has happened that made the ambulance service in 2016-17 so poorly staffed. Why did 36,000 hours of overtime need to be worked? And why, even with that enormous effort from staff, were 41.5 per cent of shifts below minimum crewing levels? When were those shifts? Why were those shifts below crewing levels? What were the decisions made based on?

The ambulance service is a vital government service. It is not some fringe government program. The ambulance service is there for members of our community at the time of their greatest need. It is one of the most fundamental areas of government. If the system is not working properly, it is something that should be taken extraordinarily seriously.

MR GENTLEMAN (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.25): I am happy to speak today to highlight the excellent services the Canberra community receives from the ACT Ambulance Service. But I must admit to some surprise at addressing this issue in the Assembly so soon after last week's thorough discussion on how we are supporting and resourcing the ACT Ambulance Service, or ACTAS, in the face of increased demand.

Mrs Jones's second attempt at politicising this issue gives me another opportunity to inform the Assembly and the community that for the past six years we have enjoyed the best response times in the country for ambulance service. And it gives me another opportunity to remind the Assembly of the government's commitment to ensuring that Canberra continues to be one of the safest communities in the world to live, while we are also supporting the welfare of our dedicated ambulance workforce. I take this opportunity to once again recognise and thank all the ACTAS staff for their professionalism and their continued efforts to care for and protect the Canberra community.

The only new element of Mrs Jones's latest motion is a call for the government to report back by the end of the March sitting period on the use of overtime to fill shifts. I am pleased to advise that I can report back right now. There is no exhaustive list of reasons for the amount of overtime worked in ACTAS, as the reasons are many. Overtime plays a key role in operating any 24/7 emergency service such as ACTAS, and we do not shy away from this fact.

In order to run ACTAS effectively, overtime can be used to provide relief for people who may be off duty because of sick leave, for example. We also pay overtime to our staff to attend late cases, that is, incidents that commence on one shift and carry over to the next, also for training, for meetings and for all the community events where an ACTAS presence is requested, for example last week's Multicultural Festival.

I am sure members of the Assembly would agree that these are reasonable reasons to pay overtime and reflect the reality that, for an operational service, supply and demand can vary significantly. This is common across ambulance services around Australia and right around the world, and indeed for any front-line service that works 24/7, 365 days a year. If ACTAS were obliged to have permanent positions to cover all these elements which are performed in addition to staff members' standard rostered hours, this would be a significant additional cost to the community due to on-costing and would not be an efficient or effective use of ACT government funds.

There is one element that I need to clarify. The hours of overtime worked in 2016-17 that are referred to in Mrs Jones's motion were not solely for paramedics. The overtime figure relates to the entire operational ACTAS workforce which comprises more than just paramedics.

As I explained last week, demand on our Ambulance Service is at the highest levels ever. Despite this growing demand, the ACT has continued to record the best response times in the country over the past six years, as well as the highest levels of patient satisfaction. This is an outstanding achievement that reinforces the quality and performance of ACTAS over time.

I informed the Assembly last week that the Chief Officer, ACTAS, was comfortable with the resourcing arrangements in place. However, with service demand continuing to increase, the government is concerned for the welfare of a committed ambulance workforce as they continue to meet community expectations. These concerns include ensuring that staff have the opportunity for adequate breaks and an appropriate amount of time to rest and recuperate between shifts. The government undertook to address this with a commitment made in the lead-up to the 2016 ACT election.

The commitment was to provide an additional ambulance crew consisting of 15 paramedics to provide 24/7 coverage and to allow for an appropriate relief factor, and two ambulance vehicles. The government's recent supplementary budget announcement in December last year not only delivered on this commitment but recognised that demand for ambulance services was increasing to record levels. In response, an additional eight paramedics were funded to enhance the current roster and to support relief arrangements.

Recruiting to fill normal attrition vacancies is also conducted regularly, with the next intake scheduled for March this year and May this year. I take this opportunity to encourage any people wishing to join ACTAS to apply to become part of our high-performing and highly regarded ambulance service.

The government will not be supporting Mrs Jones's motion today. The motion passed last week by the Assembly, supported by all parties, covered off the issues I have raised today, namely that despite increased demand our Ambulance Service continues to perform at the highest levels and that this government is providing increased support to ensure this performance does not come at the expense of our paramedics' wellbeing.

I am satisfied that the government's actions will assist our ACTAS staff to continue to maintain the highest levels of service delivery in the nation while at the same time supporting the ongoing welfare of its workforce, and I am pleased the Emergency Services Agency will continue to seek the views of the workforce in managing their workloads and overtime arrangements into the future.

The Canberra community can have the highest confidence in the performance of their Ambulance Service, and I would once again like to take this opportunity to thank the Chief Officer, ACTAS, and all ACTAS staff for their continued efforts to care for and protect the Canberra community.

MR RATTENBURY (Kurrajong) (11.31): This motion does bring with it some feeling of *deja vu* as just last week we were here debating some very similar issues and I recall that Minister Gentleman undertook to review the issues that Mrs Jones had raised at that time associated with minimum crewing levels. In the debate on the motion the government also agreed to monitor ambulance resources and staffing, as well as the wellbeing of front-line staff.

I think they were important undertakings that the minister gave last week. I was pleased he did that, and I look forward to seeing the outcomes of that work that he has undertaken to do. I would have thought that it would be appropriate to give the minister time to undertake this review and come back with any further information but instead we have another motion today.

As I said last week, I agree with plenty of what Mrs Jones says in relation to the value of our Ambulance Service. I acknowledge and am grateful for the hard work and commitment of our staff who are doing a tough but critically important job with great dedication. I also have no disagreement with Mrs Jones's identifying that the minimum crewing levels metric is not being met a fair proportion of the time. It was a statement of fact. This issue will be responded to through the review that Minister Gentleman has agreed to undertake and I look forward to seeing the outcome of that work.

I acknowledge that in this week's motion Mrs Jones has also identified that ACTAS officers are working overtime shifts and has raised concerns about the levels of overtime being worked. What is not clear from the motion is the reason for this

amount of overtime. Mrs Jones has again brought some interesting information to the attention of the Assembly but I would suggest that the issue may well be more nuanced than what is being presented.

I cannot claim to be an expert on ACTAS shift rostering practices. There will likely be a range of factors which contribute to staff working overtime shifts. Leave for other personnel, periods of increased demand or unexpected absence due to illness are a few that would come to mind if one were to sit and reflect on this.

I understand that working overtime shifts is a regular part of shift work and not every overtime shift worked reflects a shortage in personnel, and Minister Gentleman has outlined some of those reasons today. I think that has given us some useful additional information, including his observation that not all the hours identified in the motion are in fact worked by paramedics but are worked by other staff in the service, as well as some of those, I think, very important activities that might not be seen to be core business in the sense of going to retrieve people who have been injured or have illness but go to the important community presence that the Ambulance Service needs to fulfil, as well as things like training and attending internal meetings.

I think Minister Gentleman's remarks today have been helpful in helping all of us understand more clearly what some of the reasons are for that serving of overtime. What it underlines is that these matters are complex, and we of course need to consider all the relevant matters when debating what it means. This is a raw number. The important thing is to understand the implications of it. And based on the information the minister has provided today, I do not draw the same conclusion as Mrs Jones has sought to from these statistics.

I do not think it is clear that the number of overtime shifts worked indicates that there are significant shortages in staffing for the ACT Ambulance Service. Furthermore, this conclusion would be inconsistent with the advice from the ACTAS Chief Officer who has indicated he is comfortable with the current resourcing level.

As we discussed last week, the performance of the ACT Ambulance Service is amongst the best in the country. This is shown in the following figures from the 2016-17 *Report on government services*: firstly, the proportion of patients in the ACT who felt that the level of care provided to them by ACT paramedics was very good or good was 97 per cent, equal with the national average. Also, the proportion of patients whose level of trust and confidence in paramedics and their ability to provide quality care and treatment was very high or high was agreed to by 92 per cent, again equal with the national average.

Ambulance code 1 response times were 14.3 minutes in the ACT, the best in the country, compared to 17 minutes in South Australia for example, 17.3 minutes in Victoria and 20.8 minutes in New South Wales; 95.8 per cent of triple zero calls in the ACT were answered within 10 seconds, compared to the national average of 88.9 per cent; 91.5 per cent of patients who received care from the ambulance service reported a clinically meaningful pain reduction, compared to 86.2 per cent nationally; and the ACT's survival rate for cardiac arrest events was 55.6 per cent, above the national average of 50.4 per cent.

Clearly the ACT Ambulance Service provides a timely, high quality and effective service for the people of the ACT. Of course the government should continue to monitor these figures and liaise with those in the Ambulance Service to identify issues as they arise. But it is a nonsense for Mrs Jones to assert that somehow resourcing is impacting on the performance of our ambulance service. It does not, by those figures, appear to be reflected in the data. I think that there is perhaps a disconnect there between the argument that is being put and the data that we have before us.

I do agree with Mrs Jones that the government must be prepared to adequately resource our Ambulance Service to respond to the needs of our growing population. That is why the government has committed significant additional resources to the Ambulance Service through this year's budget review process. Over \$10 million was provided to fund the recruitment of 22 new paramedics and a new mechanic, in addition to the recruitment of 11 paramedics already underway.

ROGS data further confirms that the government is continuing to invest in training our future paramedic workforce. In 2016 there were 262 student enrolments in accredited paramedic training courses, and 51 students in their final year. We cannot afford to be complacent but from this evidence it seems that the ACT Ambulance Service is one of the best performing services in the country.

We had a valuable discussion on issues related to the ACT Ambulance Service last week and the minister agreed to look into a range of matters that were raised. It is clear that much of what Mrs Jones has asked for was already covered off in last week's motion, while the questions on overtime have been responded to in this debate. I believe it is right to give the minister sufficient time to undertake the review and properly look into the minimum crewing metric, while continuing to monitor issues relating to resourcing and staff wellbeing. For this reason the Greens will not be supporting Mrs Jones's motion today.

MRS JONES (Murrumbidgee) (11.38), in reply: I thank the minister and Mr Rattenbury for their contributions. It is not surprising that we are back here again this week discussing the Ambulance Service. It should not be surprising to anybody, because in the motion last week there was not sufficient information given, the workforce is not satisfied by the minister's response, and this is precisely the right place to come back and ask for additional information which has not been given.

The minister says that he can provide information today—not an exhaustive list but a list—of some of the reasons why overtime is worked and also that some of the overtime worked has been worked by the broader emergency services workforce, the office-based support staff, although I hardly think that ambulance officers have been coming to me to complain that their workload over the past several years has been becoming unmanageable because of overtime having to be worked in the head office.

It is very interesting that the minister says that the Chief Officer of ACTAS is comfortable but I am here to tell you that the staff are not comfortable and the staff are not satisfied. And the mere fact that they have come into the data as people achieving some of the best response times in the country has been at the expense of

their proper rest and work balance management. People do not make this stuff up. People in the Ambulance Service are not the type of people to exaggerate. They are the type of people to put their head down and work really hard and do life-saving things every single day for the benefit of every member of our community.

Mr Parton: We should be looking after them.

MRS JONES: We should be looking after them much better.

The minister says that the reasons for overtime include attending events and training or sickness et cetera. These are not unusual events. These are not strange occurrences. If we had had a huge flood or a massive fire and there had been a spike in overtime, everybody would understand it. These are standard, normal parts of operating a shift-work service.

The minister comes in here and claims that 36,000 hours, which must be at least 70 hours a year per person or something like that, even if you take into account the head office staff, is an enormous amount of overtime even for a shift-rostered workforce. The minister knows it and he does not want to accept responsibility for it. He wants to pretend nothing has gone wrong. And it is disingenuous and leaves the men and women of ACTAS feeling like the minister does not actually care about them but cares a lot about himself.

One of the reasons that this motion was brought, and the one last week, is that the men and women of the Ambulance Service, our hardworking ambos, have said to me that pressure is going up and up. And similar to the minister's response to a question without notice in the chamber yesterday, I wonder if this minister spends much time chatting to the men and women of the ambo service. It is not hard. You just catch up with them, have a chat and ask them how they are going. You open your ears and you listen. It is clearly not happening, because he can stand up here straight-faced and try to be convincing that he thinks there is not a problem, when there is a problem.

My motion has also asked in 2(b) for an explanation for why ACTAS emergency ambulance shifts fell below the minimum crewing level for 41.5 per cent of shifts, despite the 36,000 hours of overtime being worked. That has not in the least bit been explained today, and now the minister, the Greens and the Labor government will use their numbers in this place to vote the motion down so that they never have to explain why they screwed up so badly. But I think the people of the ACT Ambulance Service deserve an explanation.

They are generous and professional. They put their physical and mental wellbeing on the line in the service of others. They put in long days and even longer nights. They miss many important family events: family meals, school assemblies, Saturday sports matches. They put other things in their life on hold to serve the community.

Yet, after these long shifts, they are routinely asked to work overtime, not occasionally, routinely. This was the reason for last week's motion, and the reason for this week's motion is that, even after last week's motion, there was still not an explanation for how we had got to this point. The government thinks that by using its

numbers in this place it can put its head in the sand and just move on like a big train and pretend nothing ever happened.

Failing to provide enough ambulance services for 41 per cent of shifts is a staggering shortfall. Relying on 36,000 hours of overtime is a shocking example of poor workforce management from this minister. These terrible workplace practices would not be acceptable in any good government or in any good workplace. These terrible workplace practices would not be accepted even by a bad government, because that would not help them. But these terrible workplace practices are accepted by the Barr government and by this minister as an example of the Barr government lowering the bar again.

The men and women of the ACT Ambulance Service deserve better. The men and women and children who rely on our Ambulance Service at their time of greatest need and vulnerability deserve better, and the men, women and children of Canberra and the voters of this city deserve a better explanation.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 11

Noes 14

Miss C Burch	Ms Lee	Mr Barr	Ms Le Couteur
Mr Coe	Mr Milligan	Ms Berry	Ms Orr
Mrs Dunne	Mr Parton	Ms J Burch	Mr Pettersson
Mr Hanson	Mr Wall	Ms Cheyne	Mr Ramsay
Mrs Jones		Ms Cody	Mr Rattenbury
Mrs Kikkert		Ms Fitzharris	Mr Steel
Ms Lawder		Mr Gentleman	Ms Stephen-Smith

Question resolved in the negative.

Alexander Maconochie Centre—governance

MRS JONES (Murrumbidgee) (11.49): I move:

That this Assembly:

(1) notes that:

- (a) on 16 December 2017 staff at the Alexander Maconochie Centre (AMC) mistakenly released an inmate who was supposed to remain in custody on a further remand warrant;
- (b) the inmate remained in the community for approximately three days, leaving the public at risk;
- (c) the Minister for Corrections stated on 20 December 2017 that “we need to look at our systems now to look at why this happened and to make sure that corrective measures are put in place”;

- (d) the Shadow Minister for Corrections wrote to the Chief Minister on 21 December 2017, outlining the recent failings in corrections, including:
 - (i) the death of two inmates while in custody;
 - (ii) three inmates escaping from The Canberra Hospital while receiving treatment;
 - (iii) two inmates escaping from the AMC using building materials;
 - (iv) the severe bashing of two Indigenous inmates; and
 - (v) reports of a forensic investigation into the AMC Detainee Trust Fund;
- (e) the Shadow Minister also sought the Chief Minister's advice as to whether the Minister for Corrections was an appropriate fit for the role and if he had confidence in the Minister's capacity;
- (f) the Chief Minister responded on 15 January 2018 stating "I do not agree with your characterisation of events in this portfolio or your assessment of the Minister"; and
- (g) the Chief Minister did not advise whether the Minister for Corrections was an appropriate fit for the role, nor if he has confidence in the Minister;
- (2) calls on the Chief Minister to advise if the Minister for Corrections is an appropriate fit for the role and if the Chief Minister has full confidence in the Minister; and
- (3) calls on the Minister for Corrections to:
 - (a) advise the Assembly of the disciplinary or other actions taken in redress against staff members involved in the mistaken release; and
 - (b) conduct a review into the cause of this incident and determine:
 - (i) whether the current policies and procedures of the AMC adequately protect inmates, ACT Corrective Services staff and the wider Canberra community;
 - (ii) the underlying governance failings that allowed such a grave error to occur;
 - (iii) established recommendations for improving the policies, procedures and governance of the AMC; and
 - (iv) report back to the Assembly by the last sitting in March 2018.

I have moved this motion because here we are again, in another year, having another discussion about failings at the Alexander Maconochie Centre—not another overdose, fortunately.

On 16 December last year, staff at the AMC mistakenly released a prisoner from custody. This prisoner was meant to remain in custody on a further remand warrant. For approximately three days the inmate walked freely on the streets of Canberra. It took these three days for staff to realise an error had been made. Finally, the police were notified and a warrant was issued for the prisoner's rearrest. It is understood that the person in question had a dangerous and violent criminal history and his release potentially threatened the safety of members of the community. Yet again, the

incompetency of this minister has put the community at risk, exposing the public to a dangerous person they should have been protected from.

When the news broke of this inexcusable error on 20 December, Minister Rattenbury told WIN News, “We need to look at our systems now to look at why this happened and to make sure that corrective measures are put in place.” Yes, we do need to look at our systems. Prisoners who are meant to be locked up should not be allowed to just walk out the front door. I would have thought this was prison management 101. It is absolutely astounding.

Given the timing and seriousness of this shocking mistake, with no Assembly sittings coming up for the next two months, I took the unusual step of writing to the Chief Minister with my concerns. The Assembly was adjourned until February and to my mind I had no other means of addressing this critical situation. I wrote to the Chief Minister on 21 December outlining the many recent failings at the Alexander Maconochie Centre under Minister Rattenbury’s watch. I also outlined my concerns about the appropriateness of having him as Minister for Corrections. I sought the Chief Minister’s advice about what was and continues to be quite a serious situation.

Typical of the Chief Minister’s somewhat offhand and inconsiderate approach to governing, he simply responding by saying,

I do not agree with your characterisation of events in this portfolio or your assessment of the Minister.

Really? Does the Chief Minister not agree with the so-called “characterisation of events” in the corrections portfolio? Which part does the Chief Minister not agree with: that in April 2016 a prisoner escaped custody while receiving treatment at the Canberra Hospital mental health unit; that in May 2016 Steven Freeman died while in custody, only two days after commencing the methadone program; that in September 2016 two prisoners escaped from the AMC using construction materials to scale the fence—three fences, in fact; that in May 2017 Mr Mark O’Connor died while in custody, with toxicology testing showing that a mixture of buprenorphine and methamphetamine were in his system at the time of his death; that in July 2017 a prisoner escaped from custody while receiving treatment at the Canberra Hospital; that in August 2017 two Indigenous brothers were bashed in the AMC and subsequently hospitalised, and reporting by the *Canberra Times* revealed that the mother of those Indigenous brothers was not told of her sons’ bashings by ACTCS until the next day and she was instead informed by a friend; that in August 2017 a prisoner escaped from custody while receiving treatment at the Canberra Hospital; that in November 2017 reports by the *Canberra Times* showed that an anomaly was discovered in the AMC detainee trust fund and a subsequent forensic investigation into the matter was undertaken; that in December 2017 the minister confirmed that an administration error was made resulting in the incorrect release of a dangerous inmate into the community for some period of time?

Which characterisation of events does the Chief Minister not agree with, or does the Chief Minister think that is fine, and that clearly everything is going okay in our prison? Does the Chief Minister disagree with the fact that inmates have died while in

custody? Does the Chief Minister disagree with the fact that many prisoners have escaped? Does the Chief Minister disagree with the fact that two Indigenous brothers were bashed and hospitalised? Does he disagree with the fact that we have had a forensic investigation into the detainee trust fund? Does he disagree with the fact that a prisoner was accidentally released in December last year?

I note he is not even in the chamber, knowing full well that this discussion would go to his response. I can assure you that all of these events did happen. They are true. I have not characterised anything. I have in fact been quite careful not to characterise very much at all. These are facts.

The Chief Minister also wrote that he did not agree with my “assessment of the minister”. The minister is a perfectly intelligent man. The minister has shown through his history in this place that he is capable of a great deal, so I still do not understand, and I think the community does not understand, how this facility has become such a disordered place.

This is what we have come to expect from the government: questions will not be answered; they will be ignored, as with the previous motion—anything that makes them look bad or incompetent. I give one thing to the minister: when bad things happen, he does not pretend they have not happened. He says he is disappointed, as we all are. But the question really is: what needs to happen in order for the system to change sufficiently that such events do not continue to happen?

Despite the seriousness of the state of affairs, the Chief Minister did not answer my question as to whether the Greens leader was the appropriate fit for the portfolio of corrections. Nor did the Chief Minister advise whether he still had confidence in Minister Rattenbury’s capacity to fix the dangerous mess that is of his own making. This minister has been in charge of the facility for more than half of its life, for over five years. Anything going wrong in the system is not somebody else’s fault. I am calling on the Chief Minister to finally answer these questions. The Chief Minister can no longer turn a blind eye to this minister’s neglect and inability.

We also need to hear from Minister Rattenbury—and I am sure we will, but we need to hear answers. The minister acknowledged this himself when he told WIN News, “We need to look at our systems now to look at why this happened and to make sure that corrective measures are put in place.” I look forward to hearing from the minister, hopefully in the debate, about what corrective measures have been put in place. What happened and how can we be assured that it will not happen again?

You are absolutely right, minister. When inmates walk out the front door, we do need to look at the systems and figure out what is going wrong. We need to make sure that proper measures are put in place so that prisoners are not accidentally released. After being the minister for five years, I would have thought the minister would have already done that, but perhaps not.

It is an urgent matter of basic public safety. It is something I am sure all members of the Assembly would agree is a very high priority. The minister said that an explanation was required and that corrective measures needed to be implemented, so

let us hear them. We simply cannot accept that such a serious incident is brushed quietly under the carpet. We need answers and we need to know what the answers are.

Therefore my motion also calls on Mr Rattenbury to advise the Assembly of actions taken in response to the mistaken release. We would like to understand the cause of the mistaken release. We need to determine if current policies relating to the transition from the end of one sentence to a further remand warrant are adequate in ensuring that prisoners are not mistakenly released.

It is important to point out that this, of course, is not an isolated incident. It is part of a pattern of governance failures. This particularly disturbing event is just one of the latest incidents in an endless string of crises under this minister's watch. The AMC was supposed to be a human rights prison based on the healthy prison concept. But under Minister Rattenbury's watch it is clear that the AMC does not fulfil even its most basic functions at times. It is Minister Rattenbury's incompetence or indifference—and I struggle to think that it is incompetence—that has led to escapes, bashings, deaths, a culture of drug peddling, and now prisoners walking out the front door.

I refuse to believe that the minister is not smart enough for the role, so there must be another reason. I can only think that it is not his main focus, that there are other things that he wants to achieve in this place. Perhaps ministers for corrections need to be absolutely passionate about running an excellent corrections facility. Perhaps that has to be one of their main and only focuses. Perhaps this facility is difficult to run.

The minister has had over five years to make the prison a properly functioning facility. That is more than long enough and his time should be up. We do not have the death penalty anymore, thank God, and when someone is sentenced to jail time in Canberra we should be able to assure them and their family that that person will come out alive. Minister Rattenbury cannot at present give that guarantee.

What is more, the Canberra community expects dangerous criminals to be kept inside the prison and off our streets. The whole purpose of our entire justice system to a large extent is keeping those who are not able to live in the community because of their choices in a facility where there is some hope of them learning to make new, better choices. That is also a guarantee that Minister Rattenbury cannot give.

Many in the Canberra community have lost faith in our jail system. The situation is dire. The minister has shown no tangible signs of being able to turn the situation around. I believe he is trying, but a week does not go by when something else quite serious does not happen.

In a responsible government, a government where there was some accountability, the Chief Minister would have intervened some time ago, and he has failed to act. The Chief Minister, if he had any sense of responsibility, would admit that the appointment perhaps was not correct, that the minister perhaps is tired or is not focused on this area, and take steps to prevent Minister Rattenbury's neglect of the portfolio from further damaging the AMC and endangering the community. But the Chief Minister is not interested in that conversation. His short and dismissive response

to my letter in December shows an even greater indifference about the alarming state of the AMC, as the minister who is supposed to be accountable for fixing it.

After every problem, Minister Rattenbury at least says that he is disappointed, but the list of disappointments is growing, with no end in sight, and the Chief Minister just says, “No problem here.” I can only conclude that Minister Barr is in denial or does not care. Maybe there is no-one else in his team that he could trust to do it. Perhaps he should take it on himself.

But doing nothing is not acceptable. When will the Chief Minister take responsibility, show some leadership and admit that the leader of the Greens, our longest-serving Greens minister here, was never suitable as a choice for Minister for Corrections? The greatest work he has done, other than building more beds—which was indeed needed—was to try to arm the prisoners with needles to injure themselves and others.

Why can't the Chief Minister find someone capable and passionate enough about actually running a very successful prison? There have been too many years of bashings, rampant drugs, numerous escapes and deaths, and there must not be another.

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) (12.01): Despite what Mrs Jones may believe, I and the staff of ACT Corrective Services are committed each and every day to ensuring that the AMC continues to strive to live up to its mandate to provide an environment that is secure and safe, where detainees are treated with respect and where they are encouraged to improve and be rehabilitated. That was the intent when the jail was first opened. That is the intent we work to every single day.

The recent *Report on government services* shows that the ACT continues to be the top ranking jurisdiction in regard to education and training for detainees and that the ACT is performing better than Queensland, Western Australia, South Australia and Tasmania in the proportion of detainees participating in employment. New prison industries introduced during my tenure as the minister are providing more options for detainee employment than ever existed before.

The report also shows an improvement in the return-to-custody rates, with 38.6 per cent of adults released from prison returning to custody within two years, down from 41 per cent in 2015-16. This is a measure that goes to the safety of our community.

ACT Corrective Services is currently undergoing a significant period of whole-of-organisation reform. Since April 2017, there have been holistic changes, including changes in leadership and structure, governance arrangements and operational practice.

Corrections is and always will be a “risky business”. We can never entirely predict or account for human behaviour. We can do things better and we can mitigate risk more proactively, but ultimately incidents will occur. The measure of our maturity and the

measure of my capability as Minister for Corrections can be found in how we manage and respond to the types of incidents that Mrs Jones raises in her motion.

I also believe in the importance of a minister sticking around and sorting out issues as they arise. To stay in a portfolio for a sufficient period of time so that the years of experience become an advantage is surely what the opposition should support. In this way, corporate history, relationships and understanding of the issues are well embedded and this depth of understanding can add value.

