



Debates

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Legislative Assembly for the ACT

NINTH ASSEMBLY

13 FEBRUARY 2019

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Wednesday, 13 February 2019

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Wednesday, 13 February 2019

MADAM SPEAKER (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Petitions

The following petitions were lodged for presentation:

Light rail stage 2—direct alignment—petition 3-19

By Ms Le Couteur, from 351 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: the light rail stage 2 alignment from Gungahlin to Woden (via Barton) does not provide a direct, fast service for residents from the south of Canberra.

The alignment is different to the network publicised prior to the 2016 election which provided a direct alignment from the south to the City and a different alignment servicing the Parliamentary Triangle, Manuka, Kingston and Fyshwick.

Your petitioners therefore request the Assembly to:

- ensure public transport travel times are maintained for residents living in Canberra's south should a light rail from Woden to the City be built.
- commit to a direct alignment (using the west side of State Circle to link Adelaide Avenue to Commonwealth Avenue) and extension of the track to Mawson.
- provide for express services by reserving room in the corridor for a future third track.

School bus services—petition 4-19

By Ms Lee, from 533 residents:

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

This petition of certain residents of the Australian Capital Territory draws the attention of the Assembly to the lack of a bus service linking students from Fairbairn ACT to their Priority Enrolment Schools in Campbell.

Your Petitioners therefore request the Assembly to call upon the Territory Government to establish **School Bus Services** to link **Fairbairn to Campbell Primary and High Schools**.

Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Environment, Transport and City Services.

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

Motion to take note of petitions

MADAM SPEAKER: Pursuant to standing order 98A, I propose the question:

That the petitions so lodged be noted.

School bus services—petition 4-19

MS LEE (Kurrajong) (10.02): Over the past few months we have had a lot of discussion about changes to bus routes. Many areas of Canberra are having their services changed, and it is the changes to dedicated school bus services that is a matter of concern to many Canberra parents and students.

The government has designed a new network that will require children walking further, crossing major roads and using public buses, and sometimes requiring children to change and wait at bus interchanges. The Canberra Liberals' view on this decision has been made clear. But imagine if this is the thin end of the wedge.

As it stands, there is no school bus for students living in Fairbairn to their local schools—Campbell high or Campbell Primary School. In the afternoon some students walk from Campbell primary and Campbell high to Constitution Avenue, where they can catch an ACTION service, the No 11, to Fairbairn. However, when the new bus network comes into effect, it will no longer be necessary for students to walk, because there will be no buses to Fairbairn—none, zero, zilch. We are talking about a community where, without a dedicated school bus, students use a public bus, and now the government is removing that public bus service.

By road the route from Fairbairn to Campbell primary is almost 10 kilometres, and involves stretches of road with both 80 and 70-kilometre speed limits. In removing the only public bus that transports these children to school and back, this government is requiring these children to walk along major roads with cars whizzing past at high speeds.

It is important to know that Deane's buses currently operates a service taking students from both Pialligo and Queanbeyan to and from Campbell every day. It is a good service, and my petitioners have made inquiries with Deane, who have said that the modest detour from Pialligo Avenue into Fairbairn would be simple, but it would require agreement from the ACT government and ACTION to allow such a detour.

My constituents have tried doing the right thing, going through their schools to the Education Directorate repeatedly since early 2017. However, their requests were met with responses that their requests would be "passed on to the school bus liaison

committee”, but that “with all the changes happening, the directorate do not foresee that any changes to the existing bus network will be made prior to the rollout in 2019”. In light of the lack of a school bus, and imminent removal of all buses to Fairbairn, my constituents found that the only avenue available to ensure their concerns were heard was to petition this Assembly.

The suburb of Fairbairn is not a big one, but this petition today contains more than 530 signatures. Hats off to Annie, who is here today, and the concerned parents of Fairbairn children for bringing this petition to the Assembly. Where the government has failed them, they have rallied the community because it is a matter of safety, a matter of access and a matter of decency. This community should expect that their government will deliver a basic, essential service, and it is reprehensible that this government have abysmally failed in their basic duty to and in their care of the parents and children of Fairbairn.

I know that the parents and children living in Fairbairn stood at local shops and the schools on hot days, drumming up support for their petition; so this petition represents not only the 533 people who want the school bus but hours and hours of hard work and hundreds of conversations with Canberrans by a small but dedicated community. Thank you for stepping up when this Labor and Greens government is failing you.

It is my pleasure to sponsor this petition, and if this government will not deliver a bus for the Fairbairn community, I can reassure them that a Canberra Liberals government will.

Question resolved in the affirmative.

Anti-corruption and Integrity Commission Bill 2018

Debate resumed from 6 June 2018, on motion by **Mr Coe**:

That this bill be agreed to in principle.

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

That order of the day No 1, Private Members’ business, being the Anti-corruption and Integrity Commission Bill 2018, be discharged from the *Notice Paper*.