During my time as corrections minister, each time an incident has occurred a thorough investigation has taken place and responses and systems are adjusted to improve overall performance of the prison. These adjustments ensure that we are always working towards the aims of a safe and secure jail that also delivers respectful treatment of detainees and provision of assistance for them to improve and rehabilitate.

I feel it is important to observe that several of the incidents that Mrs Jones refers to in her motion have been known for some time, that is, they have not occurred even within the past 12 months. Furthermore, she has already raised a number of these issues in a motion in November 2017 at which time I spoke to the numerous improvements made at the AMC during my time and emphasised that Corrective Services works on a continuous improvement program.

However, I will spend some time outlining what has occurred as a result of the incidents that Mrs Jones has chosen to highlight today. With regard to the very regrettable incident of an accidental release of a detainee in December 2017, I note that this week, more than two months after the incident, Mrs Jones has called for a review.

I can happily inform the Assembly that an internal review has in fact already taken place, having commenced immediately after the incident occurred. The review found that the release occurred due to human error. Mrs Jones has raised issues of community safety. In that regard, I can inform the Assembly that the detainee involved had been out on parole, in the community, up until 28 November.

The review has prompted a number of immediate procedural changes including now releasing detainees on the last working day prior to their release date, rather than over a weekend. This will allow detainees to access services and transport which they would not otherwise have been able to access on the weekend and will ensure smoother release processes. It also allows for higher quality assurance within the AMC with regard to checking sentence expiry details. The corrections officers involved in that incident were formally counselled in writing by the executive director.

The most critical of the incidents listed by Mrs Jones were the two deaths in custody, one of which was the tragic death of Mr Steven Freeman in May 2016. I tabled the Moss review implementation progress report in the Assembly yesterday. In my tabling speech I provided detail on the status of the recommendations. I also outlined significant reform during the past 12 months. A number of the recommendations are now complete and work on the remaining recommendations is well underway

This significant progress on all of the recommendations arising from the Moss review reflects my commitment to implementing transformational change and sharing with the community what we will do differently to improve the care, safety and health of detainees. The introduction of an enhanced model of care provided by Winnunga is just one example of this transformational change. I also underline the transparency with which the government has approached this through both an independent oversight committee and full reporting to both the public and the Assembly.

The issue of people absconding while receiving medical treatment has also been raised. There are some complexities in this space. Under section 144A of the Mental Health Act 2015, once a detainee is admitted to an external health facility such as the hospital, that person is taken to be in the custody of ACT Health. This actually raises important requirements to ensure that there is absolute clarity of responsibility between ACT Health and Corrective Services. I am pleased to report that in light of these incidents, there has been a focus on ensuring accountability as well as addressing the specific issues arising from the different incidents.

An independent review of security at the AMC was undertaken in response to the first-ever escape of two detainees from the prison, which occurred in September 2016. This extensive security review also considered other security-related incidents. Recommendations from that review are being progressively implemented. In particular, the review has resulted in a number of improvements including a comprehensive review of policies and procedures; development of operational audit standards in tandem with new policy which will allow for greater governance and compliance auditing; the establishment of a new functional structure within the AMC; enhanced training provision to meet all mandatory training requirements; and establishment of an intelligence cell which will allow ACT Corrective Services to proactively manage and prevent such incidents in the future.

Mrs Jones has also referred to the assault of two detainees in August 2017. While every effort is made to protect and keep safe detainees, assaults in prisons sometimes still occur. That is the simple reality. It is a reflection of the fact that quite a number of people in custody are there because they have sought to resolve conflict outside of custody through violence, and they unfortunately bring the same behaviours to custody. It is important to note, however, that the *Report on government services* released earlier this year showed that prisoner-on-prisoner assault rates have declined in the AMC over the last year.

Nonetheless, changes have been implemented by ACT Corrective Services and ACT Policing following the Moss review to ensure that the responses to the assault within the AMC are being treated appropriately in a pro-investigation and prosecution approach. These improvements have led to the identification and prosecution of the alleged offenders for this incident. They are currently before the court. My recent announcement and additional funding to provide for the creation of a new centralised intelligence unit within ACT Corrective Services will assist in disrupting such activities, but the reality is that we cannot prevent all assaults from occurring.

In 2015, ACT corrections proactively commenced a cashless system for detainees. In analysing the project, which was aimed at reducing risk and improving efficiencies, an anomaly in the detainee trust fund was identified. Financial software supporting the trust account was upgraded and new financial processes were introduced. The anomaly was largely due to debts that detainees had incurred since the opening of the AMC and included items such as fines, financial advances for shop items, tobacco advances and phone credit advances.

The identification of the anomaly and the subsequent actions taken demonstrate a willingness to be proactive and to provide greater certainty to government that detainees cannot spend money prior to it clearing in their bank account. I am pleased to assure the Assembly that the external auditors, KPMG, found that there was no clear evidence of fraud.

Further, when the trust account fraud risk assessment was presented to the JACS audit and performance improvement committee in September 2017, the committee was satisfied that ACT Corrective Services had put in place strong controls to mitigate the risks identified in the original report. This is another example of both my and ACT Corrective Services' commitment to proactively dealing with issues that arise. That work was all done before either Mrs Jones or the *Canberra Times* raised concerns about it.

Issues raised in this motion are not unique to the AMC. These challenges are faced by corrections agencies across Australian jurisdictions and internationally in the complex and challenging environment of correctional services. I know that my colleague just across the border, the Liberal Minister for Corrections in New South Wales, has recently faced similar issues and is working proactively to deal with them.

Intercepting prohibited or contraband items is one of our most challenging functions. That is why I announced an additional drug detector dog at the AMC in November 2017 and that is why additional funding has been provided to enhance security and intelligence in the AMC.

ACT Corrective Services already employs a range of security measures to ensure the safety and security of the AMC. This includes measures to search visitors, staff, contractors, and their belongings, entering the AMC using X-ray machines, body scanners, itemiser tests, metal and mobile phone detectors, a canine unit and physical searches of vehicles.

Once again I reiterate that we can never entirely predict or account for human behaviour in any environment, let alone in a prison environment. By collocating hundreds of people who have found themselves on the wrong side of the law it is inevitable that incidents will occur. It is inevitable that conflicts between detainees will arise. It is inevitable that human error is something we cannot always prevent. Our job is to put in place the best systems we can to overcome those human frailties.

Staff in ACT Corrective Services are diligent and conscientious. They are working in a difficult environment in which sometimes even their lives are on the line. I am

absolutely confident in their abilities, skills and experience and know and trust that they are working within a continuous improvement framework.

I welcome scrutiny and oversight of the prison. It was absolutely staggering last week that the Canberra Liberals voted against the OPCAT bill. This bill allows for monitoring of places of detention in the ACT from the highest level, that is, the United Nations. It beggars belief that they would not support this level of scrutiny, scrutiny which I welcome as corrections minister. It indicates to me that Mrs Jones would perhaps prefer to continue to believe in her own misconceptions about the management of the AMC than have the United Nations subcommittee find to the contrary.

Madam Speaker, you can see that I have an attitude that is open to learning from mistakes. On every occasion where there has been an incident, improvements have been identified and implemented. That is the approach any corrections minister should take in a best effort to ensure that a prison is safe, secure and as human rights compliant as possible. The Greens will not be supporting this motion.

MR MILLIGAN (Yerrabi) (12.14): I thank Mrs Jones for bringing forward this important motion which highlights the government's repeated failures in this space. As the shadow minister for Indigenous affairs I feel it is important to speak to the government's policies and government failures when they impact our Indigenous community. In the case of the Alexander Maconochie Centre, Indigenous inmates have long suffered from a system that is haphazard and dysfunctional.

On 7 August last year, nearly nine months since the Moss review recommendations were made following the tragic death of Steven Freeman, two Indigenous inmates were bashed so severely that they had to be hospitalised. The Indigenous inmates were brothers. Despite the severity of their bashing, the inmates' mother was not informed of their bashing until the next day and in fact first found out their condition via a friend. This is not good enough.

The minister reported that there was extensive CCTV footage of this incident. If there was, why did it take so long for the perpetrators to be charged for this assault and why was the notification to the next of kin procedure not followed and the mother of these men not informed properly? This is yet another failure of the Alexander Maconochie Centre.

Minister, it seems that despite your being in charge for five years, despite the many recommendations made by reviews and despite the extensive—

Mr Gentleman: I wish to raise a point of order, Madam Speaker. The standing orders call for debate to be conducted through the chair, not directly to members of the Assembly.

MADAM SPEAKER: Thank you, Mr Gentleman. Mr Milligan—through the chair.

MR MILLIGAN: Sorry. Minister—through the chair—it seems that despite being in charge for five years, despite the many recommendations made by reviews and

despite the extensive funding provided to this facility you have not been able to make the AMC live up to its human rights mandate. The issues of lack of safety and mismanagement continue to plague the prison.

Ms Julie Tongs, the chief executive of Winnunga Nimmityjah Aboriginal Health Service, has highlighted these issues and has asked the government to reconsider the way the AMC collocates vulnerable people with hardcore violent criminals. Ms Tongs highlighted that the current mix is compromising rehabilitation programs and is jeopardising the jail's goals to be human rights compliant. This view is also backed up Canberra University School of Law and Justice head Professor Lorana Bartels, who has pointed out the challenge of having all detainees, unsentenced and sentenced, max to minimum, men and women in the same facility.

Sadly it was these types of inmates who were charged with the vicious bashing of the two Indigenous brothers in August of last year. Axe murderers, prisoners with links to bikie gangs and violent career criminals should not be able to inflict grievous bodily harm on inmates at AMC. And when these incidents do occur it should be reasonable to expect that swift action be taken to notify the next of kin and prosecute these offenders.

But of course this is an area of the prison that is failing, much like the accidental release of a dangerous prisoner who was meant to remain in custody on further remand warrants. On 16 December last year, staff at the Alexander Maconochie Centre mistakenly released the prisoner from custody. It is understood that the prisoner had a dangerous and violent criminal history and his release potentially threatened the safety of members of the community. Despite this the prisoner remained in the community for approximately three days before it was realised an error had been made.

It is clear that the minister's management of this facility is not working. Surely it is the most fundamental of prison rules: do not let inmates walk out the front door. The AMC has systemic problems. This is just the latest in the long and continually growing list. The minister ought to look at why his systems are failing and how a prisoner could possibly be allowed to go free, and advise what steps need to be taken to address this issue. This is a fundamental part of correction policies, and at the moment the minister is failing.

For too long now these issues have been highlighted by experts and leaders of the Canberra Indigenous community, and it is time that the government started listening. Action needs to be taken. That is why I support this motion today.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.19): I rise to speak in support of the comments made by Minister Rattenbury and to reaffirm that Minister Rattenbury, as Minister for Corrections, has my confidence.

MRS JONES (Murrumbidgee) (12.19), in reply: I had heard that the Chief Minister's speech would be short. I did not realise it would be quite that short, but I am sure Minister Rattenbury is relieved.

I accept that the minister has come up with some of the information that has been called for in the motion and in particular that he has explained that the reason for the detainee being allowed to walk out the front door when he should not have been was human error. It does not give a great deal of confidence to those listening to know that human error is a reason why something can happen, because human error could also happen again tomorrow presumably. There has not been an explanation of a change of systems. Was this human error because of a lack of training? Was it human error because the systems were not tight enough? Was it human error because someone looked at the wrong list?

In our debates it is really valuable and a justice to the community to, as much as possible, explain how and why things have happened. I hope that policies have changed and have been improved, and I accept that the person or people involved have been counselled. But I still think there is more information about the underlying government failings that allowed such a grave error to occur that has not been given during this debate, so we will be continuing to pursue the motion.

I accept the minister saying that a long-serving minister has some knowledge of the portfolio and has a certain amount of corporate understanding. I do not think it is helping at the moment, because not a week goes by without an incident occurring. It is quite disturbing to see the number of incidents that are occurring out of this facility. Maybe we have to have a mature debate about whether our facility can cater to absolutely everybody. Maybe Julie Tongs's perspective has some weight to it, because she is dealing on a daily basis with people who have come in and out of the facility and the effect the facility has had on them. I know certainly from touring the facility that we have a lot of different categories of offenders and that no contact between certain offenders is very hard to manage.

I think the minister is saying that, because some of the events that were discussed in my motion occurred as far back as two years ago, we should not perhaps be discussing them here. I think that is nonsense. The government would much prefer to deal with its record of success than its record of failings. I understand that. But an important part of discussing where we are at with this portfolio is that month by month, fortnight by fortnight, something severe goes wrong and something more than disappointing: quite seriously disappointing. There are people who will never get over some of the things that have occurred in this facility, young men whose lives should have continued.

I was interested to hear the minister say that ACT Health is the right body to keep inmates when they have been transferred. However, we still do not have any information about how that will be achieved. Perhaps the minister for health should be here describing that. If an inmate is put into the adult mental health unit there is a certain level of security in the facility. If an inmate is put into the secure mental health facility there is a higher level of security in that facility. But if an inmate is taken to hospital clearly there is not very much security, because it is not a facility set up for people who are likely to want to abscond. That has not yet been explained. I look forward to more information about the problems with the detainee trust fund and more information about the money that is being spent on security.

It is very telling how many times the minister said in his speech that problems are inevitable. I am not stupid. I do not claim that you can run a facility where nobody ever gets beaten or takes a wrong substance. But I think the community has a right to expect that there is not going to be a breaking story every week or two about problems in the facility. No-one is making these up. They are genuine; they are real.

The Chief Minister does the Assembly something of a disservice by solely saying that he has confidence in the minister, because that does not give weight to the weight of the actual problems that we are dealing with here. The reputation of the facility is going down the gurgler under this minister, and it is nobody else's fault.

I commend the motion to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 11

Noes 14

Miss C Burch	Ms Lee	Mr Barr	Ms Le Couteur
Mr Coe	Mr Milligan	Ms Berry	Ms Orr
Mrs Dunne	Mr Parton	Ms J Burch	Mr Pettersson
Mr Hanson	Mr Wall	Ms Cheyne	Mr Ramsay
Mrs Jones		Ms Cody	Mr Rattenbury
Mrs Kikkert		Ms Fitzharris	Mr Steel
Ms Lawder		Mr Gentleman	Ms Stephen-Smith

Question resolved in the negative.

Sitting suspended from 12.28 to 2.30 pm.

Questions without notice

Light rail—WorkSafe ACT notices

MR COE: My question is to Minister Ramsay regarding regulatory services. Minister, what WorkSafe ACT notices have been issued to Canberra Metro or associated contractors in the past week, and have these notices resulted in the closure of all or part of the light rail site?

MR RAMSAY: I thank the member for his question. I can advise that on 15 February a prohibition notice was served as a result of service utilities restructuring excavation works. The prohibition notice prevents Canberra Metro constructions from carrying out any mechanical excavations on the site until they review, revise and implement an effective system of work to manage the risk associated with mechanical excavations.

MR COE: Minister, is this prohibition still in place, and how many improvement and prohibition notices have been issued to the consortium or their contractors for light rail works?

MR RAMSAY: Yes, those particular notices are in place. I am advised that since 24 November last year there have been six prohibition notices, four infringement notices and four improvement notices.

MISS C BURCH: Minister, are the three additional WorkSafe inspectors for light rail being funded through a Treasurer's advance?

MR RAMSAY: I thank the member for her question. No, those ones were funded in the budget of last year.

Planning—recycling facility

MS LE COUTEUR: My question is to the minister for planning and urban renewal and relates to the planning processes for the proposed waste operations by Capital Recycling Solutions in Fyshwick. Can the minister explain what recycling or waste processing activities are currently proposed for this site and whether they include bringing in waste streams from outside the ACT or shipping out waste that would otherwise be processed in the ACT?

MR GENTLEMAN: I thank Ms Le Couteur for her question with regard to this matter. There are a number of complex and interrelated processes afoot relating to this project. I have asked the directorate for a full briefing on it. I will take the question on notice and, once I have received the full briefing, come back to the Assembly with the details.

MS LE COUTEUR: Minister, how will you make sure that the EIS approval is for just a waste sorting facility and will not, in fact, be an approval for an incinerator by stealth?

MR GENTLEMAN: There are a number of statutory processes there. They will all be followed in time by ACTPLA as the independent authority, and I am confident in the work that they do.

Light rail—infrastructure damage

MISS C BURCH: My question is to the Minister for Transport and City Services. On 16 February 2018 the *Canberra Times* reported that Northbourne Avenue was closed in both directions during peak hour after a gas leak at the intersection of Northbourne and Ipima Street following damage by machinery during excavation work associated with the light rail project. What risks to the community were posed by this gas-related safety breach?

MS FITZHARRIS: I thank Miss Burch for the question. I note that, in addition to the *Canberra Times*, notification was also provided by a number of government agencies. I think the *Canberra Times* was one of the last to report it in fact; it was certainly reported through Transport Canberra and to bus travellers throughout the territory.

It was a significant incident at a significant time in the day when people move around the city. The advice to me is that the actions taken by the contractor, although having been served an improvement notice, made the site safe as quickly as possible. Relevant agencies were on site to ensure both the safety of people in the region surrounding the incident and also that traffic and public transport flows could be redirected, because it was approaching peak hour.

MISS C BURCH: Minister, how could it be that your flagship infrastructure project with a union EBA has had such severe workplace safety problems resulting in serious injuries?

MS FITZHARRIS: If Miss Burch could back up her assertion about serious injuries, I would welcome that. Certainly, safety on the light rail site is a top priority for the government, for the board, for Transport Canberra and for Canberra Metro. It is a priority because it is a priority for our community. This major infrastructure project, which, as of today, has roughly 700 people working on site, is a significant project. There are multiple processes in place from the board level right through to the day-to-day operations on the site, in addition to the three light rail inspectors, which were quite clearly funded in last year's budget. This is a priority. If there are opportunities to improve—and clearly last week demonstrated opportunities to improve—the consortium is very clear that the government's priority is for safety on this site.

MR WALL: Minister, what other damage has been done to public infrastructure and/or utilities as a result of work associated with the light rail project? Is the project still expected to be delivered on time?

MS FITZHARRIS: Whatever damage has been done to infrastructure or utilities, it is the responsibility of the consortium to remediate it as quickly as possible. Yes, we do expect that the project will be delivered on time.

Mr Wall: Point of order, Madam Speaker.

MADAM SPEAKER: Point of order.

Mr Wall: It is on relevance. Could the minister be directly relevant and actually outline what other damage has occurred, not what the process is should other damage occur?

MADAM SPEAKER: Does the minister have information on what damage has occurred?

MS FITZHARRIS: No.

Mr Wall: Take it on notice?

MADAM SPEAKER: The minister has concluded her answer.

Light rail—workplace safety

MR WALL: My question is to the minister for transport, regarding light rail. Minister, why has a project in your portfolio suffered extreme safety breaches and injuries to workers and can you confirm that a worker's fingers were severed in a workplace injury on the capital metro project?

MS FITZHARRIS: I thank Mr Wall for the question. As I indicated in my previous answer, safety remains a key priority for this project. It is certainly—

Mrs Jones: Have someone's fingers been severed?

MS FITZHARRIS: No, someone's fingers were not severed, is the advice that I have. Someone's fingers were injured in an incident but they were not severed.

MR WALL: Minister, why did you not anticipate such safety risks when you knew that light rail was a complex and dangerous construction project with tight time constraints?

MS FITZHARRIS: The government anticipated that, given such a large project, we needed to have safety at the forefront of our minds. That was essential during the planning and the procurement phases of the project. It was also very clear to the government that it would need to provide funding for three additional WorkSafe inspectors in last year's budget.

MISS C BURCH: Why does WorkCover need to assign additional inspectors to monitor a project in your portfolio, and when was the decision taken to take on such additional inspectors?

MS FITZHARRIS: I thank Miss Burch for the supplementary and refer her to the significant discussion regarding last year's budget, which her colleagues are well aware of.

Housing—affordability

MS CHEYNE: My question is to the Chief Minister. How is the ACT government working to boost housing affordability for first homebuyers through national and local reform?

MR BARR: I thank Ms Cheyne for the question. One of the government's ongoing reform priorities is the abolition of stamp duty. We have cut stamp duty every year since tax reform commenced in 2012. That means that the buyer of a \$500,000 home in the ACT now saves over \$7,000 in stamp duty compared to when reform began.

Stamp duty is a particularly unfair hurdle for people buying their first home. It can add tens of thousands of dollars to the already huge upfront cost of that purchase. That is why I am working for the states and territories to come together to agree to abolish all stamp duty for first homebuyers. Most jurisdictions have a range of concession or

exemption schemes in place, but it is fair to observe that the eligibility thresholds often lag behind the real price of a home, particularly in the New South Wales and Victorian markets.

Scrapping stamp duty for all first homebuyers can be achieved in a way that is affordable by removing the first home owner grant scheme at the same time. These grants no longer serve the purpose for which they were created and arguably now make housing less affordable. By working to abolish first home owner stamp duty and grants across the nation we can deliver a far more effective form of support to Canberrans and, indeed, Australians.

MS CHEYNE: Chief Minister, how will cutting stamp duty, while ending the payment of special grants, make homebuyers better off?

MR BARR: It will end the money merry-go-round where state and territory governments, channelling a commonwealth policy, hand out grants and then take them straight back in stamp duty. The Productivity Commission and many economists have noted that first homebuyer grants fuel price growth by adding many times their dollar value to the borrowing power of purchasers and distorting decisions about where and what property people buy, channelling demand into particular segments of the market, which drives up prices further.

Mr Coe interjecting—

MR BARR: Instead of grants benefiting first homebuyers—

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe, you will have a chance to ask a question.

MR BARR: they simply end up being handed over to first home sellers. First homebuyers will be better off under the proposal I have put forward because they would receive an exemption from stamp duty no matter what kind of property they buy. They would not have to find additional funds to pay their stamp duty bill after buying and they would not face higher monthly mortgage repayments or a bigger lifetime cost of borrowing. This is a good reform that will build on the work that we are already undertaking here in the territory to abolish stamp duty for all buyers.

MS CODY: Chief Minister, what steps will the ACT government be taking to progress the removal of stamp duty for first homebuyers as a national reform?

MR BARR: The government is prepared to progress this reform in the ACT with the acceleration of removal of stamp duty specifically for first homebuyers ahead of our broader phase-out of the tax. I have written to each of my state and territory colleagues asking them to consider doing the same. We will be putting this on the agenda for the next meeting of the Board of Treasurers because this is an idea that would be best seeing all jurisdictions moving together.

At the moment the payment of the first home owners grant is a commonwealth requirement linked to the payment of GST to the states and territories. In order to progress this reform in a fiscally sustainable way, that requirement needs to be amended. I will work with my treasurer colleagues federally and at the state and territory level because we believe that, although the territory is relatively small nationally, we can have a big impact on reforming policy settings across the country to make them work better for first homebuyers.

Trade unions—memorandum of understanding

MS LAWDER: My question is to the Chief Minister. Chief Minister, consultation is currently underway on the secure local jobs package, which outlines the government's intent to enshrine in legislation many aspects of the memorandum of understanding between UnionsACT and the ACT government on the procurement of goods and services, known as the MOU. How will the secure local jobs package coexist with the MOU?

MR BARR: It will not. The secure local jobs package would supersede the MOU.

MS LAWDER: Chief Minister, what role will UnionsACT continue to have in the ACT government procurement process once the secure local jobs package is enacted?

MR BARR: UnionsACT, together with all other stakeholders in the procurement process, will continue to have a role, both as a consultative body and under any statutory requirements that are put in place by the Assembly.

MR WALL: Minister, what have been the key successes of the MOU with UnionsACT?

MR BARR: A deep engagement with the representatives of working people in this city; a voice for working people in the procurement of goods and services; and a very important opportunity for advice to government, particularly around the bad behaviour, poor practice and illegal activity that have occurred in a small segment of the business community in this city who have sought to sidestep their legal obligations in relation to both national and territory law.

Opposition members interjecting—

MR BARR: The level and volume of interjection from those opposite are reflective of their dislike of the union movement and working people.

Opposition members interjecting—

MR BARR: We get a "Hear, hear" from those opposite. Yes, your dislike of the union movement and working people is well understood by the union movement and working people in this city and has been confirmed again by those interjections this afternoon.

Crime—robbery

MRS JONES: My question is to the Minister for Police and Emergency Services. The most recent annual report of ACT Policing showed that robbery increased by 53.3 per cent in 2016-17 from the previous year. This includes an increase of 27.4 per cent in armed robbery. This comes as ACT Policing funding has not kept pace with inflation or population growth. Minister, why has the government seen robberies increase by over 50 per cent in 12 months?

MR GENTLEMAN: I thank Mrs Jones for her question on ACT Policing. ACT Policing continues to enjoy the trust and confidence of the ACT community, with the report that she mentioned showing that Canberra has the highest levels of satisfaction with police services and the integrity of our police. ACT police recorded the lowest number of complaints from the public compared to other states, and the ACT is below the national average for road deaths, homicides and related offences, sexual assault, and unlawful entry with intent involving the taking of property.

The report also revealed that the vast majority of the ACT community feel safe at home, in their neighbourhood and on public transport. These results that Mrs Jones has indicated demonstrate the high level of confidence that our community continue to have in ACT police, and I commend our officers on the service and support that they continue to provide to the ACT.

Mrs Jones: A point of order on relevance.

MADAM SPEAKER: A point of order.

Mrs Jones: As the minister wrapped up his answer, we still did not have an answer as to why there has been an over 50 per cent increase in robberies in 12 months. I do not think the minister has any intention of putting that in, and that is not directly relevant.

MADAM SPEAKER: I ask the minister, in the 40 seconds you have left, to see if you can get to the point of Mrs Jones's question.

MR GENTLEMAN: As we have mentioned before, crime statistics go up and down. The important part is being able to respond to that, and that is why we have invested more in ACT Policing, and those investments are showing results.

MRS JONES: Minister, what actions have you taken to address the scourge of robberies in Canberra?

Opposition members interjecting—

MADAM SPEAKER: Members! The question has been asked and the minister is trying to get to his feet to answer.

MR GENTLEMAN: As I have said, we have invested heavily in ACT Policing in order for them to respond to these crimes.

Opposition members interjecting—

MADAM SPEAKER: I think the minister sat down because of the level of interjection. Minister, you have time to continue.

Mr Hanson: He's not very robust.

MADAM SPEAKER: That is not the point. Standing orders say that the minister should be heard in silence, as in no interjections. Minister.

MR GENTLEMAN: As I have said, we have invested heavily in ACT Policing, and they have responded. They are doing their very best to address crime in the territory, including robberies. As I have said, they are doing a fantastic job.

MR PARTON: Minister, for how much longer does the ACT government expect our police officers to do more and more work with fewer resources?

MR GENTLEMAN: I thank Mr Parton for his question but his inference is incorrect. We are providing more resources for ACT police. You have heard the numbers in recent answers, Madam Speaker: \$6.4 million extra for Taskforce Nemesis, including extra funding for the beat squad on the ground—investment in our crime task force. And of course those investments are showing results. I have every confidence in ACT police and I certainly wish the opposition did too.

Citizens juries—impartiality

MS LEE: My question is to the Treasurer. In Associate Professor Dr Ron Levy's independent report on the ACT citizens jury pilot he identified that "bias was evident in the official rhetoric surrounding the proceedings" and that "this framing undermined the objective of using the citizens jury to depoliticise contentious questions of reform". Treasurer, why did the government make political statements and frame information in a way that could undermine the impartiality and autonomy of the jurors?

MR BARR: We have not and if anyone is politicising this, it is the opposition.

Members interjecting—

MADAM SPEAKER: Members, please! Ms Lee with a supplementary.

MS LEE: Treasurer, what was the process to ensure that public statements and information were not biased or politicised and, if there was not a process, why was it not considered necessary?

MR BARR: The process was according to the principles outlined in the procurement of this particular citizens jury and the government's broader principles around community engagement. I know why you are politicising this and anyone, any

independent observer, would simply need to go and look at the single largest donation by an individual in ACT political history to understand why it is that those opposite hold the opinion they do. Follow the money!

MS CHEYNE: Chief Minister, what were the main findings of the CTP report about the merits of the process?

MR BARR: The reviewer was very positive about the process that the government has undertaken and the importance of such deliberative democracy. This is a very useful process. I know that those opposite oppose it. They will continue to do so, and they do so because of their significant financial donations from a particular—

Opposition members interjecting—

MR BARR: The single largest donation by an individual in ACT political history was made to those opposite on this issue.

Aboriginals and Torres Strait Islanders—Reconciliation Day

MS CODY: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs: can the minister update the Assembly about the recently announced Reconciliation Day grants?

MS STEPHEN-SMITH: I thank Ms Cody for her question and her interest in Reconciliation Day. The Reconciliation Day public holiday on 28 May will be a nationally significant event, with the ACT being the first jurisdiction in Australia to gazette a public holiday recognising the culture and resilience of Aboriginal and Torres Strait Islander people and our collective responsibility for the ongoing journey of reconciliation.

I was pleased recently to join with the Chief Minister to announce funding of \$50,000 for community organisations through the 2018 Reconciliation Day grants program to enable grassroots organisations to participate fully in the celebrations, ensuring that Reconciliation Day has a strong community focus. These grants are available to assist organisations or individuals to conduct, coordinate or participate in Reconciliation Day events in the lead-up to or during the Reconciliation Day public holiday weekend.

The Reconciliation Day grants program aims to support community-organised events with a strong focus on: promoting understanding and celebrating Aboriginal and Torres Strait Islander cultures, for example, how Aboriginal and Torres Strait Islander people are connected to their country, including through arts, music, languages and other cultural activities; promoting understanding of the impact on Aboriginal and Torres Strait Islander people of past policies and historical events, such as forced removal and the stolen generations; allowing opportunities for Canberrans of all ages and backgrounds to be involved and have the ability to participate in community events and to have a voice about what reconciliation means to them; or, for example, holding seminars or panel discussions about the importance of reconciliation with the aim of raising the threshold of understanding collectively across the ACT.

Applications for these grants opened on Monday, 12 February and will close on Monday, 5 March. I encourage all members to spread the word about these grants and encourage community organisations in their electorates and across Canberra to apply.

MS CODY: Minister, what other celebrations are planned along with the grants to acknowledge Reconciliation Day?

MS STEPHEN-SMITH: I thank Ms Cody for her supplementary question. EventsACT will engage an events coordinator to manage and deliver the Reconciliation Day public holiday event on Monday, 28 May. A Reconciliation Day council will work with EventsACT, the Office of Aboriginal and Torres Strait Islander Affairs and the events coordinator to ensure that the event or events on the day are culturally strong and engage as many Canberrans as possible. Members of the council will also be ambassadors for Reconciliation Day, working to encourage widespread community participation.

It is envisaged that the Reconciliation Day public holiday event or events will include, for example, market stalls promoting public and private sector organisations' reconciliation action plans and local services and programs, as well as the work of artists and craftspeople; entertainment celebrating Aboriginal and Torres Strait Islander culture and artists who are walking the path of reconciliation with our first Australians; and an opportunity to engage in conversation, or to yarn, about a renewed ACT Aboriginal and Torres Strait Islander agreement and the ACT Aboriginal and Torres Strait Islander justice partnership refresh.

The Community Services Directorate is also engaging with other directorates and non-government organisations to develop a calendar of events in the lead-up to Reconciliation Day. Collaboration and partnership on projects is central to this planning. Early ideas for projects include a reconciliation garden, childcare centre activities, development and launch of reconciliation action plans, and various physical symbols of the territory's ongoing commitment to reconciliation.

MR STEEL: How will the ACT community benefit from Reconciliation Day celebrations?

MS STEPHEN-SMITH: I thank Mr Steel for his supplementary question. Madam Speaker, I am sure you are aware that there are a number of national days of significance for Aboriginal and Torres Strait Islander cultural celebration and to mark significant historical events, from NAIDOC Week to Sorry Day. In fact, just last week we marked such a day, on the 10th anniversary of the national apology. The events organised by and for the community to mark that important anniversary were an important demonstration of the healing power that lies in coming together as a community to acknowledge the impact of past policies and to commit to a better future.

Reconciliation Day provides a practical example of a specific ACT government and ACT community commitment to reconciliation. That is why it is so important that the events and activities held in the lead-up to and on Reconciliation Day are inclusive of

the whole community. As I am constantly reminded by Aboriginal and Torres Strait Islander people, reconciliation is everyone's business. It is not the responsibility of Indigenous Australians to make good the wrongs of the past.

Building a better understanding of the role each of us can play in the journey of reconciliation and continuing that dialogue is important. Using this improved understanding, we can make changes in the way we think, talk and make practical changes in service delivery, such as removing the deficit language that too often attaches itself to Aboriginal and Torres Strait Islander affairs; implementing co-design, by giving a voice to Aboriginal and Torres Strait Islander people in decision-making, and by being transparent; resetting relationships; better understanding the need to implement culturally appropriate delivery of Aboriginal and Torres Strait Islander services; and building a shared understanding of our goal of strong families and strong communities, which is the fundamental underpinning of the ACT Aboriginal and Torres Strait Islander agreement.

Multicultural affairs—mother languages

MRS KIKKERT: My question is to the Minister for Multicultural Affairs. Today we celebrate International Mother Language Day, which began in Bangladesh and commemorates the central role language plays in cultural and personal identity. On 13 September 2017 the Assembly passed a mother languages motion which in part called for the establishment of collections and displays, sometimes called an Ekushey corner, at ACT libraries to promote and protect mother languages. Minister, why have you since stated in correspondence to the Coe office that the government does not consider it necessary to establish these collections and displays despite the Assembly's resolution?

MS STEPHEN-SMITH: I thank Mrs Kikkert for her question. In my correspondence, which I do not have with me, I explained that Libraries ACT undertakes a range of activities that already celebrate mother languages and other languages across the ACT and that that activity is being undertaken therefore in a different way.

MRS KIKKERT: Minister, will you now adhere to the Assembly's motion to establish these Ekushey corners as a matter of priority and, if so, when will Canberrans see this promise honoured?

MS STEPHEN-SMITH: Again, I do not have the words of the actual motion with me. I suspect, though I cannot say for sure, that the motion suggested that the ACT government would consider this activity. As I said, Libraries ACT undertakes a lot of activities that relate to other languages and celebrate the importance of diversity of languages. I am not the minister responsible for Libraries ACT. I will follow up to see if there is any more that can be done in relation to this particular matter but, as I said in response to the first question, the activities envisaged for this particular activity are, in my understanding, being progressed.

MS LEE: Minister, how can Canberrans now trust you to protect their multicultural identity given your disregard for the will of the Assembly?

MS STEPHEN-SMITH: I absolutely reject the assertion that I am disregarding the will of the Assembly.

Canberra Hospital—asbestos

MRS DUNNE: My question is to the Minister for Health and Wellbeing. Welcome back. I refer to a report in the *Canberra Times* of 21 February about the Health Services Union raising concerns about the tearoom currently used by their members, who are wardsmen and ward clerks, having asbestos potentially present in the glue in the floor tiles. The union also raised concerns about their members being bullied by senior hospital staff. Minister, what actions have you taken to assure yourself that asbestos is not present in the tearoom at the Canberra Hospital used by HSU members or elsewhere on site at the Canberra Hospital?

MS FITZHARRIS: I thank Mrs Dunne for the question. I am pleased to be back. Certainly there have been a number of discussions with both the union and the workforce at Canberra Hospital. The advice to me is that the room has been inspected recently by third-party experts and has been rated normal, with the likelihood of no exposure to airborne asbestos under normal building use.

MRS DUNNE: I note that the minister did not answer most of the question. Minister, what actions have you taken to assure yourself that union members and other staff are not being bullied at the hospital by senior staff?

MS FITZHARRIS: I have sought advice from the directorate. There is certainly an ongoing discussion between ACT Health and me around my very clear expectations that communication is open, transparent and frequent, not only with our external stakeholders but, even more importantly, with our own workforce.

I have asked ACT Health to follow up on this issue raised by the HSU. I was disappointed to see it in the first instance, but ACT Health have today met with the HSU. I am also advised that this relocation was first raised with staff on 7 November 2017. There were three follow-up meetings that took place and frequent dialogue with the relevant area, including the development of all staff communications throughout January leading up to relocation works in early February.

There appears to have been a gap. I have asked ACT Health to immediately follow up on that. There is no tolerance of bullying in ACT Health and I am confident that that is the view of ACT Health leadership. I have reiterated on a number of occasions that I expect all staff in ACT Health to adhere to a culture of zero bullying and also to build a very healthy culture within ACT Health, which is one of the territory's most significant employers.

MR PARTON: Minister, what impact do the poor physical condition of Canberra Hospital and the history of poor culture have on our ability to recruit staff?

MS FITZHARRIS: Indeed, as Mr Parton will know, earlier this week we announced that there is significant work underway to attract even more health professionals to the

territory. It is certainly the case, and it has been discussed in the chamber before, that there have been instances in certain departments around issues of bullying and workplace culture. There have been a number of processes put in place to remediate that, led by the director-general, and reinforced under consecutive ministers.

It has also been the case that there have been a number of discussions nationally, with relevant employee representatives and the various colleges and representatives of doctors, nurses and allied health staff, that the culture in hospitals around the country needs to improve. That is certainly a priority. I think that the culture, the investment, the connections between ACT Health and our higher education sector, and the general livability of Canberra are things that we would really like to stress to health professionals around the country, who can come here and work in a new facility like the University of Canberra hospital, and indeed in the future in other new and upgraded facilities like the Centenary hospital and also the new SPIRE centre at Canberra Hospital.

Health—meningococcal immunisation program

MR STEEL: My question is to the Minister for Health and Wellbeing: why is the ACT government rolling out a meningococcal ACWY immunisation program?

MS FITZHARRIS: I thank Mr Steel very much for the question. As members will know, meningococcal disease is serious. It is caused by multiple strains of the meningococcal bacteria. Most illness in Australia is caused by the B, W and Y strains. Although it is uncommon, meningococcal disease can become life threatening very quickly. It can also cause significant disability, including from chronic pain, skin scarring and neurological impairment.

The ACT is pleased to be introducing a meningococcal ACYW vaccination program to protect young people and the community broadly from the emerging public health threat in Australia posed by meningococcal W. Since 2014 meningococcal W and Y cases have increased in numbers across Australia. Meningococcal W disease is associated with a higher chance of dying compared with disease from other strains circulating in Australia.

This important vaccination will be offered to students this year and is based on older teenagers and young adults being at increased risk of meningococcal disease as they are more likely to carry the bacteria in their nose and throat and more likely to spread the bacteria to others. The vaccination program aims to protect young people and reduce risks for the community as a whole by decreasing the number of people carrying the bacteria in their nose and throat. This is why we have taken the decision to respond to this issue proactively by providing a free immunisation to adolescents.

MR STEEL: Minister, could you outline how the program will be rolled out?

MS FITZHARRIS: ACT Health has begun rolling out this program just this week by introducing a funded meningococcal ACWY vaccination program into ACT high schools, given that adolescents face an increased risk. The school-based vaccination

program will provide one dose of the MenACWY vaccine free to year 10 students on an ongoing basis. This vaccine provides protection against these strains of the disease.

Visits by the schools health team to the initial schools have commenced this week and will continue through the semester. Families of high school students in year 10 will receive a letter outlining the program and their consent requirements. Students in year 10 who may miss being vaccinated through the school vaccination program will be able to receive it free through their GP in the same calendar year.

There will also be a free catch-up program in 2018 available to all young people aged between 16 and 19 years through their GP. As of the beginning of this month, ACT Health has delivered a base stock of the vaccine to all GPs along with promotional materials including posters and information pamphlets. The distribution of the vaccine is possible through current systems in place for vaccine deliveries across the ACT.

Anecdotal feedback from some GPs indicates that they already have a number of appointments booked to administer the vaccine. An education session for immunisation providers on meningococcal disease and the ACWY vaccination program was held last week. Additional promotional activities to ensure community awareness have also been launched, including via social and traditional media, as well as the program launched today at Kaleen high.

MR PETTERSSON: Minister, what are the benefits of establishing a program such as this for Canberra's young people?

MS FITZHARRIS: As I indicated, older teenagers and young adults are at increased risk of meningococcal disease and more likely to carry the bacteria in their nose and throat and more likely to spread the bacteria to others. This is due to social behaviours that result in the bacteria being transmitted through close physical contact and participating in other social activities.

National immunisation experts recommend a routinely scheduled dose of meningococcal ACWY vaccine at 15 years, accompanied by an introductory catch-up campaign to age 19 years. This is based on the evidence that older teenagers and young adults have an increased risk of meningococcal disease and are most likely to spread the disease.

Delivery through a school immunisation program is expected to achieve the highest coverage and effectiveness of the program for those in the 15-year-old age group. Introduction of the vaccination program through the schools health team enables the opportunity for high vaccination coverage by leveraging existing systems. This program will help keep Canberra's young people and our broader community protected from meningococcal W disease.

Light rail—Mitchell

MR MILLIGAN: My question is to the minister for transport. Minister, on 7 February your office was quoted in the *Canberra Times* stating that the government

continued to engage with businesses in Mitchell and had recognised their demands by “future proofing” a stop at Mitchell. Minister, can you clarify what is meant by “future proofing” to give business owners and employees certainty about public transport infrastructure in Mitchell?

MS FITZHARRIS: I am very happy to take Mr Milligan’s question, although I have answered it on a number of occasions before. Certainly there will continue to be public transport services to Mitchell. Indeed, Mitchell is reasonably well covered now by the provision of bus services. The bus services themselves may change but there will absolutely continue to be bus services available in Mitchell once light rail is operating.

By future proofing we meant that along the stage 1 light rail route there is only one additional stop that is currently being constructed underground for operationalising in the future. It is not currently programmed to be operationalised with the commencement of stage 1 of light rail but it is the only other stop along that route that has the necessary infrastructure and utility work that has been done underground to enable a future stop to be installed fairly simply.

MR MILLIGAN: Minister, don’t you think that the traders in Mitchell deserve a light rail stop during stage 1 of production, given the rates and taxes that these businesses pay and the large number of people who work there?

Members interjecting—

MADAM SPEAKER: Minister, would you like the question repeated?

MS FITZHARRIS: If Mr Milligan could read the question, that would be appreciated.

MR MILLIGAN: I will repeat the question: minister, don’t you think that traders in Mitchell deserve a light rail stop during stage 1 of production, given the rates and taxes that these businesses pay and the large number of people who work in Mitchell?

MS FITZHARRIS: Certainly, having been asked for an opinion, my opinion is that Canberra deserves light rail. It is certainly the case that this side of the chamber was the only side of the chamber to give a guarantee to the Canberra community that, yes, we do deserve light rail. I do not recall once—not once, Madam Speaker—the Canberra Liberals ever discussing a light rail stop. We have been over it on a number of occasions in this chamber, with respect to how much consultation—indeed unprecedented consultation—on the light rail route was underway over the last 5½ years.

It was never the case that there was a confirmed light rail stop in Mitchell. I want to be very clear about that. It is very clearly on the record. It is certainly the case that we have discussions with the Mitchell traders. I welcome their contribution. We remain in discussion with them. The stop at Mitchell is indeed the only stop along stage 1 of light rail that is future proofed.

MR COE: Minister, will you guarantee in the absence of light rail that Mitchell will receive a single bus to the city and Gungahlin, as is currently the case, or will it be serviced by a shuttle bus to a light rail stop?

MS FITZHARRIS: There will be no absence of light rail: light rail will operate. As members of the opposition are well aware, there has already been stage 1 of our consultation on the broader bus network. Stage 2 consultation of the more detailed components of our bus network once light rail starts operating is due to open in the next six weeks or so. We will guarantee continued public transport services to Mitchell. We will do the necessary work to understand patronage to Mitchell, and we will continue to talk with Mitchell traders. They have had significant anti-light rail discussions from the opposition, who never once—I would like to repeat that—never once raised the issue of a stop in Mitchell until they lost the last election.

Government—veterans employment strategy

MR PETTERSSON: My question is to the Minister for Veterans and Seniors. Can the minister please update the Assembly on the government's veterans employment strategy?

MR RAMSAY: I thank Mr Pettersson for his question. I am very pleased to update the Assembly on the government's work to build a city which is a great place to live for veterans transitioning to a civilian employment where they are welcomed and supported.

In the second half of last year, the ACT public service was surveyed to determine how many veterans are currently in the public service and what their experience of transitioning to it was. I am glad to say that we received 134 responses, which is particularly impressive given that when New South Wales undertook the same exercise, their much larger public service returned 150 responses.

Through December and January, a number of meetings have occurred between the ACT government and the Department of Defence, right up to the Head of Service and the secretary of the Department of Defence. As part of this, we have gained some useful insights as to how best to attract veterans to the ACT, and we have begun to work together to help achieve this goal.

Working with the Department of Defence, we are creating a matrix comparing ranks and skills in the ADF with the public service, to help those in the ADF translate defence speak into public service speak. We will also have a representative at the upcoming ADF transition seminars to answer questions and provide support to those who are looking at transitioning to the ACT public service.

Madam Speaker, these are just a few of the initiatives that we will be rolling out. I look forward to announcing more in the future.

MR PETTERSSON: Can the minister advise what data the survey provided about those veterans who have transitioned to the ACT public service?

MR RAMSAY: I thank Mr Pettersson for the supplementary question. I would be delighted to provide this because we have obtained some very useful data. It shows that the ACT public service has attracted veterans from all three services of the ADF. They are spread across all areas of public service, with the largest numbers working in JACS, Education and CMTED, filling a wide variety of positions including health professionals, teachers, emergency services personnel and IT professionals.

We have also attracted veterans who have served only a handful of years, right through to those who have served for 20 years or more. Interestingly, around 31 per cent of respondents were female, which is much higher than the proportion of women currently in the Defence Force which is around 17 per cent.

What the survey did point out is that we have some way to go in bridging the language gap between defence and civilian skill sets, with only 18 per cent of respondents finding it easy to translate their ADF skills and explain them to a civilian employing agency when they applied for a job. It is for this reason that we are working with the Department of Defence to help bridge the gap and to aid transitioning Defence Force members in better explaining their training and their skill sets.

MS ORR: Can the minister advise why it is important that we help Defence Force members transition to civilian life, including employment in the ACT?

MR RAMSAY: I thank Ms Orr for the supplementary question. Members of the ADF are some of the most highly trained and skilled workers available. Veterans have some significant training to be leaders in a wide variety of fields, often having to perform complex and often technical roles under intense pressure. They have a strong sense of service to their country, which is very compatible with public service values. We want to set up the public service to be a model employer of veterans. We also want to encourage the private sector to do the same.

We understand that the average age of separation from the Defence Force is around 31 years. These veterans have the potential to go on to apply the training and experience that they have received through the Australian Defence Force to the benefit of the local economy and community for their remaining decades of employment.

Assisting veterans to transition to civilian employment will provide a boost to the ACT's skilled workforce and will provide an overall net benefit to the ACT economy. Connecting and supporting veterans into compatible civilian roles not only makes good policy, it also makes very good sense.

Ministers—code of conduct

MR HANSON: My question is to the Chief Minister. The latest ministerial code of conduct dates from 2012. Why has the ACT government not updated the ministerial code of conduct since then?

MR BARR: It was a very comprehensive code of conduct issued at that time.

MR HANSON: Chief Minister, will the government develop a new code of conduct; if so, when?

MR BARR: I am not aware of any urgent need to do so, but I will take the matter under consideration.

MS LAWDER: Chief Minister, what changes will be made to the ministerial code of conduct following the governance issues that have arisen in the past few years?

MR BARR: The supplementary does not relate to the other questions.

Mrs Dunne: In your opinion. That is a ruling for the Speaker.

MADAM SPEAKER: I think the connection was the code of conduct. I will give you an opportunity to add to your answer, Chief Minister.

MR BARR: There is no relation between the supplementary question and the previous two questions.

Opposition members interjecting—

MADAM SPEAKER: I think the Chief Minister has answered the question.

Opposition members interjecting—

MADAM SPEAKER: When your colleagues settle down, Mr Parton, you will have a chance to ask your question.

Government—Fyshwick land sale

MR PARTON: Thank you, Madam Speaker. My question is to the Minister for Planning and Land Management. Minister, on 19 February the *Canberra Times* reported that you approved works for a heavy rail siding in Fyshwick on a block of land sold by the government to a waste management company. The report indicates this would enable waste transportation from Canberra to Tarago; I dare say, by a little red engine. Minister, what did you know about the purchaser's intentions for this block of land when it was sold by your government?

MR GENTLEMAN: As I mentioned earlier in my answer to Ms Le Couteur's question, there are a number of complex and interrelated processes regarding this particular project. I have asked the directorate for a full briefing. I will take the question on notice and I will come back with all of those details for the Assembly.

MR PARTON: Minister, if the works at Fyshwick have not been approved then what exactly has been approved in relation to this proposal?

MR GENTLEMAN: Again, I will take that on notice.

MS LEE: Minister, what are the government's plans in relation to transferring commercial and domestic waste to Tarago?

MR GENTLEMAN: As I understand it, there are no plans to transfer waste to Tarago.

Environment—aquatic and riparian strategy

MS ORR: My question is to the Minister for the Environment and Heritage. Minister, the health of our rivers is crucial to the ongoing wellbeing of wildlife, the environment and humans. Can you outline to the Assembly the work currently underway to review the ACT government's aquatic and riparian strategy?

MR GENTLEMAN: I thank Ms Orr for her question and for her particular interest in the environment in our area. Conserving our rivers and the land alongside them, the riparian area, is crucial to the ongoing survival and wellbeing of wildlife that relies on them, the environment and our people.

The Conservator of Flora and Fauna is asking the community to comment on the draft 2018 aquatic and riparian conservation strategy, which looks at how we can best continue to manage and repair our precious waterways. The consultation includes associated action plans for five threatened fish and for two threatened plant species, the Tuggeranong lignum and the Murrumbidgee bossiaea, which are found only in the ACT.

Our waterways provide many critical ecosystem services. They are vital providers of water for consumption and habitat for plants and animals as well as being sought out as aesthetically beautiful places. But they are threatened by climate change, water extraction, overfishing, erosion and sedimentation, pest plants and animals, and disease.

This draft strategy builds on the achievements of the original 2007 strategy by providing a regional approach to conservation and management of these environments and addressing current and future issues with best practice conservation and management strategies. We are particularly keen to hear the community's views on how to improve and increase their engagement in river-based activities and projects, for example by supporting and promoting citizen science, increasing awareness, and engaging with local Indigenous communities on traditional ecological knowledge.

MS ORR: Minister, can you further outline to the Assembly the objectives of the aquatic and riparian strategy?

MR GENTLEMAN: The draft strategy provides the strategic context for the protection, management and rehabilitation of aquatic and riparian non-urban areas in the ACT. Specifically, the objectives are to provide conservation management guidelines for the protection and enhancement of aquatic and riparian areas; to

identify threats to aquatic and riparian ecosystems and provide guidelines for threat management; to provide monitoring and research objectives for aquatic and riparian areas in the ACT; to provide strategies to increase engagement of the community in aquatic and riparian activities and projects; and to provide strategic context for action plans for threatened aquatic and riparian flora and fauna.

This strategy is intended to be a reference document on the aquatic and riparian areas for ACT and Australian government agencies with responsibilities for nature conservation, planning and land management; and for community and other stakeholders with an interest in aquatic and riparian area conservation. The 2007 aquatic species and riparian zone conservation strategy was highly successful in bringing together key stakeholders, the ACT government and the Australian government to achieve conservation of the aquatic and riparian ecosystems. The 2007 strategy contains a large amount of background information about these ecosystems in the ACT. The strategy is an overarching document that draws together information and provides guidance for the management and conservation of aquatic and riparian species and their habitat across a range of ecosystems.

MS CHEYNE: Minister, how can the community get involved in this work? What are the next steps the government will take to finalise the aquatic and riparian strategy?

MR GENTLEMAN: I thank Ms Cheyne for her question. As I have outlined, the ACT's waterways and rivers are valuable and fundamentally important components of our landscape. It is vital that we conserve these areas both now and for the future, and we are keen to hear the community's ideas on how we can do this.

The draft 2018 aquatic and riparian conservation strategy and action plans are open for comment until 11 March 2018 and are available on the your say website. Interested members of the community can make a submission via the website. Alternatively, anyone interested can respond to a survey also available on the your say website.

We are keen to hear from the community about the proposed conservation management guidelines for the protection and enhancement of aquatic and riparian areas; identified threats and guidelines to manage them; monitoring and research objectives; strategies to increase community awareness and involvement; and proposed action plans for threatened species.

The consultation includes action plans for the following threatened fish and riparian plants: the two-spined blackfish, the Macquarie perch, the Murray River crayfish, the silver perch, the trout cod, the Murrumbidgee bossiaea and the Tuggeranong lignum. All submission and survey responses will be considered in the final strategy and action plans.

Mr Barr: A fishy note will end question time. I ask that all further questions be placed on the notice paper.

Supplementary answer to question without notice Crime—victim welfare

MR GENTLEMAN: Yesterday I had a question from Mrs Jones in regard to robberies, and I want to update the Assembly, as I said I would yesterday. I can confirm that in relation to the recent robberies of Chisholm ALDI and the Weston Raiders club, no arrests have yet been made; however, these investigations remain ongoing. I can confirm that an offender was arrested on 13 February this year in relation to the December robbery of the Mawson Club.

Ethical procurement and employment practices

MS CODY (Murrumbidgee) (3.29): I move:

That this Assembly:

(1) notes:

- (a) that every Canberra worker has the right to be paid properly, treated fairly and return home from work safe each day;
- (b) local and national instances of employers:
 - (i) failing to meet their legal industrial relations and employment obligations;
 - (ii) entering into sham contracting arrangements;
 - (iii) exploiting visa workers; and
 - (iv) avoiding workers compensation and taxation obligations;
- (c) the value of ACT Government procurement of goods, services and works in 2016-17 was approximately \$1.8 billion; and
- (d) the success of the ACT Government's local procurement policies, including in relation to major projects such as light rail;

(2) affirms the ACT Government's commitment to using its purchasing power to deliver better outcomes for Canberra workers and local businesses;

(3) further notes that the ACT Government is currently undertaking public consultation on a package of measures that will:

- (a) streamline existing procurement requirements;
- (b) create clear requirements that businesses tendering for government work treat workers fairly and uphold their workplace rights and safety;
- (c) enhance compliance and enforcement measures, through a new unit within government; and
- (d) provide a clear, transparent process for resolving issues that arise with respect to ACT Government contracts; and

(4) calls on the ACT Government to implement legislation and other measures to ensure that government procurement delivers high ethical and labour standards, as a matter of priority.

Often motions such as these are moved in the belief that they will bring, and with the intention of bringing, this Assembly together. Not so today. But I believe that sometimes that which divides us is as important as that which brings us together. I respect the right of those on the other side of the chamber to oppose this motion today, as they have done in newspapers recently and for years before. The insistence by the Labor Party on the fair treatment of working people divides Australians. I am proud to stand on the workers' side of that debate.

What is the purpose of my motion? It is to encourage government, those who sit on this bench, to make the welfare of working people a priority, the highest priority. It is to recognise that the federal Liberal government has systematically perverted the industrial relations system to allow crooks to rip off working people. That is why we need to change the rules. It is to encourage the government, in completing its consultation on the procurement code, to prioritise the voices of working people as well as honest local businesspeople.

This motion is not hard, though. This motion, despite being controversial, is easy. My more religious colleagues in this place should find it very easy: do not steal. I have been informed that that is one of the Ten Commandments, for those who are into that sort of thing. What should not be stolen? Well, anything, according to me. But I understand that there are differences of view, so I will need to clarify. Under the industrial relations regime run by the federal Liberal government, we have seen the blossoming of theft as a business model: stealing superannuation; stealing overtime; stealing wages; stealing subcontractor payments; and stealing by underfunding workplace safety: stealing fingers, stealing toes and stealing lives.

As a member of the Assembly who will be voting on a budget in a few months, I have a strong view that none of the expenditure we approve should be stolen by others. Whilst I know it is a controversial view, I would hope all members would agree that this Assembly should oppose theft. I reckon there is no difference between shoplifting and garnisheeing wages; there is no difference between common fraud and skimming superannuation; and there is no difference between the thugs who break a person's hand by stomping on it and the boss who causes the same injury by running an unsafe workplace.

In saying all that, let me directly address the concerns of those lobbyists I have seen in the media objecting to an ACT government procurement code. I understand, respect and embrace the views of honest, hardworking local businesspeople. I was one. We should reward those who conduct an honest business that rewards its employees and subcontractors fairly.

Some commentary claiming to be from the business sector has actually undermined honest local businesspeople. We have been warned by one or two individuals that a code will undermine business. The only business it will undermine is crooks' ability to steal taxpayers' money from working people. Do you know what I have to say to them? Unfortunately, I cannot tell you, because it would be unparliamentary. I will give anyone who cares to listen this advice, and I hope the opposition takes my

advice: we will not pander to crooks. No honest businessperson should be opposed to their competition being subject to rules that insist on fair play.

Of course, most Canberra businesses do the right thing by their employees and their customers. The majority of local businesses are honest in their dealings with staff, making sure they comply with all workplace laws and meet all applicable standards. It is not fair to every one of those honest businesses doing the right thing for shonky companies to have an advantage when tendering for publicly funded services, by undercutting the costs good businesses incur. Competition based on efficiency and smarter practices should be encouraged. Competition based on theft should be vigorously policed and punished.

Our powers in this place are limited in that respect, but we should still do everything we can to deliver justice wherever and whenever we can. As Sally McManus, the secretary of the ACTU, told the AIRAANZ conference yesterday, the current arrangement of laws means that when a boss rips off a worker, recovering wages requires lengthy and expensive court processes. The Fair Work Ombudsman and other agencies are so obsessed with busting unions that they turn a blind eye to the bad bosses. Employers in Australia today can take a calculated risk by systemically underpaying staff, safe in the knowledge that they will never be penalised and enforcement will take too long and be too expensive for working people to pursue.

As the Legislative Assembly for the Australian Capital Territory we should prioritise preventing the theft of the taxpayers' funds we administer. Part of this procurement code should include an entrenchment of the role of unions in every workplace. Whilst those crooks who rip off workers and their representatives may believe that unions are an outside interference in the workplace, I know that they are a coming together of workers to provide a voice to employees, employees who face a power imbalance in the workplace and can be too intimidated by that imbalance to provide the frank feedback that managers need to hear.

I was gratified to hear in Miss Burch's first speech this week her commitment to freedom of association. The freedom to join in and benefit from a trade union is a right entrenched in international law and was once encouraged and celebrated by Robert Menzies. I am glad to hear that there are still some in the Liberal Party who believe in freedom of association rather than attempting to impose freedom from association, as her friends across the lake seem so keen to do.

Trade unions are often the last line of defence of working people, be that in educating them on their rights to a safe workplace and fair pay or empowering them to take the actions necessary to secure the pay rises to get ahead. From the perspective of a government attempting to enforce fair play in the workforce, they are also a terrific source of intelligence. When something is going wrong in a workplace, union officials often get insights that managers cannot perceive or never admit to. In large enterprises, senior management may be unaware of the failings of their subordinates or the consequences of some of their decisions.

By including advice from trade unions in the procurement process, and by making sure union officials have access to workplaces, we benefit from their insight into

employment practices. When unions advise us to avoid a shonky company, we will ensure that we get what we are paying for and that our constituents are not ripped off or, worse still, injured or killed at work. A company willing to rip off their own staff will no doubt be happy to rip off the taxpayer too, and we should have nothing to do with them.

With a procurement code in legislation we can advance that cause. Noting that we have a federal Liberal government trying to impose theft as a norm in construction, cleaning, security, transport and other vulnerable industries, we must do all we can to stand up against crooks.

In the consultation, I urge the government to recognise that workers' safety is of paramount importance. Everyone deserves to go to work and come home safely. A local procurement code will make sure that there is a level playing field and all workers get treated with the respect and honesty they deserve. If we fail to keep workers who are employed on government projects safe, each member here should feel the shame and guilt of their culpability.

Allowing contractors who cut corners on safety onto projects does not just steal from our budget or from the worker's pocket; it can leave local constituents disabled or worse. This damages partners, it damages families and it damages communities. A local procurement code will deliver fairness and transparency for local businesses. I commend the code, the consultation and this motion to Assembly.

MR RATTENBURY (Kurrajong) (3.42): The Greens do support this motion because we support the right of workers to be paid properly, to be treated fairly and to work in safety. We support strong measures to prevent the exploitation of workers, to prevent unsafe practices and to stop employers avoiding the obligations they owe to their workers. We support transparency in ACT government contracts. We also support laws and practices which ensure the ACT government is a model employer and that it engages in ethical and sustainable procurement. There is a lot of work we can do in this space as a government, and my colleague, Ms Le Couteur, has some further remarks to add on this a little later in the debate, assuming that the opposition participates and the debate actually keeps going.

These issues of worker health and safety and worker rights are issues that come up regularly in this Assembly, and they always highlight a point of difference between the political parties in this place. Over the years it has become clear that the Liberal Party are not of the same view when it comes to supporting workers and they repeatedly oppose initiatives that support worker rights and worker health and safety. A few years ago, for example, the Canberra Liberals opposed the harmonised work health and safety regime in the ACT, a significant reform to improve health and safety for working people in the territory.

The Liberals also have repeatedly opposed portable long service leave for mobile industries such as security workers and cleaners. In fact, the Canberra Liberals have expressed a view that there should not be any long service leave at all, let alone portable long service leave. That would have been a really backward step for all the hardworking people in the ACT. Long service leave recognises that working people

deserve a good break, time to spend with their families and to dedicate to other pursuits outside their day-to-day jobs.

These kinds of decisions put some of the Canberra Liberals' other rhetoric in perspective, such as the motion this morning where Mrs Jones claimed to care about the hours worked by the Ambulance Service, because when it comes to actually voting on measures that support working people—actual, real, concrete measures such as legislation to ensure cleaners can accrue long service leave—the Canberra Liberals always end up seemingly opposing it. Why should cleaners have to work in the same job for 10 years doing hard work that is not highly paid and not be able to have long service leave?

The Greens support these kinds of initiatives. We have regularly promoted reforms and initiatives to promote fair workplace practices, worker safety and ethical procurement. Our 2012 parliamentary agreement with the ALP, for example, contained several items relating to workplace safety and ethical employment. It required an increase in proactive worksite investigations to ensure safety is adequate and to prevent sham contracting. The parliamentary agreement resulted in an active certification policy as well as improved budget funding for 12 new WorkSafe inspectors.

I will briefly discuss the issue of the MOU between unions and government and the secure local jobs package, which members will know has been recently released for consultation. These issues have been raised many times before in the Assembly and they continue to be misrepresented by the Canberra Liberals as part of a political campaign. The Liberal Party says the MOU gives UnionsACT a veto power. While that may be a convenient thing to say as part of a political campaign, it is an invention. There is no veto power. Every time the Canberra Liberals say there is a veto power they are also accusing the officials in ACT procurement of being unethical and of not doing their job and not following the law. They continue to make that attack on those officials, unjustifiably.

The MOU clearly says that it does not override any laws. It requires consultation with UnionsACT as part of the pre-qualification process and that is all. The same information is available to other parties. All those parties can provide information to procurement officials, which is actually a useful exercise, and they can then use that information in their decision-making process, which is done according to the law. As I have said in this place before when we have debated this topic, we have met with ACT procurement officials who have explained that this is how the process works and that they follow the laws of the territory and all the correct processes and procedures.

I have also said before that I do not think the MOU process is ideal. It is confusing for stakeholders. Sometimes some people have sought to make it confusing by the allegations they have made in this place, and I do not think it is the ideal way to enshrine good procurement practices. If we want to have best practice procurement we should put that into legislation, and that is what is being proposed now. I will be very clear up-front by saying we think that is a better approach. I think the transparency of bringing it to this place, putting it through this chamber, having it in

legislation is a better approach than the MOU and I welcome the fact that that is what is being progressed here.

We are supportive of introducing a more formal and clear process, and that is what is being looked at in the secure local jobs package. It will look at measures to ensure the government only awards contracts to businesses that meet high ethical and labour standards. I think that is an admirable goal, as I flagged earlier. I think it is very interesting to explore what we mean when we say “high ethical standards” and there are some examples that I will speak to. I know Ms Le Couteur is going to add some others.

There are labour conditions that are encompassing things like international workers standards. We believe these are standards that ACT residents should be able to have applied to them, just as they are applied to workers across the country and, indeed, overseas. We are keen to see us look at people’s work standards across the various jobs that the ACT supports through work employment but also across our procurement. Workers standards are one area that we think could be encompassed here.

Fair trade is another. Looking internationally, the fair trade certification brand and movement are based on the belief that current world trade practices promote the unequal distribution of wealth between nations and that buying products from producers in developing countries at a fair price is a more efficient way of promoting sustainable development than traditional charity and aid. I think that is something we can be looking at in the secure local jobs package.

We also have a package that looks at ethical procurement and actually seeks to ensure that we are, in using ACT taxpayers’ money, doing it in a way that is commensurate with the expectations of our community when it comes to ethical procurement. These are some areas.

There are also issues of modern slavery. Australia has a clear commitment under section 8.7 of the UN sustainable development goals to eradicate modern slavery in this generation. And what the UNSDG’s actions actually require is:

Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

I would think most members here today would agree that modern slavery is a crime against humanity. We also undoubtedly acknowledge that supply chains are complex, but I also think it is easy to look at this and say that this is not an issue for the ACT. Of course, members will have seen recent press here in the territory around issues of modern slavery and I think we must not be complacent about the thought that these things do not happen in our jurisdiction. I think it is quite appropriate that we consider these sorts of matters when we are looking at these issues as well.

These are just some of the matters that I think we might consider when we talk about high ethical standards when it comes to procurement, and this is not where some of this started. I think as we go through this discussion these are the sorts of factors that need to be incorporated. But at the end of the day this is about making sure that, as a significant procurer of services in this territory, the ACT government must make sure that when we are spending taxpayers' money we are doing it in an ethical way that supports secure jobs, supports safe jobs and supports ethical procurement practices.

We very much look forward to the outcomes of this consultation. We welcome the fact that the government is undertaking it. I welcome the opportunity provided by Ms Cody in moving this motion to discuss these issues today and to indicate that the Greens are supportive of these sorts of practices when it comes to government procurement processes.

MS STEPHEN-SMITH (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (3.51): I rise to speak on the motion brought by Ms Cody and thank her for bringing it forward. Better protection for Canberra workers and a level playing field for local business, greater transparency, strengthened compliance, fair competition for government contracts—these are just some of the outcomes we will deliver for the territory with the implementation of our secure local jobs package.

As set out in Ms Cody's motion, for too long we have seen evidence, both locally and nationally, of employers entering into sham contracting arrangements, exploiting visa workers and avoiding their industrial, workers compensation and taxation obligations. For too long we have heard complaints from local businesses—businesses doing the right thing by their workers—of being undercut by unscrupulous companies competing for contracts.

As recently as December last year the Fair Work Ombudsman released a report showing that a re-audit of 80 Canberra businesses revealed 40 per cent remained non-compliant the second time around. To us, this situation is simply unacceptable. While the opposition chooses to ignore these facts, we are getting on with consultations about measures to harness the government's significant purchasing power and use it to improve outcomes for both workers and local businesses.

The local jobs package will promote job security, ensure that government contracts are awarded only to companies that meet high ethical and labour standards and create an efficient, clear and transparent governance regime. As I have said before, it is hard to see what the opposition could object to in that list, but then again maybe it is not so hard! The ACT Liberals are clearly in lock step with their federal counterparts' ideologically driven war on workers and unions. This war is exemplified by the Australian Building and Construction Commission's latest missive banning the display of the Eureka Stockade or Southern Cross flag. And as for union stickers, forget it.

The Canberra Liberals like to talk about freedom of association, but they object to any measure that could raise workers' awareness of their right to organise. They object to anything that might make it easier for workers to take collective action to protect their rights and conditions. The bottom line is that, as the Chief Minister said earlier today, the Canberra Liberals are consumed by their hatred of unions and the labour movement. This opposition, the Canberra Liberals, have shown again and again that they have no interest in the wellbeing of Canberra workers, whether on government projects or otherwise.

In the face of consistent evidence—not just from unions but from the federal government's own Fair Work Ombudsman—that local businesses are exploiting young workers, the Canberra Liberals look the other way. “Nothing to see here,” says Mr Wall. We will look and we will see. We will do what we can to ensure that the businesses the ACT government contracts with are doing the right thing by their workers. Canberra is a city with a strong belief in fairness. As I said before, I think the vast majority of Canberrans would agree that their taxpayers' dollars should go to companies that abide by their industrial obligations, take workplace safety seriously and pay their workers fairly.

This package is about not just working harder to achieve compliance but also working smarter. We are exploring options to use automated data-matching to expand the scope and capacity of our compliance activities. We want to identify ways to do more with the considerable amount of information already available to government. Likewise, this package will simplify the procurement process and reduce duplication. It will reward businesses that do the right thing while at the same time enabling closer monitoring of those whose conduct may be called into question. It will crack down on non-compliant operators who have no place benefiting from taxpayer-funded contracts.

Importantly, the package sets out a clear and objective procedure for the handling of complaints, whether they be from workers, their union representatives or indeed other businesses. Unions and their members are often best placed to detect wrongdoing. However, I would note that competing businesses that do the right thing are just as likely to call out bad behaviour when they see it, because it does not create a level playing field.

This package will create an efficient, clear and transparent governance regime for the resolution of disputes related to government procurement and will support the continuous monitoring of performance. In replacing the current MOU, the new package will use legislative, regulatory and standard contract terms to provide the strongest possible procurement framework. This will not only ensure workers' rights are protected and improve job security; as I have said, it will also create a level playing field for local businesses.

Importantly, it will incentivise best practice. The introduction of weighted criteria to the competitive tender process will recognise those businesses who do more to support their workforce. This covers a range of initiatives such as maximising

full-time employment and employment participation, supporting diverse workplaces, supporting training and addressing any potential barriers to career development.

A lot of work has gone into the model to deliver the Chief Minister's commitment to a secure local jobs package, which is currently the subject of consultation. As I noted in this place last year, a working group was established with union representatives to work through the detail of a package that would meet our joint objectives around protecting workers' rights, while being implementable from a legal perspective by acknowledging that there are limits to the ACT government's power to legislate on industrial relations issues, and in terms of practicality and minimising red tape for businesses and organisations intending to tender for government work.

As I also said in this place last year, I spoke with the Master Builders Association and the Canberra Business Chamber about this process in my meetings with them and gave them an outline of our thinking in developing the package. I welcome their commitment to consider the information paper that is now out for consultation and look forward to their feedback.

Governments can and should be model purchasers. They should use their purchasing power to encourage best practice in industrial relations, upholding workers' rights and protecting workers safety. This is a principle and a package I encourage every member of this Assembly to support. On this side of the chamber we make no apologies for standing up for workers' rights, for standing up for fair pay, for standing up for safety. We make no apologies for standing up for Canberra's workers. If only the Canberra Liberals could say the same.

MS LE COUTEUR (Murrumbidgee) (3.57): The Greens, as my colleague Mr Rattenbury indicated, will be supporting Ms Cody's motion today. In addition to labour standards, however, the Greens are also concerned about a range of other important ethical priorities relevant to procurement, such as the presence of slavery and human trafficking in supply chains—my colleague Mr Rattenbury talked about that—Indigenous employment, procurement from disability-led organisations, social enterprises, and sustainability and climate change factors.

Of course, the Greens support the overall plan to improve procurement and tender processes, protect the rights of workers and ensure that the ACT government does not use contractors that do not meet the ACT's employment standards. The government's procurement policies cover ethical and sustainable procurement. The ACT's sustainable procurement policy encourages agencies to consider "social responsibility and ethical practices" when undertaking impact assessments. It also expressly includes "labour conditions and human rights of workers" as considerations for "social procurement", as well as a number of other human rights related issues, such as avoidance of bonded labour and supply chain awareness.

Certainly, it can be very hard to connect the dots between the various problems in the world and the things that we manufacture and consume. The Greens have consistently worked in parliaments around the world to raise these issues and to change the way that governments procure goods, services and works. The ACT policies seem

excellent, but when it comes to actual purchasing decisions made on a day-to-day basis, it gets more difficult.

For governments and individuals, as well as business, it can be hard to balance competing priorities. Value for money is not always the same as what is most ethical. How do you balance food miles with the carbon footprint, waste production with ethical employment, or local employment with sustainable consumption? A social procurement process identifies intended social impacts or outcomes as an integral part of developing the procurement scope and objectives. This can achieve value for money and be undertaken in accordance with the territory's procurement framework.

A great example of social procurement is the Ginninderry SPARK program. This began many years ago as a construction training program, with wraparound supports and mentoring, leading directly to employment opportunities in building in the west Belconnen area. The program has gone from strength to strength and expanded into training young people for other job opportunities in the new development, and I would love to see the ACT government emulate this.

The ACT government has established an open panel of pre-qualified social enterprises to supply a range of services required by government from time to time. I had a briefing about this last year. From memory, the number of enterprises on it is very small; unfortunately, it did not appear that they were getting a lot of work from the ACT government.

Another way we can improve our procurement is by enabling Australian disability enterprises to win government contracts. These are enterprises that provide an important opportunity for people with a disability to contribute and connect to their local community. In particular, people with moderate to severe disability can engage in a wide variety of work tasks matched to their capacity. This can provide a training pathway and the all-important work experience needed for employment in the open job market. BuyAbility is an example of an organisation under the national disability strategy that has been used to great effect in the ACT to promote and facilitate procurement of Australian disability enterprises.

While we are speaking of disability employment issues, and while it is not directly related to procurement but certainly of great importance, I refer to the direct employment of people with a disability. The Greens are pleased that the government is meeting its targets for disability employment. But I would like to draw members' attention to the HACS committee inquiry last year into disability employment opportunities, which recommended that the ACT government develop a standalone disability employment strategy for the ACT public service, and that that strategy should include a paid internship program and clear employment pathways.

Two other important recommendations from the committee were that all procurement guidelines for ICT products purchased by the ACT government should include accessibility features as a standard, and that the ACT government should review the ACT government's social procurement guidelines to better support disability employment.

Looking at Indigenous employment, currently ACT government directorates and agencies are encouraged to include Aboriginal and Torres Strait Islander owned businesses from the Canberra Region Joint Organisation in their procurement opportunities. Aboriginal and Torres Strait Islander businesses can be identified from Supply Nation's Indigenous business direct register. However, the commonwealth Indigenous procurement policy goes even further, with a mandatory framework to leverage the commonwealth's annual multibillion procurement spend.

In the ACT in 2016-17 the University of Canberra public hospital head contractor set a target of 10,000 worker hours on the site to be provided by Indigenous staff. Disappointingly, only 7,568 worker hours were provided by Indigenous staff, and the vast majority of that was by trainees. Targets like those under the commonwealth Indigenous procurement policy provide a level of accountability, and the Greens would like to see the ACT government do more, including setting targets.

The Greens have regularly raised the issue of sustainability in procurement over the years. Despite the ACT's net zero targets and being carbon neutral by 2020 government target, the ACT government continues to build infrastructure that is not going to meet the needs of our future, or our climate targets. The obvious example of this is the continuing car-dependent culture, especially in our new greenfield suburbs.

You might be interested to hear, though, in terms of basic things that government uses, that overall the world use of paper has gone down over the past two decades, despite population growth. The flipside of that is that, as we are now working in largely paperless offices, instead all our data is being stored in huge data warehouses, which require large amounts of electricity to keep cool. Of course, there are many more devices around, such as the iPads which members like me received over the holiday period. Again, that is a potential waste and certainly impacts on resource consumption.

In the ACT we are working hard, and we will be successful in switching our electricity to be 100 per cent renewable, but as soon as we procure interstate data storage we are creating large levels of greenhouse gas emissions, and these are not taken into account in our ACT greenhouse gas inventory.

That is just one example of the types of downstream effects of our procurement, but they are fundamental. These are the sorts of things that the ACT government needs to address in looking at the whole supply chain in the procurement process. You cannot just look at one little bit of it; you need to look at the entire chain, as Mr Rattenbury noted with regard to modern slavery. It is equally so with environmental impacts, just as it is with the impacts on workers and on the human beings involved.

In conclusion, the Greens wholeheartedly agree that workers in Canberra should be paid properly and work under safe and appropriate conditions. The ACT Greens also believe that our tender and procurement processes should take into account the employment standards of companies up and down the supply chain. We do not think it is okay only to look after the workers of Canberra and then purchase items made by slave labour or by companies that engage in human trafficking.

I support Ms Cody's call for the ACT government to implement legislation and other measures to ensure that government procurement delivers high ethical results in relation to labour standards, as well as the other issues that I have talked about. This is a complicated issue and it is one that can be difficult to assess, but it is imperative that we examine the issue and see how we can best incorporate processes and create legislation in a way that will ensure that these issues are considered in our procurement, so that the ACT does the best good that it possibly can with the dollars that it is spending on goods and services.

MR PETTERSSON (Yerrabi) (4.07): I would like to start by thanking my colleague Ms Cody for bringing this motion to the Assembly. Ms Cody has had a longstanding commitment to fighting for workers' rights, and her ongoing work in this sphere is greatly appreciated by working people.

I would like to discuss some recent instances of workplace exploitation that we have witnessed in Canberra. As many know, the Fair Work Ombudsman is tasked with regulating workplaces and ensuring employers comply with their obligations. It is an organisation that has been hamstrung by a Liberal government that is indifferent to working people. But that is its role, and it still carries it out to the best of its ability.

On 31 January the Fair Work Ombudsman released the findings of one of their compliance campaigns aimed at businesses in the ACT. Shockingly, they found that only 31 per cent of businesses were fully compliant with their obligations—only 31 per cent. We hear a lot of lecturing from conservatives about the rule of law, but I have not heard a single word about this reckless law breaking.

It is worth noting what prompted this campaign by Fair Work. The Fair Work Ombudsman targets their activities, and the reason for targeting the ACT in this instance was that requests for assistance in some parts of Canberra were way above the national average. Unfortunately, they do not have the resources to help everyone or to be on every job site. They have to take a sample and hope that their efforts send a message to the rest of the industry.

As part of this investigation, the Fair Work inspectors recovered a total of just over \$27,000 on behalf of some 28 employees. While that is a positive outcome for those workers, it is fair to be concerned that this is just the tip of the iceberg. As I just said, the Fair Work Ombudsman has to take a sample, and this sample indicates that the size of the problem is likely to be much greater, and that many more workers are being underpaid and exploited right here in Canberra.

This is not a one-off. The Fair Work Ombudsman has regularly undertaken activities in Canberra, and what should be a concern to all of us is that there seems to be little improvement in this behaviour. Last year the Fair Work Ombudsman selected 80 businesses right here in the ACT that had previously been found non-compliant with workplace laws.

As a brief aside, there is a theory put forward by some that non-compliance is often caused by a lack of awareness of workplace obligations. The conclusion of this report

found that a whopping 40 per cent of businesses that had previously been found to be non-compliant remained non-compliant—40 per cent. These are businesses that have been found to be in breach of their workplace obligations. The regulator has come in, given them a slap on the wrist, and, when they come back in a year or so, they are still non-compliant. I find it hard to believe that these particular businesses are not aware of their obligations. Unfortunately, and what is more likely, some businesses have built exploitation and underpayment into their business model.

I make the point again: we hear a lot from conservatives about the rule of law. But I have heard very little about this outbreak of lawlessness occurring right here in Canberra. The question for us in the Assembly is: what exactly are we going to do about it? Do we sit on our hands and do nothing while workers in our community are exploited and underpaid, or do we do something? I am proud to be a part of this government, because when we see something wrong, we actually do something about it. It is very easy to pass the buck here and say, “Well, this is a federal issue,” or “This is someone else’s problem.” That is not the approach of this Labor government. We do things. In this case we are introducing a secure local jobs package that will ensure government contracts only go to those that meet high ethical and labour standards.

The ACT government procures roughly \$1.8 billion worth of goods, services and works each year. It is a large share of our budget. I believe that Canberrans should know that their money is going to businesses that comply with the law and uphold the highest ethical and labour standards. There will be a range of things that go into this package, and one of the core components will be a local jobs code. This code will be a piece of legislation that will clearly set out the roles, responsibilities and obligations of both government entities and businesses that the government contracts with.

One of the key complaints against the government’s MOU with UnionsACT was that it lacked transparency. What can be more transparent than legislation? All entities that are covered by the package will be required to hold an industrial relations and employment certificate. This will require businesses that want to tender for government work to demonstrate that they have a history of compliance with their employment obligations. This information will then be interrogated by an independent auditor who will provide advice to the ACT government as to whether or not to issue an IRE certificate.

The package will also involve establishing a compliance unit that will oversee and monitor measures introduced by the package. As we see from the Fair Work Ombudsman’s reports, we cannot just set these rules and let it play out. We need to ensure that these rules and obligations are being complied with. Some would have you believe that this legislation is anti-business, Mr Assistant Speaker. This could not be further from the truth. This legislation is pro business. This is unashamedly pro law-abiding business.

One of the incredible things I learnt at last year’s annual reports hearings is that the overwhelming number of complaints with regard to specific businesses being awarded government tenders is actually from other businesses. They are sick of being undercut by competitors who are doing the wrong thing. When I speak to local business owners, I hear a similar sentiment. They are sick and tired of doing the right thing, then being

undercut by competitors who are doing the wrong thing. Well, we are not going to let that happen.

The employers in Canberra that do the right thing by their staff—not just the straightforward dollars and cents stuff but the real, moral responsibility of caring for their staff by providing training, employment participation and wellbeing initiatives—will get ahead under this legislation. What about the paperwork? This legislation will make it easier—you heard me—for businesses to bid for government work. We will streamline tender processes and we will create transparent processes to resolve issues that arise.

I find it strange that the Canberra Liberals are so opposed to legislation like this. Are they not talking to the same business owners that I do? Don't they have people in their ear complaining that they are getting undercut by companies that are ripping their workers off? Well, it appears not. It appears they have someone in their ear telling them that more scrutiny is a bad thing. They have someone in their ear that is benefiting from the current procurement processes.

On this side of the chamber we know that unions are an important part of the workplace. There is a fundamental power imbalance between an employee and employer that is only countered by the collective power of working people. We know that unions provide a voice to employees who do not feel safe to speak out under their own name. We know that unions are the best and only way to ensure the prosperity of working people in Canberra.

That is why this legislation, like the Fair Work Act and the Work Health and Safety Act, enshrines the rights and responsibilities of trade unions. We believe that the wellbeing of workers in Canberra is about more than dollars and cents; it is about a workplace that ensures that working Canberrans are aware of and free to utilise their workplace rights. We believe that workers should be empowered and protected by formal structures in their workplace.

In conclusion, I would like to reaffirm my support for this motion and for a secure jobs package that will ensure Canberra's workers who are working on government jobs are paid properly, treated fairly and return home from work safe each day.

MS ORR (Yerrabi) (4.16): I rise today to speak in support of this motion. I rise to highlight the difficulties experienced by workers struggling with insecure work on the minimum wage. But in first addressing the motion before the Assembly today there is a pressing question that we, not just the ACT but as a nation, must start to ask: at what point? At what point do we say no to wage theft and exploitation? Is it a small mum and dad business trying to make ends meet? Is it a bustling cafe not paying penalty rates? Is it a celebrity chef with their own personal brand? Or is it a multinational company employing hundreds of Australians? Regardless of who does it and for what reason, wage theft is just that—theft. A key problem with failing to enforce employers to pay employees what they are owed is that if you ignore it at one level, it only makes it harder to enforce the rules on other employers.

Following the Fair Work Commission's diabolical decision to cut penalty rates, a number of talkback callers noted that many employers were not paying them anyway. Callers pointed to the fact many employers were paying their teenage children cash in hand, under the table payments to avoid paying penalties. The argument goes, "If I don't, the bloke next door will undercut me and it hurts my business." But at what point do we say no? At what point do we say to someone, "You no longer have the right to carry on your business in this way"? At what point does a worker's right to a fair wage outweigh an entrepreneur's right to carry on a concern?

In Australia the Harvester case set the standard that an employer must pay its workers a fair and reasonable wage which met the normal needs of the average employee. Justice Higgins ruled in 1907 that a worker must be paid at a minimum enough to support a household budgets with allowance for things such as lighting, clothes, furniture, rates, insurance, savings, loss of employment, union pay, books and newspapers, tram and train fares, and school expenses. It even suggested allowance be made for amusements and holidays, intoxicating liquors and tobacco. The ruling dominated the following 80 years of Australian labour law and made Australia one of the first countries in the world to pay a living wage.

While this case set in place the system of arbitration that would form one of the pillars of the post-settlement economic consensus in Australia up until the 1980s, it is more the principle laid down in this ruling that is important. This was the principle that in Australia if you could not or would not pay your workers enough to ensure a dignified existence you had no right to carry on business. Justice Higgins enshrined this belief in the judicial system with a series of rulings. Perhaps the most prominent of these came in 1909 when Higgins stated:

If it is a calamity that this historic mine should close down, it would be a still greater calamity that men should be underfed or degraded.

That may sound extreme to some, but to put it in context, the company involved in this dispute was BHP, and 109 years later it seems to be going reasonably well regardless of that decision.

While the Higgins decision set the tone for nearly 80 years, the last two or three decades has seen an about-turn in the way we approach wages. Where once the system of arbitration embodied our dedication to wage justice and equity, it seems now our pre-eminent concern is to lessen the burden wages place on business. "If we could just lower penalty rates, we could unchain the shackles we've placed upon business." "If only we free up the resources that are tied up ensuring workplaces comply with their obligations to employees." It is a similar argument that we hear from the federal colleagues of those opposite in regard to company tax: "If only we lowered company tax, rivers would flow with gold and raise the tide for everyone."

However, after three decades of these apparent rising tides, it seems we may not be achieving what was promised. Wage growth is at record lows. Income inequality is at 70-year highs. Underemployment has suddenly become a genuine problem for us to

deal with, and we are in the midst of the first generation whose standard of living has been lower than their parents since economic growth became the norm.

This is something the ACT needs to be conscious of. Research by the ACT Council of Social Services, with the Women's Centre for Health Matters, found the major growth industries in Canberra were more likely to be employing casualised workers. In turn, ACTCOSS reports that these people are most likely to seek emergency financial assistance.

These are the people we seek to support through this motion here today, and it is because we believe a government should seek to improve outcomes for workers to protect those who are most vulnerable. That is why everyone on this side of the chamber is lining up to speak in support of this motion today. We believe in reducing inequality. We believe in raising living standards and we believe in supporting secure jobs, which is precisely what this motion seeks to do.

MR WALL (Brindabella) (4.20): What a motion it is we have here today. Let me begin with my delight at the Chief Minister's answer from question time today, when he said that the MOU will once and for all be terminated. But the big question is: at what cost? It seems the secure local jobs package consultation paper that has been put out has some alarming suggestions. I look forward to seeing industry's comments, noting that very little of industry was consulted in the preparation of this paper before it was actually put out.

As we all know, the MOU gave unprecedented power by stealth to trade unions and the union movement in the ACT as a result of the document being signed by the current Chief Minister, and also I believe by Mr Stanhope, with UnionsACT. Seemingly there was no need for it under Ms Gallagher—her union connections were obviously very tight.

Ms Cody's motion has serious structural flaws and fails to address a number of large parts of the Canberra community that are also falling victim to unscrupulous practices that exist within the economy. Paragraph (1)(a) of Ms Cody's motion notes that every Canberra worker has the right to be paid properly. I suggest that is just not every employee but every subcontractor and every business that does work in any industry.

I have written on a number of occasions to the Chief Minister about a subcontractor that did a substantial amount of civil works on a government project, and the response I received was basically that the government's interest in those kinds of issues stops with the primary contractor and that business disputes—that was the term he used—that exist between the head contractor and other contractors are a matter for them to resolve. So here you have an instance where, if a worker is not getting paid in the supply chain we have a massive issue, but when a business in a supply chain is not being paid—which, I remind everyone, employs people—it is really not such a significant issue.

Ms Cody's (1)(c) notes the value of government procurement of goods and services as \$1.8 billion in the ACT, and that is a substantial amount of spending in a financial year. But the question is: what level of local content are we seeing? More and more

often we see multinationals, foreign-owned companies, winning contracts with government at the expense of local operators. Let's not forget that the Melbourne City Council now mows the lawns on our arterial roads, not the locally owned business, as was previously the case. There is favour for large national or multinational companies, many of which, if not most of which, do not have a presence in the ACT.

Paragraph (1)(d) calls on us to note the success of the government's local procurement policies, including in relation to major projects such as light rail. We heard in question time today some of the significant, substantial and worrying safety breaches that are occurring on that project. At this point I will move the amendment to this motion circulated in my name. I move:

Insert new paragraph (1)(e):

“(e) that WorkSafe ACT have issued six prohibition notices, four infringement notices and four improvement notices on the light rail project as a result of significant safety breaches;”

The purpose of the amendment is that if those in the government and on the crossbench are willing to bring forward and pass such a self-congratulatory motion it might as well bear some resemblance to the facts. The light rail project has quite an appalling track record for safety. Just this week the project was shut down for at least two days due to a prohibition notice issued by the commissioner for work safety; as the Minister for Regulatory Services said today, six prohibition notices, four infringement notices, four improvement notices, and that is just in recent time. As I said, if this motion is to pass, it might as well pass with some semblance of the truth in it.

Ms Cody's motion also highlights the consultation currently underway for the secure jobs package and states that this package is going to: streamline the existing procurement requirements; create clear requirements that businesses tendering for government work treat workers fairly and uphold their workplace rights and safety; and enhance compliance and enforcement measures through a new unit within government.

It is clear that, whilst the rhetoric is strong in what those on other side are proclaiming this code is likely to do, it is very weak on substance when you start reading the very small, eight-page consultation paper for what is such a massive change to procurement and industrial relations in the territory.

As to IRE certificates, they are already commonplace through the construction industry for construction procurement. The problem is not in the issuing of an IRE certificate—that is a compliance and a stat dec at a point in time. The issue lies in the compliance. I would welcome, to some extent, a larger focus on compliance of government contracts, but that can be done now. We do not need these significant changes to address the compliance issue.

The biggest ticket item in the consultation paper is the introduction of the labour relations training and workplace equity plan and the intent to make that a weighted

criterion. My fear is that this will not streamline the procurement process but instead add significant burden and red tape to businesses seeking to compete for government tenders. It will be at the detriment and to the disadvantage of small local businesses who do not necessarily have the capacity, the workforce or, dare I say, the time and money to pour into additional criteria on government procurement. For that, the territory will be all the poorer because, again, local businesses will be missing out.

The additional hoops business will be required to jump through come at a cost. Those businesses that have the capacity to deal with that in the procurement phase will obviously pass that on in the product or the service they are tendering to provide to government. That will result in a higher price being paid by the territory for its procurement processes.

I recognise that there is an acceptance on the opposite side to finally tear up the MOU. But, as I said in my opening remarks, at what cost? My fear it is that as a weighted criterion the bar will be set so high that basically only a business that has done deals with unions and entered into union EBAs will satisfy that criterion in the procurement process to get those points. The question remains still: to what level will this will be a weighted criterion? My understanding is a typical construction tender has about 20 per cent weighting on prior experience, 35 per cent for safety record, 35 per cent for price and 10 per cent for local content weighting, noting that local content is given the lowest rating of the criteria. What percentage will be given for compliance with this? Ten per cent; 15 per cent? Which criteria will it be at the expense of? And will it be an all or nothing proposition, much as the local content is? Where will the bar be set?

We have been very lucky in this country to have a very rigorous industrial relations framework for so many years. There is a minimum wage, as those on the opposite side have spoken about. There are model awards in place to protect people against being taken advantage of. Where a business chooses to breach those benchmarks, absolutely they should feel the full strength of the law. No-one in this place is arguing against that being the case. I will be clear on that: where a business chooses to circumvent an award, minimum wage or commonwealth laws in this space, it deserves to feel the full brunt of the law.

But where the issues really start to come is when the ulterior motives become evident: what this local jobs plan is about. It is not about protecting a worker on a minimum wage; it is about ensuring union influence and union memberships. The relationship between the Labor Party, the Labor members in this place and the union movement is synonymous—they are one and the same.

We have significant issues around how the four industries highlighted in the local jobs package consultation paper have been identified. It says as a starting point that all contracts, regardless of their value, for the categories of labour identified as cleaning, security, building and construction and courier services, will need to comply from day one. Very little evidence has been provided by the government to this point to highlight why those four industries specifically require this new and unprecedented level of oversight and, dare I say, union involvement. Very little in the way of a business case has been made to substantiate those claims.

The biggest concern we hold is that much of what is outlined in the secure jobs code package paper is in complete contradiction to existing commonwealth fair work laws, health and safety laws and also the National Construction Code. The question remains: is the ACT going to go it alone in the industrial relation space and give new and unprecedented powers to unions? That is made evidently clear in this paper; it is proposed that the local jobs code would also legislate an active participatory role for unions in the induction of workers.

I do not think it is a secret to anyone; unions want to be in the induction process because it means one thing and one thing only—when a person starts their job they can be coerced into joining the movement. It is plainly and simply about recruitment and about membership. There is a very cute little disclaimer that the induction process should be done in a manner that does not trigger conflict with fair work or right-of-entry provisions.

The minister and her department are well aware that they are flying very close to the breeze on this one. In many respects there is clear, intended contradiction with existing federal government laws. The question that remains to be answered is why there was a need for the ACT to go it alone in this space when there is such a rigorous framework at the commonwealth level.

I will touch very briefly on the comments by the Greens members about modern slavery. I believe Mrs Dunne will speak very briefly on that in a moment. Let us be clear that there is no acceptance of slavery in the modern era in our supply chain and in government procurement or in any aspect of our society. Mrs Dunne's work on highlighting the problem that is modern slavery, the impact that it has and the depth to which it extends has been steadfast over a number of years. Any attempts to confuse what is essentially a wish list of a trade unionist being put forward by a government minister as a cover for addressing as serious issue an issue as modern slavery is appalling. I look forward to watching keenly and closely how the minister addresses the issues of both this consultation paper and modern slavery going forward.

There are clear and fundamental differences between members on my side of the chamber and those opposite in the way we view the industrial relations landscape. They are for organised trade influence in their government at the expense of small local enterprises who are just trying to do their best to provide for their family, to support their city and to create jobs for other Canberrans, if not other Australians. Their efforts need to be commended and it should be their interests that we look at very keenly.

There is a long track record in this place of a lot of rhetorical support for local business, but then the rubber hits the road and the demands come from the trade union movement, UnionsACT, those in the CFMEU and others who are very influential over members on the opposite side. They seem to call the shots at the expense of good policy and good economic management for this territory.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (4.35): It is almost

instructive to hear the deep insecurities of those opposite about procurement policy and public policy in general. What we have just heard from the shadow minister really speaks volumes about the range of insecurities and clear political concerns that he has in relation to the trade union movement. Of course, he is free to hold those views and to espouse them in this place. I am sure that the people who voted for him would expect nothing less. To a certain extent it is good to see some on the conservative side of politics at least being prepared to enter into the industrial relations debate. It has been a bit of a void, at least at the federal level.

Mr Wall: That sounded like a compliment, as backhanded as it was, Andrew. Thank you.

MR BARR: To a certain extent, Mr Wall, it is. Although you have put various things on Facebook and taken them down later when they have been drawn to your attention, at least you are up-front about your agenda in this place as it relates to organised labour and unions. I think that stands in contrast to some of your colleagues who undoubtedly share your views but are not quite as keen to share them with the general public. So it is good; it is a very good thing that people know there are alternative views on industrial relations and procurement, that you hold those views and that you are prepared to speak up for them in this place.

It is not, however, obviously a view that is shared by the majority of members in the Assembly or, indeed, the majority of Canberrans or Australians. I think it is worthwhile in this debate to look at the opportunities that the territory government has as a significant procurer of goods and services to demonstrate leadership and to ensure through our procurement processes that both commonwealth and territory laws are upheld.

I welcome the acknowledgement from the shadow minister that it is his expectation that the commonwealth laws would be upheld. I think he should also extend his expectation to include territory laws. I am sure he inadvertently left that out rather than suggesting that it would be okay for territory laws to be breached by those who seek to enter into procurement arrangements with the territory.

What the government is recognising is that the purchasing power that we have can set standards, improve standards, and can lead to delivery of an even higher quality of goods and services for the people of the ACT. Through the range of issues that Ms Cody has highlighted in her presentation and that other speakers have referred to, that purchasing power can lead to a better outcome not only for those who are undertaking work on behalf of the people of Canberra but also for Canberrans more broadly.

However, I want to spend a moment responding to one element of Mr Wall's commentary as it related to the weighting of local business in the procurement process. I would remind him—again, I am sure he overlooked this—that there are elements of the Australian Constitution around restraint of trade between states and territories and, indeed, a multitude of preferential trade agreements that our federal government has signed with other countries that have very clear requirements in relation to government procurement.

I am sure the shadow minister was not suggesting that we breach the constitution of this country or that we breach many of the preferential trade agreements that have been signed by both sides of federal politics and pursued by both sides of federal politics. But we do need to be very cognisant in these debates as they relate to local weightings that we do have obligations to states and territories in the Commonwealth of Australia and to all the countries with which we have signed trade agreements—they are never free-trade agreements, but they are preferential trade agreements—to adhere to their requirements.

This is because our exporters, those Canberra businesses that are seeking to access government procurement in other jurisdictions in this country and internationally, require us to be a good citizen as well in order for them to achieve any success in markets elsewhere in this country. I make the very simple observation that, although our procurement of \$1.8 billion is significant for the city of Canberra, it would pale when compared with the procurement of, say, the New South Wales government, the Victorian government, the Australian government, even the New Zealand government, let alone governments like the United States government or arrangements that are in place with China, Indonesia or the countries that we have trade agreements with.

Whilst we do have a weighting for SMEs in the Canberra region in our procurement process, we do so clearly within the rules and agreements that apply in respect of the Commonwealth of Australia and our trade agreements.

I say in conclusion that it is good we are having this debate today. We are very proud of the policy that we took to the 2016 election. Through the secure local jobs package we will be seeking to implement what we took to the election. I am pleased that through the debate we have had this afternoon we have teased out a few of the issues, some of the potential concerns that may see some degree of tripartisan support on elements of what we propose.

I am also acutely aware that it is unlikely we will get agreement across all parties in this place for every element of what we propose, but there is possibly some hope in some of the remarks from the shadow minister that we may proceed with agreement across all parties on certain elements. We look forward to the conclusion of the consultation process and debate in this place in due course on the legislation that will be brought forward. Having said all of that, I commend Ms Cody for bringing this motion forward today.

MRS DUNNE (Ginninderra) (4.42): I will be brief in reflecting on some of the things that unfortunately are not in Ms Cody's motion, except in a very oblique way; nor are they in the consultation paper that Mr Wall referred to. When I saw it, I was surprised at how slim it was and what was missing from it.

I need to put on the record that I as a Canberran and as someone who works with constituents on a fairly regular basis—as we all do—spend a lot of time with my constituents and sometimes the children of my constituents. I encourage them to be active participants in the workforce. When they have problems, I refer them to the workplace ombudsman.

I have a very good track record of referring constituents to the workplace ombudsman and then getting recompense through the workplace ombudsman's process. But reflecting on what the minister has said and what Mr Pettersson has said, there are people in business in the ACT who exploit their workers. There is no debate about that; there is no debate about that. It is a given and it is not a thing that anyone in this place would support. I actively encourage young people who are underpaid to go to the Fair Work Ombudsman. The ones that I have referred usually have had a good result.

I argue a little with the assertion put forward by Ms Cody. It is not expensive for them. It is at no cost to them except for their time and their effort. They tend to have to be good record keepers, but the Fair Work Ombudsman works very well in this space. It is because of their diligence that we see these return visits to the Fair Work Ombudsman, especially in the hospitality space in the ACT, which I think should be a matter of concern for us all.

I thank Mr Rattenbury and Ms Le Couteur for raising ethical procurement and supply chain issues to ensure that we have a slavery-free supply chain. I will give Ms Cody and the government the benefit of the doubt that when they talk about government procurement delivering high levels of ethical and labour standards, this is a catch-all for that very expression.

As members would know, in the previous Assembly, when I was the Speaker, we took steps to do what we could to ensure that supply chains in the Legislative Assembly were slavery free. This is extraordinarily difficult to do in a vacuum without widescale support. It became increasingly difficult for us to ensure that everything we procured in the context of the building works that were done here during the last term of the Assembly was slavery free.

When we look at our iPads, we see the heavy metals—the cadmium and the like—that are in them. We know that there are people who work in slave-like conditions to produce the rare metals that go into our electronic devices. The risk is that every time we purchase something, we are purchasing it from a supply chain that is compromised.

I have spoken about this on a number of occasions. I made representations to the recently concluded inquiry run in the commonwealth parliament in relation to the modern slavery legislation. I note the bipartisan support in the federal parliament for the implementation of modern slavery legislation to build on the work that has already been done quite effectively in the United Kingdom, but more can be done.

I spoke in the adjournment debate last week in relation to the work that has been done by the Sydney archdiocese to ensure that their supply chains are slavery free. There are lots of implications for, and hard work that needs to be done by, the archdiocese, but they have taken a leadership role in this. I think they are an example to other large employers. I will be speaking on this matter to the Catholic Archbishop of Canberra, because the archdiocese of Canberra, through its schools and hospitals indirectly, is again one of the largest employers in the ACT, and it has considerable buying power.

The Chief Minister has downplayed the size of our buying power, but \$1.8 billion is a substantial amount of buying power. We need to be sure when we are doing this that we have done our utmost to ensure that the products we buy in the supply chain are not produced in any way by slavery.

I cannot encourage the government and the minister enough to get on board with this message. I will be circulating to members when I get to it this week a copy of the Archdiocese of Sydney's recommendations in relation to slavery-proofing their supply chains. I understand that the archdiocesan task force has spoken to the consultation group about this. I hope they will be able to learn from the work that has already been done by the Sydney task force and that as a result of this we actually get a good result in this place.

We need to get in front of the game. Both sides of the commonwealth parliament have made noises about this. We either get in front of the game and be part of the solution or we get dragged along and have something imposed upon us which is not necessarily what is desirable.

It is difficult in some ways and easy in others. The Chief Minister likes talking about being the first in some areas. Let us be the first jurisdiction in the country to do what we can to slavery-proof our supply chains. That would be a great thing. The Chief Minister and I have been corresponding on this for probably 2½ or three years. I know the Chief Minister speaks often about how this is important. He said this in letters to me. But I do not see much action and I do not see any action in the consultation paper that has come out from the minister. That consultation closes later this month.

I would like to see more in that space. I commend Ms Cody for her concern about high ethical standards. Those high ethical standards should have a bigger impact on where we buy and what we buy.

MR RATTENBURY (Kurrajong) (4.49): I will speak briefly to the amendment. I welcome Mrs Dunne's raising the issue around the archdiocese. I am glad she did because I actually forgot to mention this in my earlier remarks. I believe that the archdiocese briefed a number of members of the Assembly recently. I thought this was a very positive briefing. I simply echo Mrs Dunne's remarks. This is a very important initiative being taken by someone who you do not necessarily expect it from.

I do not say that in any pejorative way. It is just that sometimes there are people who are not obvious campaigners that step into a space. But when they do, they do it with a degree of influence and, in their case, with a degree of significant size as well, and it can have a very positive impact. I think this is something we really should be keeping in mind during this process.

I am pleased that it has been part of the discussion today because it is an issue that does impact on people that are just so vulnerable. They do not even have that opportunity to be represented by a union or make their way to the Fair Work

Ombudsman. It is an entirely different discussion but one that I think we can well cover in this space.

MS CODY (Murrumbidgee) (4.50): Firstly, I reject Mr Wall's inference that my motion was untrue. Everything in my motion seems to be in order. But I would like to thank Mr Wall—or should I say “Comrade Wall”—for his enthusiasm to empower workers and their unions to improve safety for all.

MADAM DEPUTY SPEAKER: I think “Comrade Wall” would be unparliamentary, and you should not say it.

Amendment agreed to.

MADAM DEPUTY SPEAKER: The question now is that the motion, as amended, be agreed to.

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) (4.51): I seek leave to move the amendment circulated in my name.

Leave granted.

MS STEPHEN-SMITH: I move:

Insert new paragraph (1)(f):

“(f) that the 2017-18 Budget allocated funding for three additional WorkSafe ACT inspectors, recognising that light rail construction involves specialised and complex work activity that has not been undertaken in the ACT before;”

I thank Mr Wall for his amendment, which is a factual amendment. I hope that the opposition will be able to support our equally factual amendment to Ms Cody's motion. It notes the funding allocated in the 2017-18 budget for additional WorkSafe inspectors, recognising the complexity of the light rail project.

Amendment agreed to.

MADAM DEPUTY SPEAKER: The question now is that the motion, as amended, be agreed to.

MS CODY (Murrumbidgee) (4.52): Firstly, I would like to thank members for all the positive input received today for my motion. It is a motion that has been sitting there, building momentum, for some time. I would like to thank the government and Ms Stephen-Smith in particular for putting the local procurement code out for consultation. It is really rewarding. Workers' rights and workers' safety should be of paramount importance when procuring services in the ACT.

I would like to note that there was not that much negative input, which was very lovely to see. But it would be surprising to say there was none, and I was not really surprised. As I have said before, a local jobs code is important for protecting the rights of local workers. As my colleague Mr Rattenbury raised earlier in this debate, the Labor government has been protecting local workers for some time.

The introduction of the portable long service leave scheme is just one initiative which has seen workers from more vulnerable industries protected. Ensuring that a local procurement code forms part of legislation means that workers will continue to be protected. It means there is a level playing field for local businesses to tender for government work.

But, as Ms Steven-Smith raised, the opposition in this town, in step with their friends across the lake, are so consumed by their war on unions that they have forgotten about Canberra workers. As many on this side of the chamber have spoken about today, the right of Canberrans to be paid properly, treated fairly and return home from work safely every day should not need to be argued for. But, with the likes of the federal Liberal government out to attack workers, we here in this place in government must stand up for Canberra workers.

I take a moment to thank Mrs Dunne for her words about ethical workplaces and workers. Procuring services that support ethical workplace relations is very important to us on this side of the chamber, and I see Ms Stephen-Smith nodding in agreement. I also take a moment to refer to what Mrs Dunne said about the Fair Work Ombudsman and the work the Fair Work Ombudsman does in many instances. But there are instances where the Fair Work Ombudsman does not help out local workers. There are some vulnerable workers in our Canberra community that continue to be discriminated against. They are the ones that this local jobs code will help to protect by ensuring that all employers vying for work from government will be protecting the workers that deliver those services.

It is with great pleasure and honour that I stand here as a union representative, as a union member and as a member of ACT Labor to stand up for workers' rights, and I will continue to bring about debates in this chamber that look after the rights of those workers every single day. I will not stop that. I will not be shamed into believing that being a member of a union is something that should be shameful.

I am a proud union member. I will continue to be a proud union member. I will continue to fight for the rights of workers, whether it be in this place or out in the community. It is something that I will continue to do. I thank the ACT government for helping me do that by introducing this procurement code. I commend my motion, as amended, to the Assembly.

Original question, as amended, resolved in the affirmative.

Road safety—Belconnen

MRS KIKKERT (Ginninderra) (4.56): I move:

That this Assembly:

(1) notes that:

- (a) the intersection of Tillyard and Ginninderra Drives was the site of 110 car crashes between 2003 and 2016 inclusive;
- (b) 32 of these crashes, or 29 percent, involved personal injury;
- (c) nine or more car crashes occurred at this intersection in 2017, with at least two injury crashes, and at least three more have occurred so far in 2018, with at least one injury crash;
- (d) the ACT Black Spot Consultative Panel in 2010 identified this intersection as a site with a demonstrated serious crash rate and consequently sought Commonwealth Black Spot funding in an attempt to improve it; and
- (e) Transport Canberra and City Services currently identifies this intersection as one of the ten most dangerous in the Territory, “where road conditions are considered to be a contributing factor”;

(2) further notes that:

- (a) although Commonwealth Black Spot Program-funded improvements were made to the intersection of Tillyard and Ginninderra Drives in 2011, the five-year rate of all crashes actually increased 35 percent afterwards, 46 in 2012-16 versus 34 in 2006-10;
- (b) at the same time, the five-year rate of injury crashes increased 243 percent, 17 in 2012-16 versus seven in 2006-10;
- (c) despite being classed by the ACT Government as a major collector road, with an “indicative traffic volume [of] 3 000-6 000 vehicles per day”, the actual average daily traffic volume for the southern most segment of Tillyard Drive as measured in August 2016 was 9362 vehicles per day, or 56 percent above classification;
- (d) the recently completed Residential Street Improvement Program study for Tillyard Drive, despite excluding the intersection with Ginninderra Drive, states that “traffic concerns at this intersection and at the [nearby] Tillyard Drive/Lhotsky Street intersection have been highlighted as significant” and urged that they be considered in future capital works programs;
- (e) Roads ACT has indicated that both community sentiment and technical analysis have identified the intersection of Tillyard and Ginninderra Drives and the nearby intersection of Tillyard Drive and Lhotsky Street as requiring significant safety improvements;
- (f) one year ago, a petition was tabled in this Assembly, signed by 1329 Canberra residents, calling upon the ACT Government to install traffic lights at the intersection of Tillyard and Ginninderra Drives; and
- (g) in response to this petition, a detailed study of the intersection of Tillyard and Ginninderra Drives has been completed, and this study recommends the installation of traffic lights; and

(3) calls on the Government to:

- (a) table by the close of business today the completed study of the intersection of Tillyard and Ginninderra Drives;
- (b) assure the residents of West Belconnen and the rest of the ACT that the traffic safety measures recommended in this feasibility study will be completely funded in the 2018–19 Budget; and
- (c) provide a specific date by which these traffic safety measures will be implemented.

I rise today to speak to the motion that I have put forward with regard to the intersection of Tillyard and Ginninderra drives. When I was campaigning in 2016, the danger posed by this intersection was without question the single most pressing issue raised with me by the residents of the west Belconnen suburbs of Charnwood, Fraser, Flynn and Dunlop. People who spoke to me shared how many times they had either witnessed accidents at this intersection or seen the aftermath shortly afterwards. Many told me about their own personal near misses. Some of them had been involved in crashes themselves. A large number of people explained to me that they took long trips around the area just to avoid this intersection and its known dangers.

I understood that these people were not exaggerating. After having lived in Charnwood for eight years, their stories were all too familiar to me personally and to my family. Data clearly back up these anecdotes. Between 1 January 2003 and 31 December 2016 the intersection of Tillyard and Ginninderra drives was the site of 110 car crashes, 32 of which involved personal injury. I do not have the final total for 2017, but at least nine more traffic accidents occurred at this intersection last year alone and at least two of those resulted in personal injury.

In the first seven weeks of 2018 at least three more car crashes have taken place at this hazardous intersection. One of these, which was reported on in the *Canberra Times*, saw three females treated at the scene by paramedics and taken to the hospital. The availability of these statistics means that the ACT government has been aware of the dangerousness of this intersection for quite some time. In fact, the Transport Canberra and City Services road safety improvement program website currently ranks the intersection of Tillyard and Ginninderra drives as one of the 10 most dangerous intersections in the territory, based on the severity and frequency of crashes which occur on the road network where road conditions are considered to be a contributing factor.

I remind the Assembly and the minister that in 2010 the ACT black spot consultative panel identified this intersection as a site with a demonstrated serious crash rate and consequently sought commonwealth black spot funding in an attempt to improve it. Those intersection upgrades were made the following year, in 2011, but they have proven to be woefully insufficient. The rate of traffic accidents at this notorious intersection in the five years after the upgrades were made actually increased 35 per cent, compared to the five years before the upgrades. Of even greater concern is that the five-year rate of injury crashes jumped 243 per cent after the black spot program improvements were implemented, from seven to 17. I wish to point out that the minister's proposed amendments remove any reference to these shameful statistics.

I am, of course, not implying that the government's attempts to improve the intersection of Tillyard and Ginninderra drives were so poorly done that they actually worsened the situation; rather, these attempted improvements were completely inadequate. A good part of the reason for that is probably the increased usage that the roads that form this intersection are receiving.

According to the recently completed residential street improvement program traffic study performed by AECOM, the ACT government classifies Tillyard Drive as a "major collector road", with an indicative traffic volume of 3,000 to 6,000 vehicles per day. When the segment of Tillyard Drive nearest to its intersection with Ginninderra Drive was analysed in August 2016, however, the actual daily traffic volume was 9,362 vehicles per day, a staggering 56 per cent above classification.

Again, this is a troubling reality that the minister's proposed amendments seek to scrub off the official record. Clearly, this intersection as currently designed cannot cope with the amount of traffic that it is receiving. If nothing is done about it, we can no doubt expect the rate of car crashes and personal injury crashes to only increase.

My greatest fear, as you can well imagine, Madam Deputy Speaker, is that we will have a fatality at this intersection at some point. I can assure you that many residents of west Belconnen have expressed this same fear to me. Far too many of them have wondered aloud if this is what it will take to force this government to finally take the necessary steps to make this intersection safer for road users. I certainly hope not. But, considering the data that I have briefly outlined, it is a miracle that there has not been a fatality already. As it is, we need to remember those who have suffered injuries. Some of these injuries require ongoing medical care. Others have caused significant financial loss. In other cases, victims have been left with lingering mental health impacts.

When public opinion, data and expert opinion all converge, it is a most serious matter. That is the case when it comes to the intersection of Tillyard and Ginninderra drives. Public opinion is clear. One year ago I tabled a petition in this chamber, signed by 1,329 Canberra residents, calling on the ACT government to install traffic lights at this intersection. More people approached me wishing to sign after the petition had already been tabled. The aforementioned AECOM traffic study noted similar public sentiment on this issue. Of course, the minister has once again sought to hide this point by eliminating it from the proposed amendments.

Although the government wishes to remove half of them from the motion as written, the data are likewise clear. The intersection of Tillyard and Ginninderra drives has a high rate of accidents, and Roads ACT has determined that road conditions are a contributing factor. The rate of crashes, and especially of injury crashes, has been trending upward significantly. The traffic volume is far too high for the intersection as it now exists.

Finally we have the expert opinion. Last week we learned in this chamber that the feasibility study of this intersection, commissioned in response to last year's petition, has now been completed, and that it recommends the installation of traffic lights. As

part of this motion, I call upon the ACT government to table this completed study by the close of business today. It was produced as an official response to more than 1,300 concerned Canberra residents. These residents deserve no less from their government than to know the full details of what has been learned and recommended in this study. I can think of no justifiable reason why the people of this territory should be kept in the dark on this issue.

I am not sure the situation could be any clearer. The people have petitioned this government for traffic lights. A dispassionate consideration of the statistics demands the installation of traffic lights. And now an expert study, we have been told, is recommending the installation of traffic lights. The only potential obstacle, and unfortunately it is a common one with this government, is access to adequate funding.

A *Canberra Times* article from September 2014 entitled “Belconnen roads among most dangerous in Canberra” specifically addressed the hazards of the intersection of Tillyard and Ginninderra drives but then also noted Roads ACT’s excuse that “funding limited the treatments they could use to fix the problems”. Minister Fitzharris raised the same point with me during last year’s annual reports hearings, noting that the installation of traffic lights is expensive. To this I have two things to say.

First, intentionally allowing car crashes to continue occurring at an intersection that is known to be hazardous is also expensive. Figures from Roads ACT from 2015 indicate that the cost of a property damage only crash in the ACT is \$9,537. The cost of an injury crash is \$363,250. Using these figures as a baseline, this means the total cost of all traffic accidents that occurred at the intersection of Tillyard and Ginninderra drives in the five years since the black spot program improvements has been \$6,451,823. This figure does not include the 2017 crash data or any of the three crashes that are known to have happened there so far this year. Clearly the cost of doing nothing far outweighs the cost of fixing things.

Second, the residents of west Belconnen have a pretty basic expectation of their government: they expect government revenue to be used to provide essential services, including keeping them safe. Under this government and previous Labor-Greens governments, my constituents who are fortunate enough to own their own homes have watched their rates skyrocket. Those who rent have seen their weekly rental payments soar so that their landlords can pay their rates. Those who rely on public transport are paying more for bus fares. Those who drive are paying more both for rego and for parking—and on it goes. My constituents understand the social contract between them and this government. And on this issue they expect action to be taken, not at some unknown point in the future but now, this year. And they want an assurance from the government that this is what will happen.

For this reason I call upon the ACT government to assure the residents of west Belconnen and the rest of the ACT that the traffic safety measures recommended in the recently completed feasibility study will be completely funded in the 2018-19 budget and to provide a specific date by which these traffic lights will be installed. Both responsible government and the good people of my electorate demand nothing less.

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (5.10): I welcome the opportunity to speak again with members today about road safety in the ACT, notably at this intersection of Ginninderra Drive. Indeed, we spoke about it only last week, as we have on a number of occasions in the chamber, as well as in our annual reports hearings.

As members well know, the ACT government takes road safety and residents' amenity seriously and encourages all road users to share responsibility for road safety. As I said last week, a number of integrated speed management measures, including engineering, enforcement, encouragement and education are part of the ACT road safety strategy and action plan. Another one of these measures is to implement local area traffic management treatments in residential areas.

Transport Canberra and City Services has developed a traffic warrant system to identify the need for and prioritise traffic management measures in residential areas. High ranked streets in the traffic warrant system are investigated and measures implemented where practicable.

An important part of any project is to seek feedback from local residents and the surrounding community about what issues might exist and what potential improvements should be considered. As members are aware, the ACT government conducts extensive community consultation. In this case, it conducted extensive consultation to develop options to improve traffic conditions along Tillyard Drive and the surrounding streets. In November and December of 2016, feedback was collected about issues from residents of Charnwood, Flynn, Fraser and the wider community. In addition to seeking community views, the study included a technical component which analysed traffic speed, traffic volume and crash data.

The major areas of concern raised by the community included: safety at intersections, particularly at the intersection of Tillyard Drive and Lhotsky Street; speeding, particularly on Tillyard Drive, Kuringa Drive, Moroney Street, Spalding Street, Lhotsky Street and Bingle Street; pedestrian safety issues and visibility issues at mid-blocks; peak-hour congestion issues, particularly at the Tillyard Drive intersections with Lhotsky and Daley streets; and safety around the Fraser Primary School.

Feedback from the community consultation included concerns regarding the Tillyard Drive intersections with Ginninderra Drive and Lhotsky Street. These concerns were also validated by the technical analyses of traffic data at these intersections. Following the consultation, TCCS progressed a more detailed investigation on the Tillyard Drive intersections with Ginninderra Drive and Lhotsky Street.

As was part of the discussion in the annual reports hearings, with Mrs Kikkert present at those annual reports discussions, it was made very clear, but I am happy to state it here, that the original consultation on Tillyard Drive expressly did not include consideration of major intersections—I certainly acknowledge that that could have been made clearer in the consultations from TCCS—and further work on local area traffic management planning, which more often than not does not include major

intersections. We need to be really clear with the community that the measures taken as a result of local area traffic management studies generally include small-scale improvements. This was discussed, I thought fairly extensively, in annual reports hearings last year, as was the issue that a major intersection upgrade was likely to be the subject of future budget planning. I will return to that in a moment.

The scheme that was identified through the study, the scheme for improvement, had a number of priorities assigned to a number of different treatment options on local roads. The intention of this scheme is to guide the implementation of measures over a number of years. The recommended priority works in the vicinity of Fraser Primary School, Charnwood-Dunlop school and Brindabella Christian College will require further consultation with the respective schools. These recommendations have also been given to the ACT schools coordinator within Transport Canberra and City Services for consideration under a separate schools program.

The following works will be undertaken early in the 2018-19 financial year. On Tillyard Drive, line marking and signage improvements will be made to the intersections with Kerrigan Street, Spalding Street and Crawford Crescent. There will be lane narrowing and lane marking improvements between Kuringa Drive and Spalding Street; a pedestrian refuge island and signage adjacent to the bicentennial trail; and improvements to pedestrian signage near Charnwood shops. Improvements to line marking and signage will be made on Kuringa Drive and on Kerrigan Street. There will be lane narrowing and lane marking improvements on Spalding Street; and speed cushions installed on Shakespeare Crescent, Companion Crescent, Covington Crescent, Magrath Crescent and Moroney Street.

On speed cushions, the advice from TCCS when I became the minister responsible for this area echoes in my mind: speed cushions are often requested by a large number of members of the community, and when they are installed other members of the community often ask for them to be removed. Speed cushions are an important part of improving local roads, but they receive a very mixed response in certain communities. A number of significant examples come to mind. But extensive consultation and technical work go into identifying these sorts of traffic management improvements. I would like to assure the community and members that directly affected residents will be informed of these particular works, particularly when they are near properties, prior to implementation.

As noted in Mrs Kikkert's original motion, the Tillyard Drive intersection with Ginninderra Drive was investigated previously, in 2010, as part of the federal black spot program. The resulting improvements to the intersection consisted of modified traffic islands, upgraded road signage, additional line marking and street lighting works to the value of \$166,000. This limited commonwealth funding was not sufficient to cover significant works to improve the intersection, such as the installation of traffic lights. The government is well aware that the traffic volume in the area has increased over the past six years, as it has across our growing city. In an effort to improve safety and performance, the government commissioned a separate study and preliminary design of the Tillyard Drive intersection with Ginninderra Drive. This study has recommended the installation of traffic signals to fully control all vehicle movements through the intersection.

Madam Assistant Speaker, Mrs Kikkert's motion includes a number of factual errors and incorrectly asserts that the study into the intersection arose as a result of a petition that was tabled in the Assembly last year. The reality is that the government commissioned an intersection study based on the result of both community feedback and the technical analysis undertaken to develop the Tillyard Drive residential street improvement program. I acknowledge that Mrs Kikkert has an ongoing interest in this area, as have other members of the Assembly, notably Ms Cheyne, who raised this issue with me last week, as she has on many occasions. Last week I also responded to a question on notice from her.

In Mrs Kikkert's motion, she noted that some statistics had been removed. I am advised that those statistics are not correct. I would be happy to work with Mrs Kikkert to come up with some of the correct statistics on this intersection. She asks for the report to be tabled by the close of business today. I am happy to table this report at the earliest opportunity, and at the very least by the March sittings of the chamber, but it is not possible to do that by the close of business today, as there is some work to further consider on the report. I will be happy to do that, and the amendment that I have circulated indicates my intention to do that in the next sittings.

I would like to assure members and the community, particularly the local community in Belconnen, that the government is seriously considering the implementation of these recommendations. I want to be really clear, Madam Assistant Speaker—I feel that this was explained at some length during annual reports hearings last year—that intersection improvements of this scale require specific capital funding through the budget process.

The opposition would be the first to criticise the government for seeking to spend new money at every opportunity throughout the budget process. That is exactly what the budget process is for. It is generally well understood that the budget process allows the government to consider major initiatives to inform government spending, that that is the appropriate way for government to make appropriations on significant capital projects. I am not sure if Mrs Kikkert is simply not listening or if she is wilfully disregarding what has up until now been very well established and very well understood government budgeting processes that are the subject of significant oversight through the chamber and through the committees that the chamber appoints to look at budget processes.

I am in no doubt about the importance of upgrading this intersection, but I really would encourage Mrs Kikkert to listen to what has previously been discussed on this matter and to acknowledge the seriousness with which the government is looking at this project. I simply cannot agree, and I believe it would be somewhat unprecedented to agree, with Mrs Kikkert's motion, which asks the government to pre-empt budget discussions and budget decision-making prior to the release of the 2018-19 budget in June. That would be quite unprecedented, given previous discussions on a number of budget items. As Mrs Kikkert and members of the opposition would be well aware, it is not the way that good governments go about the expenditure of public money.

I am absolutely committed to making sure that this intersection is safe. I have said that in a number of forums in a number of ways, and I say it here again today. I will be extremely disappointed if Mrs Kikkert, as a result of today's debate, does not at least recognise that this discussion has been had and that there were reassurances given in annual reports hearings last year that the government is seriously considering this. The government simply cannot appropriate money willy-nilly without going through the appropriate processes. As I say, the opposition would be the first to criticise the government if this was the way that the government went about its decision-making process. It would also be fairly unprecedented for motions to pre-empt the discussions of government in the lead-up to each budget.

I support prioritising this particular project. I recognise that we need to do better when we consult with the community about what local area traffic management plans look like. They are extremely well known to members of TCCS, who do this on an ongoing basis right across our city. In effect, what is master planning for improvements to be made is not a prescription for funding immediately, as members will know. But it does provide an indication of where we should prioritise and in what order we should implement improvement measures so that we can look to improve safety on our local roads and at major intersections.

I really hope that this has clarified some of the issues which were raised last year in annual reports hearings and have subsequently been addressed in previous questions on notice and written correspondence. I look forward to updating members on the outcomes of budget processes at the earliest opportunity. I move:

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

"(1) notes that:

- (a) the intersection of Tillyard and Ginninderra Drives was the site of 110 car crashes between 2003 and 2016 inclusive;
- (b) 26 of these crashes (or 24 percent) involved personal injury;
- (c) nine or more car crashes occurred at this intersection in 2017 (with at least two injury crashes), and at least three more have occurred so far in 2018 (with at least one injury crash);
- (d) the ACT Black Spot Consultative Panel in 2010 identified this intersection as a site with a demonstrated serious crash rate and consequently sought Commonwealth Black Spot funding in an attempt to improve it; and
- (e) Transport Canberra and City Services Traffic Accident Warrant prioritisation system currently ranks this intersection in the top ten priority intersections;

(2) further notes:

- (a) Commonwealth Black Spot Program improvements only funded minor works and did not contribute to larger or more expensive intersection improvements such as the installation of traffic signals;
- (b) the ACT Government is in the process of implementing the Residential Street Improvement Program for Tillyard Drive and surrounds; and

- (c) Transport Canberra and City Services has received a detailed study of the Tillyard Drive intersections with Ginninderra Drive and Lhotsky Street and is currently considering the findings, including the recommendation for installation of traffic signals at both intersections; and
- (3) calls on the ACT Government to:
- (a) continue to implement the priority safety measures as outlined in the Residential Street Improvement Program for Tillyard Drive and surrounding streets in Charnwood, Flynn and Fraser;
 - (b) table the final report which includes the detailed study of the intersections of Tillyard Drive with Ginninderra Drive and Lhotsky Street during the next sitting of the Assembly; and
 - (c) consider the findings of the study and potential local traffic improvements.”.

MS LE COUTEUR (Murrumbidgee) (5.23): I would like to thank Mrs Kikkert for bringing this intersection to the attention of members. It is not in my electorate, and I am not familiar with it. I do believe I have been there, but I am not very familiar with it, as I am obviously more familiar with intersections closer to home in Woden, Weston or Kambah. Following the motion, and from the research my office has done, it does sound as though the intersection needs attention. The rate of crashes, particularly crashes that cause injuries, is a concern. But it does seem to me that this intersection is getting attention from the government.

I understand that back in 2010 the government sought federal black spot funding for upgrades. Upgrades were then done in 2011. As Mrs Kikkert’s motion points out, the rate of crashes has increased since those upgrades. Now the government is taking two further sets of actions. First, it is doing works under the residential street improvement program in the area around the Tillyard and Ginninderra intersection. Second, it has put the intersection on its road safety improvement program list of top 10 intersections that need work. I understand that it is No 8 on the list. It also clearly has engineering work underway to decide what should happen next; that is the study that I understand the motion refers to.

This seems to me like a fairly reasonable and correct process. It does not sound to me as though this intersection has actually been forgotten. Madam Assistant Speaker, this is one reason why I will be supporting Minister Fitzharris’s amendment to Mrs Kikkert’s motion.

The second reason I will be supporting the government amendment is to do with Mrs Kikkert’s paragraph 3(b). This point basically commits the government to funding a major intersection upgrade in this coming budget. I cannot agree with this element. Minister Fitzharris gave quite a discussion as to why it was not really within the scope and the purview of the Assembly, with this amount of consideration, to agree with that statement. The other way of putting it is this: all of us here have to remember that the budget is not a magic pudding. The government has not got unlimited funds; new expenditure has to be funded through either new taxes or cuts to something else. In the case of the motion that we are debating here, the likely impact is that money would be diverted from other infrastructure projects.

I note that this intersection, while obviously a problem that needs to be fixed, is only No 8 on the list. There is also a list of top 10 mid-blocks—that is, parts of roads between intersections. A number of these roads may have more urgent safety problems than the Tillyard-Ginninderra intersection. I do not feel in any way that I have knowledge of what intersection we should be diverting money from. I would hate to be in the situation where money was diverted from one intersection to another only to have someone die at this intersection.

Rather than have the Assembly do probably not that wonderful a job, from an engineering and traffic safety point of view, of picking winners, my view is that it is preferable to let the government's engineer prioritise which roads get fixed first. If the government had clearly forgotten this intersection or was clearly acting in error, I would consider otherwise. However, in this case, it does not appear at all that the government has forgotten the intersection, and it appears that appropriate steps are already underway.

In conclusion, I agree with Mrs Kikkert that this intersection is clearly worth government attention. But I will be supporting Minister Fitzharris's amendment to the motion, as clearly the government is already giving this important issue attention.

MRS DUNNE (Ginninderra) (5.28): I am pleased to be able to support Mrs Kikkert's motion here today because for quite some years I have been fielding complaints from constituents about the Tillyard Drive and Ginninderra Drive intersection. For quite some years I have been making representations to various ministers and getting non-answers in reply. Still the Minister for Transport and City Services continues to dawdle on this issue.

Mrs Kikkert already has spoken about the review report, which is well overdue for release, and I do acknowledge the minister's willingness now to table this report, although at some point in the next month or so. As my colleague Mrs Kikkert has said, when the report came as a result of a petition signed by over 1,300 people, it is surely the case that those people who are the catalyst for the study should have a right to know what has been said as a result of their concerns. Mrs Kikkert extrapolated the cost of crashes at the intersection of Tillyard Drive and Ginninderra Drive and also gave the statistics of a number of crashes, including the number that involved personal injury.

The government keeps lamenting the cost of comprehensive motor vehicle insurance, particularly the cost of compulsory third-party insurance. Perhaps, instead of seeking to restrict the rights of injured people to access compensation as a means to an end to reduce the cost of premiums, the government could actually make our roads safer and less accident prone. Perhaps that would help reduce the number of accidents and perhaps that would bring the cost of insurance down rather than relying on having injured people being denied their rights to compensation and rehabilitation. If the government were to be more vigilant in watching and fining speeding motorists, including those who speed along Tillyard Drive and have crashed along that stretch, it might help to keep the cost of insurance down.

Do not take my word for the veracity of the claims about how dangerous the intersection of Tillyard Drive and Ginninderra Drive is. Listen to some of my constituents and what they have been saying. In December 2014, just to indicate how long we have been dealing with this, a constituent said the intersection is:

... already recognised as one of the worst black spots in the ACT ... long overdue for remediation and improvement to ensure that traffic flows safely and motorists do not take risks as they move through the intersection because of the delays experienced in many different directions throughout the day.

In April 2015 a constituent also wrote:

... last night there was another car crash happened on the corner of Tillyard Drive and Ginninderra Drive, Charnwood. This is a common area for accidents. I think it is probably the fifth accident in the last four months. I am not sure, but maybe this accident is more serious than others as all drivers were asked to do a U-turn 50 metres from the site. In earlier accidents, we were able to drive past it. I think it's time to put some traffic lights at this intersection. I hope that there were no fatalities from last night's accident, but let's not wait for someone to die before putting traffic lights up. Please provide safety for drivers by installing lights at that intersection.

In June 2015 a radio listener, Murray, called 2CC and discussed the multiple accidents at the intersection and called for the installation of lights. In the same program a few days later the radio announcer, Mr Marcus Paul, mentioned that ACT Policing were saying that there was an accident at the intersection of Ginninderra Drive and Tillyard Drive and added that Mr Gentleman, the ACT minister for roads, had said the ACT government was looking at doing something there. Mr Paul made comments about whether or not there needed to be traffic lights.

But what we are hearing—and this has been going for a long time—is that the ACT government has been looking at doing something at Ginninderra Drive and, while there has been a lot of looking, there has not been very much action. There has been perhaps a lot of sitting in meetings and taking minutes and writing minutes and talking about it but nothing more. Meanwhile, the accidents continue.

On 8 June 2015 a cyclist and a motorcyclist collided at the intersection of Tillyard Drive and Ginninderra Drive. Luckily, both men suffered only minor injuries, but both had to be transported to hospital. The crash blocked the eastbound Ginninderra Drive traffic. On 25 November 2015 RiotACT and the *Canberra Times* reported that ACT Fire & Rescue and the ACT Ambulance Service attended two accidents at the intersection. It is fortunate that the Fire & Rescue station is so close to the intersection, because they get called out so often. Firefighters had to use hydraulic rescue tools to remove the roof of a car and extricate one male patient. Intensive care paramedics had to stabilise the patient before he was transported to hospital.

What has been the government's response to these issues? One example came in response to a letter I wrote on 18 August 2016. A constituent wrote to me about this matter. When I wrote to the minister, I said:

You will see the constituent's despair, not only hers but also her young children's, over the accidents that occur on the corner of Tillyard Drive and Ginninderra Drive. In particular you will note her comment that, "It's second nature to dial 000. I know some of the operators."

In response to that, I got a letter during the caretaker period, which was written by an official and not by a minister, and the author said:

Despite improvements implemented as part of the Federal Black Spot program, accidents are still occurring ... with a total of 23 reported incidents in the last two years ... Of these, eight crashes involved injuries.

And the official goes on to say:

Roads ACT has listed it for further investigation as part of the current year's program and will seek to progress safety improvements as part of a future works program.

What we hear from that is that there is a need for further investigation and there is a need for future work. The minister has been quite coy about it, saying, "Oh, I can't be forced to say anything about this because it's out of the budget cycle." We have an appropriation bill before the Assembly at the moment. It has been referred for inquiry, and there are capital amounts of money in it that might be considered by my constituents a lesser priority than work being done on the Ginninderra Drive and Tillyard Drive intersection.

The government is hiding behind the fact that there is a budget process, and the minister has put herself out there today saying that she will advocate for this and she will work for this. So if we come to June and Mrs Kikkert and I do not find works scheduled for Ginninderra Drive, we will know that this minister has once again failed. She will have failed the people of Ginninderra by not delivering on something which she says is a priority and that she will be working hard on it. In the meantime, we are in a situation where the people of Ginninderra are waiting. They are waiting for the government to plough through the investigations, to plough through the constituents' complaints, to plough through the accident data and to consider the trauma that local residents suffer.

One local resident who wrote to me—and this resident lives in Latham, backing onto the area, and lives quite close by—and said it is utterly traumatic for her and her family to listen to the constant screeching and sometimes the crunching of cars. The near misses are as bad as the actual collisions, because every time you hear that screeching of brakes you wonder what is going to happen next. My constituents find that extremely trying and difficult to live with. So it is time for the minister, in addition to tabling this report, to come good with some money for this intersection. The whole issue of Tillyard Drive and Ginninderra Drive and the access in this area is an important one and it has been much overlooked by this government. It is time for action on behalf of the people of Ginninderra.

MRS KIKKERT (Ginninderra) (5.37): In responding to the government's proposed amendments, I wish to give some background. In April 2015 I wrote to my local member, Mary Porter MLA, to express my concerns about the intersection of Tillyard and Ginninderra drives. In my email I noted that a car crash had occurred at this intersection on 21 April and that at least four others had taken place in the previous four months.

In response, Ms Porter sent a representation letter to Mr Rattenbury on 20 May 2015 asking the then Minister for Territory and Municipal Services to respond to my concerns. I have a copy of this representation letter that was emailed to me on the same day. One week later, on 27 May 2015, I emailed Ms Porter again to let her know that another car crash had occurred at this intersection. Ms Porter's office responded that this update had also been provided to Mr Rattenbury's office.

On 9 June 2015 I emailed Ms Porter once again to report another car crash at this intersection, which had occurred the previous day. Ms Porter's office responded six days later, noting that this information had again been passed on to Mr Rattenbury and that this time my actual email had been forwarded to his office as well.

On 8 July 2015 I again emailed Ms Porter's office to report another car crash at this intersection the previous night. In this email I asked Ms Porter why I had not yet received a response from this minister. Ms Porter's office responded that same day. I was told that Ms Porter had received a response from Mr Rattenbury. I am now quoting from the email:

However, Ms Porter was not satisfied with the response so we have requested that it was to be re-done.

As a side note, if Ms Porter was personally not satisfied with Mr Rattenbury's response, I strongly suspect I would not have been satisfied with it either. And that was the end of that. I never received any other communication on this topic from Ms Porter's office and I never received a response from Mr Rattenbury, either directly or through Ms Porter.

As a concerned resident of Charnwood who daily faced a hazard of navigating through the intersection of Tillyard and Ginninderra drives, usually having my children in the car with me, I had reported no fewer than eight car crashes in the space of eight months. And what was the response from the Labor-Greens government? Empty promises and endless delays, followed by complete silence.

I moved this motion today because the residents of west Belconnen are tired of the run-around. In November's annual reports hearings I specifically asked Minister Fitzharris for an update on the promised feasibility study for the intersection of Tillyard and Ginninderra drives. Referring to AECOM—and AECOM produced a traffic management report for the rest of Tillyard Drive—she said:

It has all become one and the same.

Seeking clarity, I asked if that meant that the feasibility study had been added into the AECOM study of Tillyard Drive. Her one word response: yes. I have with me the AECOM study of Tillyard Drive. It does not include the feasibility study of this intersection. In fact, it specifically excludes it. But what it does include are some of the statistics that I mentioned in my previous talk that the minister thought that I was wrong about. Had she read the report, she would have known that the statistics I had mentioned in my talk were true. I also got it from the questions on notice that I asked.

What happened to the study of the intersection? Did the minister mislead the committee? Today I have given the government the opportunity to share with the people of this territory that feasibility study, one which Canberrans asked and paid for. What have those opposite offered? More delay. According to the minister, she has this feasibility study in hand. She even chose to refer to it in question time last week. I can think of no legitimate reason not to table it today. Is the government that afraid of transparency? To me, it appears that the minister has demonstrated today that she does not trust her fellow Canberrans to have access to this study information before she and the rest of the government first figure out how to respond to it. Her amendment to this motion already shows that she is willing to delete troubling facts and figures.

I have given the government the opportunity to actually make a promise that means something by committing to the funding of traffic safety measures recommended by experts. What have they given? More empty promises that they will consider a study and potential, not guaranteed, traffic improvements. Clearly the minister does not see this issue as a matter of any urgency, unlike my constituents, who see it literally as a matter of life and death.

I have given the government the opportunity to stop putting off the concerns of those who live in my electorate by providing a specific date by which these traffic safety measures will be implemented. What has the Labor-Greens government agreed to? Nothing. In fact, we do not know anymore whether the government will actually install traffic lights—only that they will think about it. Considering how long Canberrans have been demanding improvements to this intersection, this is almost worse than silence.

I am especially disappointed in the response from my Labor colleagues in the Ginninderra electorate. I have had constituents tell me how much they had hoped that Ms Cheyne, Ms Berry and Mr Ramsay would join me today in getting something concrete done for them and for their families. They have failed that today. It would seem that they are content to say a few words in this chamber or ask a few questions and then they have done their jobs. When it comes to the real work of keeping drivers safe, it would appear that they are afraid of making a commitment. I wonder what they have to say to those who have been injured at the intersection and what they have to say to those who may be involved in future accidents. Will they have the courage to say, “I’m sorry. I didn’t vote to have the traffic lights installed as a matter of urgency because my party wouldn’t let me”?

I am confident that the residents of west Belconnen who regularly drive out of their way in order to avoid the hazardous intersection of Tillyard and Ginninderra drives

will feel betrayed by those who sit on the other side of this chamber as their representatives. They deserve better. No excuse is good enough. Everyone understands that there are processes that must be followed. But everyone also understands that a government can certainly make promises that they intend to follow through.

I and the residents of the Ginninderra electorate sincerely thank those who support this motion as originally drafted. I believe that one of the government's main duties is to keep its citizens safe as a matter of priority. Any delay in the implementation of traffic safety measures at the intersection of Tillyard and Ginninderra drives is knowingly putting people's lives, health and property at risk. For this reason, the Canberra Liberals will not be supporting the amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 12

Noes 9

Ms Berry	Ms Le Couteur	Miss C Burch	Ms Lee
Ms J Burch	Ms Orr	Mr Coe	Mr Milligan
Ms Cheyne	Mr Pettersson	Mrs Dunne	Mr Wall
Ms Cody	Mr Rattenbury	Mr Hanson	
Ms Fitzharris	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Personal explanations

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) (5.51): Under standing order 46, I seek leave to make a personal explanation relating to the debate that has just occurred.

MADAM SPEAKER: Thank you, Mr Rattenbury.

MR RATTENBURY: Thank you, Madam Speaker. Mrs Kikkert, in her remarks during the previous debate, outlined in some detail a time line of her emails to my office and made assertions about the fact that I had never replied to her. I have in my hands a copy of the letter that Minister Gentleman wrote on 22 June 2015 to Ms Porter, in response to a letter of 20 May 2015 from a constituent to Ms Porter. I presume this is the same letter that Mrs Kikkert was referring to. In the letter Mr Gentleman said:

I am advised by Roads ACT that the latest available crash data shows that in 2015 there have been three reported crashes at the intersection of Tillyard Drive and Ginninderra Drive.

He then went on to observe that this intersection was upgraded in 2011 as part of the federal black spot program. He talked about the various improvements that were made. I will table his letter in a moment so that members can have access to it.

I will not speak ill of Ms Porter, as she is not here to fill in the facts herself. But it is quite clear, despite what Mrs Kikkert just said, that her representations were responded to, to Ms Porter. I am not in a position to explain why Mrs Kikkert did not receive that, but I would invite Mrs Kikkert to cease making accusations about my role in this matter. I will happily provide her with a copy of this letter, which she does not appear to have received before. I present the following paper:

Intersection of Tillyard and Ginninderra Drives—Safety—Copy of letter from the Minister for Roads and Parking to Ms Mary Porter AM MLA, Member for Ginninderra, dated 22 June 2015.

Mrs Dunne: Madam Speaker, could I seek your direction on this? Standing order 46 requires that a member needs to demonstrate that it is a matter of a personal nature. It may be something that needs to be looked at in the review of standing orders, and I am happy if you say as much. I think that the minister responding about his ministerial responsibility is not a personal matter.

MADAM SPEAKER: I will remind everybody, and it will be very clear tomorrow, that there is a review of standing orders. I took from that that Mr Rattenbury was personally upset with the way his actions were interpreted.

MR COE (Yerrabi—Leader of the Opposition) (5.54): I seek to make a personal explanation under standing order 46.

MADAM SPEAKER: Yes, Mr Coe.

MR COE: Earlier today, and on other occasions, Ms Fitzharris has accused the opposition of not raising the Mitchell light rail stop. Today she said:

I do not recall once—not once, Madam Speaker—the Canberra Liberals ever discussing a light rail stop.

She also said late last year, extensively and persistently:

... they were nowhere requesting this in 2013, 2014 and 2015—nor, indeed, in 2016.

This is wrong. It is patently false. Either these assertions are lazy and she has not done a Google search or she is deliberately being deceitful. But one way or another, I do not think these statements should remain on the record untested. I urge Ms Fitzharris to come back into the Assembly, to correct the record and to apologise for these assertions.

I believe that she has been saying such things to people in the community as well, perhaps even to traders in Mitchell. I think that is wrong as well. We will give her the next available opportunity to come into this place and correct the record. At the very least, she could give us the courtesy of doing a Google search before making such claims.

Ms Stephen-Smith: On a point of order, Madam Speaker, I draw your attention to the point that Mrs Dunne made earlier. I think a whole class of people, being the opposition, could not possibly be interpreted as a personal matter.

MADAM SPEAKER: Under standing order 46, I provide leave. I provided that leave. He expressed to me that he felt offended under that, and the matter is now, I think, done.

Green waste collection

MR WALL (Brindabella) (5.56): I move:

That this Assembly:

(1) notes the:

- (a) ACT government's trial of green bins in Weston Creek and Kambah;
- (b) ACT government's intent to deliver a green waste collection program across the ACT;
- (c) next phase of the rollout of this service to Tuggeranong and Belconnen;
- (d) successful green waste collection industry that exists in the ACT;
- (e) majority of green waste collection businesses in the ACT are owner operated;
- (f) significant impact the government's trial has had on these businesses operating in the trial area; and
- (g) impact that a full rollout of a government green waste collection service will have on operators across the ACT; and

(2) calls on the ACT government to:

- (a) outline why existing operators in the green waste collection industry are not suitable for operating a collection service on behalf of the ACT government;
- (b) develop an industry assistance package that includes, but is not limited to:
 - (i) financial compensation for loss of goodwill;
 - (ii) training and re-skilling options for employers and employees;
 - (iii) counselling; and
 - (iv) investment grants to diversify businesses; and
- (c) report back to the Assembly by the end of the February 2018 sitting period on the rollout of the assistance package noted in part (2).

Once again I bring a motion to this place that, deep down, I believe I should not need to, as it should be taken care of in due course, with common sense. Madam Speaker, as you and I and most members in this place are well aware, the policy of green bins has a long history. It has been announced at several elections by pretty much all sides of this place. There have been trials done in the past to ascertain whether or not a green waste collection service would be popular for the ACT, efficient for the ACT and actually serve to deliver on an unmet need. That trial was conducted in the 1990s and it found that in fact that need was being met, and being met quite effectively.

I am sure the minister will be keen to remind everyone that the Liberals—I will take it from the grin that that is a yes—did take this policy to a couple of elections. That is true, and it is because it is a hugely popular policy, for the same reasons that those opposite who argued against it so vehemently in the early stages of the last Assembly ended up going to the last election with it. Whether we need green bins in this town or not is now a moot point. There has been strong argument from both sides, on a number of occasions, about the merits of a green waste collection program. The polling shows that it is popular. Our constituents tell us it is popular. It is also being affirmed by the uptake in Tuggeranong.

The difference occurs in how we as the Canberra Liberals would have implemented such a policy, in contrast to the rollout of this program to date by the government. There has been, as I said earlier, a long-established industry that has collected green waste at a low cost, affordable rate to thousands of Canberrans. People have legitimately created a livelihood out of these businesses, have employed other Canberrans in these businesses and have been able to provide for their families.

The government's planned rollout so far in Weston and in Tuggeranong has had complete and utter disregard for the existing industry and the existing industry players. These are not multimillion-dollar businesses. These are not individuals with thousands and thousands of dollars at their disposal. These are hardworking, what can only be described as battlers in most cases. These are people who have gone out to try to better themselves and better their family circumstances, and essentially bought themselves a job.

The collecting of green waste is not an easy job. Being a trash pack collector, hauling them in and out of a truck, emptying the waste, is not an easy job. It is heavy, physical, demanding labour. These people are not making hundreds of thousands of dollars per year; most of them are making a very modest living. They have loans that they took out to buy their businesses.

At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

MR WALL: As I was saying, these individuals are hardworking businesspeople that have gone over and above to try to make a living for themselves and their families. I will disregard the speech I had intended to make, given the hour of the day, and make a heartfelt pledge, because that is what this requires. These business owners are

now facing financial uncertainty. They do not know what the future holds for them. The experience of the entire industry that I have spoken with is that they are losing customers on a daily basis, regardless of where they are in Canberra, simply because the government has sent the message that green bins are on their way.

Let us be honest, Madam Speaker: it is hard to argue with something that is free. When you are paying \$15 or \$20 to have your green waste collected monthly, against having the government do it for you for free, it is hard to argue with that service. But it comes at the detriment of 30 to 40 good, longstanding businesses. These businesses now face that uncertainty. The experience of operators in the Weston Creek area has been a 50 per cent loss of business as the green bins are rolled out to people's driveways. Of the remaining 50 per cent of their business that they manage to retain, they are collecting half as often. So, in essence, 75 per cent of their business disappears. That, for most of these operators, renders their business unviable. In particular, for those that operate under a franchise model and that have exclusive zones, it further inhibits their ability to function and operate their businesses going forward.

Over the Christmas period I sat down and worked with the majority of operators in the industry. The purpose of that was to find out what it is that they need to move forward. To be honest, there is no one silver bullet that is going to help everyone. Some are able to diversify their businesses and go into other pursuits, and they can carve out a new living by doing something different. For others, green bins being rolled out by the government is the end of the road. Their business is no more. For those who also have outstanding loans, either for the business that they purchased or for trucks that they own, they will walk away without a job, without an income, still owing the bank money and with a cloud of uncertainty over their own family home.

It is completely unacceptable that there has been no regard by the minister or the government thus far in supporting these individuals. I have just been given the evil glare from Minister Fitzharris. To be honest, there has been an absolute lack of consultation by the government with these operators. To date, the minister has said, "Oh, well, we've spoken with them about other avenues or other areas where they can work. We're looking at a bulky waste collection service. Perhaps they can work in that." I am going to be harsh but brutally honest: for many of these people, sitting down and going through a government procurement process is not the sort of thing they are capable of doing. First of all, there is the complexity of insurance paperwork and the documentation; beyond that, the financial and personal guarantees that are required to be put in order to gain a contract through the government are simply a barrier to entry for the vast majority of them.

The essence of the issue is not whether or not green bins are a good policy but how we deal with local businesses when government chooses to move in and take over an industry. These businesses cumulatively are looking at the loss of their investment, the loss of their hard-earned money that they have invested in their businesses, and the loss of the goodwill that they have generated in building an asset, be it for retirement, something that they are in the process of paying off or, in some instances, something they have bought as recently as two years ago and are still trying to pay off. A fairly diligent piece of work has been done to sit down with them and look at their financials,

and it is estimated to be in excess of \$10 million. That is \$10 million of Canberrans' assets, and this government is happy to walk into the space and say, "We're going to destroy it, tear it up, devalue it, make it worth zero, as we come in and dominate this industry."

That is heartless. It does not stand the fairness test. The government, and members of the executive particularly, always come in here and talk about this government being about equity, about fairness and about a fair go. Where is the fair go for the operator that spent the last 40 years in the industry? His retirement plan, his superannuation fund, was to sell his business that he has spent most of his life working in, only to find now that it is worth zero. What kind of a retirement is that family going to have? Where is the fair go for those operators? We are seeing here, as I said before, in excess of \$10 million worth of investment by Canberrans completely and utterly devalued.

What I am hoping to see from the minister today is what the way forward looks like. To what extent is the government going to assist in making sure that the livelihoods of these Canberrans is maintained to a point where they can actually have some confidence that they are still able to provide for their families going forward and that this government decision will not result in complete and utter financial ruin for them?

It is absolutely appalling that, to this point, there has been no consultation from the government on how to manage the transition for these operators—none. My office, and, I am sure, Minister Fitzharris's office and other members' offices, have received a number of heartfelt pledges from customers of these businesses. The customers are highlighting that, yes, a green waste collection is great. They are happy that they are getting it for free, whereas they previously had to pay for it, but they are also conscious of the impact that it is having on the individual, the business and the family that they have long engaged with to deliver this service for them. One of the emails says:

It is very disappointing that the green bins scheme appears to have been developed and implemented without consulting stakeholders and assessing its impact on people who are already providing a similar or better service. I can understand that most ACT households would welcome a green bin service for only a one off \$50 registration as it is substantially less than any alternatives. Clearly, this price could not possibly reflect the cost of delivering the service and the collateral damage to existing local Trash Pak businesses is indicative of policy implementation not properly thought through.

That is just one of many examples where Canberrans have said, "Yes, we're happy to see the government moving on this. We're happy to see the green bin being delivered, but we'd also like to think that we're not destroying livelihoods and we're not destroying families in the process."

I look forward to hearing, when Minister Fitzharris rises, how she will address and fairly compensate them for the over \$10 million of investment that will be destroyed by this government policy moving forward. I note that she has an amendment. I have just had it put on my desk whilst I am on my feet. I have not had a chance to read it

yet. Again, Minister Fitzharris is often quick to criticise and say that there is no consultation on amendments from the opposition or on our position on motions, but to have the amendment circulated whilst I am on my feet and speaking is a new level. I will look forward to reading it whilst the minister speaks. I will address it once it has been moved.

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (6.09): I thank Mr Wall for the motion today, which we have discussed previously and I have also discussed personally with Mr Wall. I note for the record that I was away unwell yesterday. I am back here today, not entirely 100 per cent. One, it was not an evil glare. Two, it was an oversight on my part that the amendment was circulated late in the process. I apologise for that. I note that I provided Mrs Kikkert many hours advance notice of my amendment, at her request. I would generally be happy to do so. It was an oversight on this occasion that I do apologise for.

Mr Wall was right in saying when he opened the debate on this important motion today that there have been many debates in the chamber about green bin initiatives from both sides. I take the opportunity to remind Mr Wall that it was a longstanding commitment from the Canberra Liberals, certainly in the 2012 election and, I believe, in the 2016 election as well, to have a round table, which I understand was not held prior to the last election. The commitment to have a green bins service was one that I do not think the community ever really got a sense of before they went to the polls in 2016. He is right in saying that all parties in the chamber, certainly the Labor and Liberal parties, have changed their views on this over the course of over a decade, I believe. But we are where we are, and that is that.

In the lead-up to the 2016 election, indeed in the budget prior to that, the government did announce that if re-elected we would provide a green waste bin to every household in the ACT that wanted one. We announced at that time that a 15-month pilot program in Weston Creek and Kambah would get underway. That pilot commenced in April last year and helped inform the best way to roll out the service across the whole of Canberra, consistent with Labor's election commitment, so that every resident who wants a green bin will have one. The pilot provided eligible households with a fortnightly collection of a 240-litre garden waste bin on registration and a one-off payment of \$50.

Since its commencement, the green bins pilot has been well received by the residents of Weston Creek and Kambah. As at December 2017, 8,746 households had registered, representing a take-up rate of 53 per cent. In Tuggeranong just over 10,000 residents have opted in to the service. Therefore, including Tuggeranong in the pilot program with Weston Creek and Kambah, the total number is fast approaching 20,000 registrations, emphasising the strong support in the community for this service.

Around 34 per cent of the households in Weston Creek and Kambah that have elected to receive a green bin are concession card holders and therefore exempt from the one-off payment of \$50. Another way in which the government is making green bins more accessible to all Canberrans is by providing assistance to residents who are

physically incapable of presenting their green bin to the kerbside for collection, a service that has been well received by those in need.

The government first announced green bins in May 2016. Following the announcement, I met with trash pack operators to discuss the pilot. They expressed their concern to me. I listened to that and asked TCCS to consider ways in which they could assist those operators at that time. At that meeting it was discussed that they would be very welcome to respond to the request for expressions of interest to provide the green bin pilot service. TCCS officials also met with trash pack operators throughout that year in the lead-up to the request for expressions of interest. The full rollout across the ACT, while occurring a year earlier than originally announced, provided three years notice to the industry from the date of the original announcement.

Whilst the procurement process to deliver the whole-of-Canberra service is well advanced, I have given my commitment to work with industry to explore ways the government can facilitate access to existing business support services, as well as identify other opportunities as the ACT's waste industry progresses over the next few years.

The pilot was important, as it has provided and continues to provide information about what works well, and where opportunities to identify service improvements still exist. One such opportunity is how we provide green bins to multi-unit developments. Given the diversity of multi-unit developments, it is often not appropriate or possible to provide each residence with an individual 240-litre wheelie bin. In these circumstances, the service is best provided through a communal or shared bin service delivery model. ACT NoWaste is working with the principal contractor for the pilot, Corkhill Bros, to consider opportunities to trial green waste trash packs in a multi-unit development environment. While these discussions are at an early stage, it is hoped that a controlled trial can be designed using an existing trash pack operator to evaluate whether a trash pack based model can be deployed effectively in multi-unit developments.

On my behalf, ACT NoWaste has also met with the Canberra Business Chamber, CIT and Skills Canberra to explore opportunities for a tailored suite of services to meet the individual needs of trash pack operators. ACT NoWaste, through a partnership approach, is seeking to establish a business triage model to identify and connect the right services at the right time to best support those in need. These could include counselling, business coaching, training and upskilling, and potential pathways to new employment. ACT NoWaste is also working with SUEZ, the territory's kerbside collection contractor, to identify opportunities for trash pack operators and their staff to apply for employment as waste truck drivers. SUEZ is extending an invitation to holders of a heavy reg licence to apply for its casual pool. Casual employment may be an attractive incentive to supplement an established trash pack business.

The government is also committed to delivering a container deposit scheme. The CDS logistics involve the transportation of millions of containers to collection points, and from collection points to the Hume materials recovery facility. ACT NoWaste is assessing the potential for trash pack operators to act as transportation contracts for the network operator. There are also opportunities for trash pack operators to diversify

their existing operations by partnering with licensed clubs and restaurants to collect and return eligible containers.

It is also worth mentioning that trash pack operators do still operate in other jurisdictions that have green bins and that the initiatives we are looking into for trash pack operators may help to grow and transform their business model.

In the lead-up to the pilot there was much public commentary around the risk of contamination in the green waste collected from households through green waste bins. The territory already has a highly successful self-service drop-off facility, which the government provides at no cost to users. Local governments around Australia typically charge a gate fee for such green waste drop-off. This is not the case in the ACT. In the ACT, Corkhill Bros and Canberra Sand and Gravel generate a high quality saleable compost from this material. There were suggestions that the introduction of the green bin service could adversely impact this.

The pilot program was designed with a strong focus on minimising the risk of contamination. Since the introduction of the pilot and the recent expansion to Tuggeranong, just over 1,500 tonnes of clean green waste has been collected as at January this year. In particular, Weston Creek and Kambah have experienced an exceptionally low contamination rate of around 0.01 per cent, or approximately 15 grams, per participating household. This is a credit, as I have said before, to residents participating in the service.

Certainly it is the case that the community has spoken clearly and the ACT government has listened. The community unequivocally want green waste bins. Feedback from recent surveys and other groups illustrates the high demand for this service across the city. It has been popular in Weston Creek and Kambah and now in Tuggeranong, and we also look forward to its being popular as the program rolls out to all Canberrans by mid next year.

We continue to demonstrate our commitment to waste management in a range of different areas. The rollout of green bins earlier than expected is part of our commitment. As my motion notes, and as I discussed with Mr Wall and outlined today, we, like Mr Wall, do take seriously the concerns of trash pack operators. As I have outlined, there are a number of initiatives underway, in close contact with trash pack operators, through ACT NoWaste, TCCS and other arms of government.

Like Mr Wall, I have received messages from people who are no longer receiving the service of a trash pack operator but instead have green bins. We are responding to those. We are also responding to the concerns of trash pack operators. I have outlined a number of measures that we are looking towards, so it is simply incorrect for the opposition to claim that we are doing nothing. I accept that they would like us to do more and that that is also the case for the trash pack operators. We will continue to work with them, as I said we would. We will also find new opportunities for them. Their business model clearly has been impacted, but there are opportunities for them and we will continue to explore them directly with those operators.

I move:

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

“(1) notes that:

- (a) the ACT Government delivered a successful green bins pilot in Weston and Kambah, with over 50 percent of residents choosing to participate;
- (b) the green bins collected almost 1300 tonnes of garden organic green waste has been collected with an exceptionally low contamination rate of 0.001 percent;
- (c) the ACT Government is delivering on its 2016 election commitment to a Territory-wide rollout of green bins a year earlier than originally promised;
- (d) green bins were delivered to Tuggeranong in January 2018, with over 9000 local residents choosing to opt-in to the program; and
- (e) the ACT Government will deliver green bins to Belconnen in September 2018, and all remaining areas of the Territory in mid-2019;

(2) further notes:

- (a) existing green waste collection businesses were consulted prior to commencing the pilot, including a meeting with the Minister for Transport and City Services;
- (b) the Government invited green waste collection businesses to participate in a request for expression of interest (REOI) process for the Green Bins pilot;
- (c) none of the local green waste collection businesses chose to participate in REOI and the request for proposal process; and
- (d) the ACT Government has provided industry and the community with a timeline for the future full rollout of the green waste service; and

(3) calls on the ACT Government to:

- (a) deliver on its election commitment to provide green bins to all Canberrans;
- (b) conduct an open tender for the future full rollout of the green waste service;
- (c) keep local green waste collection businesses informed of the timeline for the full rollout of the green waste service, so that they can plan ahead for the future of their businesses;
- (d) work with local industry to explore ways the Government could facilitate access to existing business support services as well as identify other opportunities, including vocational training, as the ACT’s waste industry progresses over the next few years;
- (e) release a discussion paper early in 2018 on the outcomes of the Waste Feasibility Study for community consultation, including long-term options to reduce food and green waste; and
- (f) consider a public awareness campaign on the best way to avoid and reduce waste generation including, the benefits of diverting food and green waste from landfill.”.

MS LE COUTEUR (Murrumbidgee) (6.19): I will be supporting the government's amendment to Mr Wall's motion. I want to talk about two issues which relate to the motion. First, I am going to address the impact of the green waste collection pilot on small businesses. Second, I am going to address where I believe the green waste collection needs to move in the future.

Looking at the impact on small business, the reality is that almost everything the government does impacts on business—big, small and medium size. It would not be possible to deliver the services that the community expects the government to provide and wants the government to provide without impacting in some way on businesses big and small. I will give a few examples. In health, public health services undoubtedly impact on the demand for private medical services. The nurse-led walk-in centres indubitably would have made some impact on local medical practitioners. In early childhood education, government preschools could be regarded as competing with childcare centres. In transport, clearly bus services reduce car use and therefore make an impact on automotive services. There is less need for mechanics; there are fewer accidents, so panelbeaters have less business; and there are fewer new and old cars sold. Many of the businesses involved in this are small businesses.

So the question, which is a very real question, is how the government can fairly manage these impacts. Mr Wall has quite eloquently gone through the sorts of investments and the impacts on families that changes in business environments have for small businesses. Small businesses have invested in their equipment; they have hired staff, they have customers and often it is the family's livelihood. Small businesses have to be able to adapt to changing business conditions to survive, because business conditions change all the time. We know that. But adapting takes time and knowledge.

The reality, fortunately or unfortunately, is that we cannot rely on compensation packages to solve all problems. Governments cannot afford to pay compensation to every business that is impacted on by government activities. That is the reality. If they are going to do that, they are going to have to cut back on funding for something else. Our last debate was around funding for road safety improvements. We all agree that that should happen. There is a balance, and that is what we have to talk about.

The budget is not a magic pudding. Basically government would become unworkable if every policy change triggered a raft of compensation payments. So the government need to recognise that for every change they make that substantially impacts on small business they need to consult first—probably first, second and third they need to consult. As a result of the consultation they need to put into place transitional arrangements, if appropriate. And they need to signal the changes well ahead of time so that small businesses have time to adjust. The world does not stay the same.

I am quite happy to agree that the sudden announcement of the green waste pilot was not the best approach. I have absolutely no doubt that Mr Wall is correct and it did impact on some small businesses. Fortunately it was a fairly small pilot to start with, not the full rollout. I am pleased that the government has now published a clear

timetable for the full rollout. It gives the industry time to work out how it should respond. This rollout is staged until mid-2019, which also should help some businesses. I am pleased that both the government's amendment today and the response to Mr Wall's question during question time yesterday indicate that the government is working on other transitional help.

I would now like to move on to where we think we need to move the green waste service over time. In the big picture the Greens want to see a waste management system that reduces the waste going to landfill and heads towards a zero-waste model. So, to be clear, in the long run the Greens would like to see less and less need for a green waste service, whoever provides it. The Greens have always been clear that we would like to see zero waste, so from that point of view we have always been clear that this is a business that we would like to, over time, see less of. We make no apology for that.

The ACT's resource recovery rate sits currently at 60 per cent, with about 40 per cent of our waste still ending up in landfill. The government have set a goal of recovering 90 per cent of our waste by 2025. We believe that this can be achieved, but not if we simply continue on our current path. We know that many of the waste streams that currently go to landfill could be recycled or reused. We know that high recycling rates would create sustainable waste industry jobs. Waste should be treated as a potentially valuable resource.

Waste also impacts on our policy of becoming a carbon neutral system. We are leading the nation with our investment in renewables, but in order to create a carbon neutral society we need to have a similar focus on reducing emissions from other sectors, including the waste sector. Most of the emissions that are produced from landfill come from organic waste, so efforts to divert garden waste from landfill are important.

But garden waste is only a part of the organic waste stream. Organic waste, including green waste and food waste, is potentially one of the most economically important parts of our waste stream. As Ms Fitzharris said, what is happening at present with the green waste is that it is being turned into high quality compost and being sold both within the ACT and outside the ACT. I understand that Corkhill's compost is one of the few material businesses we have which export from the ACT. From that point of view, that is a very positive thing.

What I would like to talk about now is food organics. Once sent to landfill, food waste is a major emissions generator, but it has huge potential as a resource. It is made of high quality organic materials which can be used to enrich soil, with excellent environmental benefits. The benefits include the ability of enriched soil to sequester carbon. This is really important for combating climate change.

Last night I went to a lecture about ways to draw down carbon from the atmosphere, which is what we are going to need to do if we want to reduce climate change impacts. Improved soil fertility and agricultural practices that put carbon back into soil are part of the solution. Better utilising food waste also can lead to the replacement of

chemical fertilisers and the ability to reclaim degraded land, reduce soil erosion and improve food production by maintaining nutrient levels in soils.

While I do not wish to be characterised in any way as giving business advice, I do note that the ACT seems to have an increasing business in terms of business-level composting of food waste. This might be something that could be considered by some other businesses. Many Canberrans who live in houses often compost their food waste and it does not go to landfill, but there are increasing numbers of people living in high-density housing and there is an increasing amount of food waste ending up in landfill.

With the rollout of green bins already underway, much of the infrastructure to undertake food waste collection is already in place. Food waste could simply be added to the allowed waste in the green bins. Many other parts of Australia have included food waste as part of their green bin rollout, and we can too. What would be required is additional facilities for composting or anaerobic digestion once the food organics are collected. The Greens have been pushing for food organics to be dealt with as the government moves from its waste feasibility study process, and I hope to see plans for food organics infrastructure in the waste feasibility study report, which the government has promised to release shortly.

In conclusion, while I will be supporting the government's amendment, I remind the government to be mindful about the impacts on small business of future announcements of this type and to be conscious of the impact this has made on a small number of small businesses. They are still important. Changes that impact on small business need consultation, transitional arrangements and sufficient lead-in times so that small businesses have time to adjust. I am also calling for more work on food organics, which can and should be removed from the waste stream as soon as possible.

MRS DUNNE (Ginninderra) (6.30): I am appalled at the performance of the government members, including the Greens members, in this debate. The way in which the minister has palmed off this issue with this amendment which was delivered at the eleventh hour—I note the minister's apology, that she was sick, but she is not the only person in her office and no-one deigned to consult Mr Wall about this, and it was only circulated while he was speaking—quite frankly is getting to the stage where it is unforgivable. It is becoming a regular habit in this place that amendments are circulated while the mover of the motion is speaking. It is disrespectful. The disrespect continues in this amendment. This amendment basically neuters Mr Wall's motion.

Mr Wall came in here—and he said it himself—and put down his speech notes. He spoke from the heart about the pain, the suffering and the anxiety that small business people are facing in this city. This is pain, suffering, anxiety and financial loss which is directly a result of a government decision. This government does not care. In the past, when he has been asked, "What about when this decision impacts on small business? What are you doing about that?" I have heard the Chief Minister say, "I'm not in the business of keeping small business in business." He said it in relation to the

impact that the school closure in Hall had on the small businesses there, and he has repeated it very often since then.

This government do not care about small business because they are not unionised labour. They are not unionised labour and, therefore, they do not get a look-in with the Labor Party and the Greens. The Labor Party and the Greens are in bed with the CFMEU; they are both funded by the CFMEU. And the Labor Party is in bed with every other union because of the hundreds of thousands of dollars that it receives in campaign donations every year. They do not care about the small business man who goes out and buys himself a job and a superannuation plan by investing in a business. To have the government come along and say, “We will completely and utterly undermine your business model without any reflection upon what that will do for you”—and the tenor of this motion here and the tenor of the comments made by Ms Le Couteur—shows that they just do not care.

The minister went on to talk very quickly about other aspects of the green waste collection process and how successful it was and how much the people of Weston Creek like it. We do not doubt that. We are not talking about whether the green waste collection system is a good idea or whether we should have food waste in the system; we are talking about the fact that this government has made a decision that takes away the business livelihood of a number of Canberrans and their families, and that they face destitution because they have large mortgages, probably held against their houses, for equipment and trucks to make their business work. This government has shown that it has no respect, no care and no consideration for those people whose livelihoods are at risk.

For the minister to come in here and say that if they have a rigid B licence they can apply to become a garbage truck driver with the person who is putting them out of business is an insult, a complete insult. The minister should be ashamed of herself. She has left. I understand that she is ill, but the people who are going to lose their jobs are going to lose their livelihoods and possibly their homes. They are feeling pretty sick about it as well. The minister should be ashamed.

Let me go to Ms Le Couteur and the points that she made: let us distract from this by talking about the food waste stream. Yes, it is important. I am not trivialising the food waste scheme. But, by doing that, she trivialises the real concerns put forward in Mr Wall’s motion. I am very angry, on behalf of the business owners of the ACT, about the way that they have been treated in this place by Minister Fitzharris and Ms Le Couteur today.

MR WALL (Brindabella) (6.35): I do not know where to start. This is one of the few occasions where—

Mrs Dunne: You’re lost for words?

MR WALL: I am lost for words; thank you, Mrs Dunne. We debate a lot of things in this place. Most of them are trivial and are on the margins of most people’s day-to-day lives. Just look at the daily program today. “Growth in the ACT economy”

was a motion of platitudes about government fiscal policy. Then we get to the opposite end of the program where we are talking about this motion.

As Ms Le Couteur said, it is only a small number of Canberrans. Yes, it is about 30 to 40 families. But this is not an issue that is having some effect on the margins of their livelihoods, their lives or their wellbeing; this is make or break for them. This issue determines whether or not they can keep a roof over their families' heads, whether or not they can pay their bills, whether or not they can fulfil the commitments that they have made in every other aspect of their lives by virtue of whether or not they have a job.

Mrs Dunne is right to say that if it was unionised labour there would be action from that mob on the other side. They would stand up, they would grow a backbone and they would actually do something about it. But because they are individuals that are go-getters, that have taken some initiative themselves and have bought themselves a job and are hardworking individuals, there is nothing for them.

They have form in this space. Before Christmas there was an ex gratia payment to cleaners of government schools who missed out on a couple of weeks earnings between the changeover of contracts. The government was willing to hand money over to members of the union who lost out on a couple of weeks work, but when they come in and they absolutely decimate the livelihoods of some families, there is silence. You get this crap from the minister, which is exactly what it is. No individual can take this to the bank and show it as a guarantee.

MADAM SPEAKER: Mr Wall, unparliamentary language, even in an emotional state, is not accepted here. Please withdraw that word.

MR WALL: It is what it is, Madam Speaker.

MADAM SPEAKER: You have to withdraw the word "crap", Mr Wall. That is it. Unconditionally withdraw it.

MR WALL: If it is not crap, it is many, many other things. I withdraw. But what value does this bit of rubbish that the minister has put forward as an amendment give in the way of confidence to those families that are affected? Walking in to see their bank manager with this absolute piece of rubbish that the minister has put forward and saying, "I can't pay my bank loan, but it's okay because the government's going to keep me informed on how the green bin rollout goes," is cold comfort. How does that pay their mortgage? How does that pay their truck loan? How does that pay to get kids into school uniforms? It simply does not. This is one of those few occasions where there is actually a substantive motion here that is make or break for Canberrans and their families.

What we have from the minister is platitudes and: "Go get a job as a truck driver collecting garbage." That is absolutely galling. "We're going to come in and we're going to put you in the hole, in some instances \$250,000 or more, by destroying your livelihood, but you can go and get a job collecting garbage." Or even better: "Go and

collect empty beer bottles from the local club.” Where does this minister get off? I would like her to spend a bit of time in these people’s shoes.

As I said before, 75 per cent of the trash pack business of the operator in the Weston Creek area has gone—75 per cent gone. He is not earning in excess of \$200,000 like the minister; he is earning a very modest amount, less than \$70,000 a year, and 75 per cent of that is now gone. And the minister’s response is, “Don’t worry about your loans. Don’t worry about your mortgage. You can go and collect garbage or beer bottles.” It is insulting, absolutely insulting, that that is the level of response that we have got from this government. The hand-wringing from the Greens is nothing that we have not become familiar with. It, too, is just as insulting.

Yes, the other issues are important. The implementation of the green waste program and how it is tracking are important issues. But when people’s livelihoods are in the balance, do not change the subject. Face up, take responsibility for your actions as a government and actually do the honest and admirable thing and face up to the industry and either help them out or tell them to their face, “You’re on your own and we’re not doing anything for you.” Do not hide in this ivory tower and say, “Oh, we’ve spoken with them. We’ve consulted them. We’ve told them that they might be able to collect some bulky waste.” That is not helping them, not helping them at all.

This amendment is absolutely appalling. The minister’s response is appalling, and the government’s response, to date, on this issue has been nothing but absolutely dishonest and heartless.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 11

Noes 8

Ms Berry	Ms Orr	Miss C Burch	Mr Milligan
Ms J Burch	Mr Pettersson	Mrs Dunne	Mr Wall
Ms Cheyne	Mr Rattenbury	Mr Hanson	
Ms Cody	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Adjournment

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

That the Assembly do now adjourn.

Lunar new year

MS LEE (Kurrajong) (6.45): Over the last few weeks we have seen many communities in Canberra celebrate lunar new year. I was delighted to be able to share these celebrations with the Canberra Chinese community at a fantastic event hosted by Leader of the Opposition, Alistair Coe, at our very own Assembly, and to celebrate with the Canberra Vietnamese community along with deputy leader, Nicole Lawder, at the Van Hahn Monastery in Lyneham.

In the Korean culture the celebrations are no less jubilant, but I take this opportunity to highlight some of the unique ways in which the Korean community celebrates lunar new year. In Korea the lunar new year, seollal, is a time of great excitement for everyone but particularly for young children. It is a time to pay respect to our ancestors and elders, with the bonus being that children who take part in the traditional bow of respect to elders will walk away with a packet of money. Seollal celebrations are usually held over a three-day period, and this year it was a delight to have seollal coincide with the Multicultural Festival in Canberra.

Having lived in Australia since 1986 my family and I have made every effort to immerse ourselves in Australian culture whilst never forgetting our Korean traditions. And so it comes as no surprise that over the past 30-plus years seollal celebrations for the Lee family have seen a delightful mix and match clash of two cultures. The traditional breakfast to ring in the new year in Korea is tteokguk, which literally translates into rice cake soup. I know it does not sound all that appetising, but this dish, some 30-plus years after my leaving Korea, is still something that resonates with me as a fresh start, a new beginning.

Given the changing date of seollal according to the western calendar, my family and I have taken to going to the effort of eating tteokguk on 1 January, and not just as a hangover cure from the New Year's Eve celebrations the night before. Now I am a little old to be receiving packets of money after paying respect to my elders with a bowing ceremony, but my partner, who is new to the Korean culture, did get to see firsthand what this custom is all about when my little cousins paid respect to my parents on their visit to Australia on 1 January. And, yes, my parents were a little poorer but definitely happier as a result. There are also, of course, traditional Korean games, great colourful traditional dress and, not to be outdone, lots and lots of Korean food.

Seollal is, however, most importantly, a time for family. And it is customary for children—even adult children—to make the trek to their home town to pay respect to their parents and grandparents. My parents do not live in a village in the countryside of Korea and, unfortunately, I no longer have any living grandparents, but it was my parents—Papa Lee and Mama Lee—along with my younger sisters who made the trek from their home in western Sydney to Canberra. It was a day late perhaps, and it was only for a few hours, but we did manage to get together as a family to mark seollal. It was a particular delight to have this celebration happen at the Multicultural Festival where we were able to join thousands of Canberrans also celebrating the year of the dog.

So from my family to yours, I wish all my colleagues here in this chamber and their families and the entire Canberra community a very happy new year, and, as is fitting for today on International Mother Language Day, in my mother tongue:

Ms Lee then spoke in Korean.

Cape Town—water shortage

MS LE COUTEUR (Murrumbidgee) (6.48): I rise today to talk about one of the scariest bits of news of the past few weeks. I am sure that everyone has heard about this: the proposition that Cape Town is almost out of water. Cape Town is a city of four million people. It is what we all thought of as a reasonably advanced city. But in about 10 weeks it is expected that the city is going to basically turn off the water supply because they have run out. They are going to have 200 water collection points where people can collect water. It is fairly hard to imagine how this is going to work, how sanitation is going to work, how the elderly and infirm will have any chance of collecting their water, how people without cars will get water. I will not go into all the possible doomsday scenarios, because I think we can all imagine them.

Of course, we have all been imagining them to an extent over Australia this millennium after the drought of 2007. A lot of coastal cities in Australia responded by building desalination plants: Sydney did, but they have not used theirs; Perth did; Melbourne did. In the ACT, not having a convenient sea and realising that Lake Burley-Griffin is simply not big enough, we have expanded the Cotter Dam. So we have all been aware of this as an issue.

Part of the point I want to make is that this is a very big real and issue. I am going to quote from BOM, the Bureau of Meteorology. In its update issued this month, it says:

Global warming has already increased the risk of major disruptions to Pacific rainfall, according to our research published today in Nature Communications. The risk will continue to rise over coming decades, even if global warming during the 21st century is restricted to 2 C as agreed by the international community under the Paris Agreement.

In recent times, major disruptions have occurred in 1997–98, when severe drought struck Papua New Guinea, Samoa and the Solomon Islands, and in 2010–11, when rainfall caused widespread flooding in eastern Australia and severe flooding in Samoa, and drought triggered a national emergency in Tuvalu.

I will not go on with all of that, but I will quote from the article under the heading, “The risk has already increased”:

... is it possible that humans have already increased the risk of major disruption?

It seems that we have: the frequency of major rainfall disruptions in the climate models had already increased by around 30% relative to pre-industrial times prior to the year 2000.

As the risk of major disruption to Pacific rainfall had already increased by the end of the 20th century, some of the disruption actually witnessed in the real world may have been partially due to human release of greenhouse gases. The 1982-83 super El Nino event, for example, might have been less severe if global greenhouse emissions had not risen since the industrial revolution.

I could go on at length from BOM, which would qualify, I would think, as a universally respected source of information about not only our weather but our climate. The point I want to make to all members here and the entire community is that climate change is real; we are seeing the impacts now and they are only going to get worse. The need for urgent action cannot be overstated. I was lucky enough last night to join a capacity audience talking about drawdown—how we might actually reduce the carbon in our atmosphere. This is where we have to get to as soon as possible.

Road safety—Belconnen

MS CHEYNE (Ginninderra) (6.53): I rise today to briefly refute remarks that Mrs Kikkert made about me and, with their indulgence, my colleagues Minister Ramsay and Minister Berry during the debate about the Tillyard Drive and Ginninderra Drive intersections. Mrs Kikkert incorrectly asserted that the Labor Ginninderra members had done nothing on this issue. That is blatantly false and she needs to apologise.

I can assure Mrs Kikkert, as I have assured my constituents, that this issue is a serious one for me and my colleagues, and we have all been publicly and privately lobbying those involved in the budget process. While Mrs Kikkert was in the chamber, I do not believe she was listening; but I will stress that my first question of the year in question time, as you will recall, Madam Speaker, was to Minister Fitzharris on this issue. Indeed much of what was in Mrs Kikkert's motion today was addressed in Minister Fitzharris's answers to me last week. In addition Minister Fitzharris underlined in her speech today the many times I have lobbied her on this issue in the lead-up to the budget process. So to say that I have done nothing is false.

I suggest to both Mrs Kikkert and Mrs Dunne that instead of attacking Labor Ginninderra government members, we in fact work together, given that we are all in furious agreement that something needs to be done with this intersection. To help with this, I ask, with the greatest respect, that Mrs Kikkert apologise to me and to my Labor colleagues for actively and knowingly misrepresenting our actions.

International Mother Language Day

MR COE (Yerrabi—Leader of the Opposition) (6.55): I rise to recognise the significance of 21 February as Language Movement Day, a day which is also observed as International Mother Language Day around the world. As we have previously heard in this chamber, languages form an integral part of an individual's identity. While Canberra is a diverse community, it is through language that we connect with our heritage, with our culture and, of course, with each other.

It was terrific to see and hear Canberrans celebrating their shared multicultural identity and speaking in different languages at the Multicultural Festival over the weekend. Each community made a special and valuable contribution to the event, and we are all united in Australian values. I greatly admire the many energetic people in our community, in the city of Canberra, who tirelessly give of themselves to foster a spirit of community and collaboration across language and cultural divides.

While it is a joyous occasion, we should not forget the sacrifices people have made to preserve language as a core pillar of heritage and culture. During the late 1940s and 1950s a number of protests were staged by the people of Bangladesh to defend their language and culture. These demonstrators were fighting to have Bengali, their mother language, recognised as an official language in their homeland.

It was at one of these protests, on 21 February 1952, where student activists were killed by police. Their tragic deaths spurred the movement on, and in 1956 the constitution of Pakistan was amended to include Bengali as an official language. This change was a direct result of the determination of the Bangladeshi people to continually highlight the importance of language to their way of life.

Such was the passion of the Bangladeshi people that the United Nations Educational, Scientific and Cultural Organisation, UNESCO, chose 21 February as International Mother Language Day as a tribute to the movement and people of Bangladesh. I am pleased to say that I have witnessed firsthand this same passion for language, heritage and culture in Canberra's own multicultural community.

Last year, when I moved my motion on mother languages, I was fortunate to have the active engagement of our local multicultural community. They described how the preservation of their languages was a core element of not only their history but their cultural and personal identity—the identity of their families. I am thankful that I can once again honour their historical influence and contributions to the rich fabric of Canberra here in the Assembly.

The Multicultural Festival is a highlight for many Canberrans. While we celebrate our diversity, it also provides an opportunity for our community to emphasise our shared values. Canberra is the best place to live. We are fortunate to live in the best city in the best country in the world. We are lucky to have people who are so willing to generously share their culture and go to great lengths to form lasting bonds with our community.

The Canberra Liberals believe that this government should do more to recognise the value of and important role that languages play in the lives and identity of Canberrans. We want to see active promotion and support for languages, including at the ACT libraries, and also the support of the commonwealth to construct a monument dedicated to mother languages spoken in Australia. We believe Canberra's multicultural community is a vibrant and active community, and it should be celebrated not just today but every day.

Mrs Dunne: Madam Speaker, I would like to raise a point of order. In her closing comments, Ms Cheyne used the expression—and I am going from memory—that Mrs Kikkert actively and deliberately misrepresented the actions of members of the ALP in this place. The clear implication from that is that Ms Cheyne is accusing Mrs Kikkert of misleading the Assembly, and I think that she should withdraw.

MADAM SPEAKER: Thank you. I know you raised this with me as you came in. I will go back to *Hansard*. I do not believe “misrepresent” needs to be withdrawn. You have raised the matter of context. Given the hour, I will go back to *Hansard* and I will come back to this tomorrow.

Mrs Dunne: Or Ms Cheyne could just withdraw.

MADAM SPEAKER: I am not going to ask her to withdraw without reviewing *Hansard*.

Question resolved in the affirmative.

The Assembly adjourned at 7 pm.