Land Acquisition (Reporting Requirements) Amendment Bill 2018

Debate resumed from 14 February 2018, on motion by **Mr Coe**:

That this bill be agreed to in principle.

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

That order of the day No 2, Private Members' business, being the Lands Acquisition (Reporting Requirements) Amendment Bill 2018, be discharged from the *Notice Paper*.

Employment—secure local jobs code

MS CODY (Murrumbidgee) (10.07): I move:

That this Assembly:

- (1) thanks all Canberrans who worked through the summer break, especially:
 - (a) first responders, health, sanitation, and other public services staff who kept our Territory safe and healthy through summer;
 - (b) workers in the hospitality industry who make Canberra a fun place to be; and
 - (c) all those who did not take leave, in order to let their colleagues spend time with family and friends;
- (2) notes that the ACT Government has delivered on its commitment for a Secure Local Jobs package that ensures the ACT Government only procures services from businesses that meet the highest ethical and labour standards by:
 - (a) implementing a certification regime that ensures businesses tendering for government work treat workers fairly and uphold their workplace rights;
 - (b) enhancing compliance and enforcement measures to ensure that these businesses continue to meet their workplace obligations; and
 - (c) providing a clear, transparent process for resolving issues that arise with respect to ACT Government contracts;
- (3) further notes that the Federal Government:
 - (a) continues a policy of reducing penalty rates, showing they do not value the contribution of first responders and others who work on public holidays, weekends and other unsociable shifts;
 - (b) has no plan to lift wage growth;
 - (c) invests taxpayer resources in harassing unions, rather than protecting workers' rights; and
 - (d) continues to undermine the integrity, professionalism and morale of the Commonwealth Public Service by outsourcing, poor hiring practices, bad faith industrial relations, and public denigration; and
- (4) calls on the Assembly to:
 - (a) pass on the thanks of the Assembly to ACT Government employees who worked unsociable hours over summer;
 - (b) continue to explore ways to improve the job security and employment conditions of all Canberrans; and
 - (c) continue phased implementation of the local jobs code, and to ensure ACT Government work only goes to businesses with the highest labour and ethical standards.

Today I stand to talk not just about supporting the local jobs code. I would actually like to talk about something that is very close to my heart and to the hearts of many members on this side of the chamber. I want to talk about all those workers who gave up spending their time with family and friends over the Christmas period. This motion has three parts to it. Yes, I am calling on the government to continue to implement the local jobs code. But it is also really important that the government pass on the thanks of this Assembly to ACT government employees who worked unsociable hours over the summer break so we could enjoy our lifestyle.

Madam Speaker, I love Canberra; I love it for its lifestyle; I love it for being my home. But I also love it for its quirks. One of those, of course, is that so many of our workers are public servants in executive roles. This is the city of EL1s. Yes, Mr Barr has done an excellent job promoting business and diversifying our economy, but the federal government remains the biggest show in town. The way things are going, maybe we should get them a big top.

The dominant group of workers, much as happens in this building, traditionally take a break over summer, be that the week-long shut down in our building or the longer holiday taken by many. And it is a well-deserved break too. Long fought for and won leave conditions are a right for all Australians, a right that the casualisation of our workforce has undermined. This city has always had another group of workers, not as prominent, not as numerous and, sadly, not as recognised. Today I ask this Assembly to take a little time to recognise our essential services workers and all those who do not get to take a mid-summer break.

When I was growing up, I knew all about it. Unlike many kids, I had a dad who was not always home for Christmas or new year. He was a firefighter. Over the Christmas and new year just gone, thousands of local families had that same experience. One parent or another was working, caring for the rest of us, rather than celebrating with friends and family. For employees of the ACT and those bits of the federal industrial relations system that are not broken, they also got penalty rates. Whilst a few extra dollars in the pocket is nice, it does not get Christmas back with your kids.

Madam Speaker, let us add a thank you as well, a thank you to the firefighters, the ambos, the cops, the doctors, the nurses, the health workers and all our first responders who worked tirelessly through the break. I add a thank you to the bus drivers, the garbos, the traffic controllers, the on-call sparkies and plumbers, the security guards, the cleaners and the hairdressers who made us look so good for our Christmas parties. Your jobs are not always glamorous, but your contribution to the health and wellbeing of our community is just as great.

Thank you also to the retail workers, the bar staff, the theatre ushers, the pool lifeguards and all the other hospitality and retail workers who make life nicer for the rest of us, particularly over our lovely summer holidays. Also, thanks to those skeleton staff who kept offices open whilst others travelled or holidayed with family at home. You brought joy to others and I hope that brought joy to you.

All that being said, when I drafted this motion I also wanted to make sure that the Liberal members of the Assembly had something to think about and something to talk to. Last year when Mr Parton complained that motions from this side sometimes were too self-congratulatory of the government and lacked enough content, I took that to heart. I hope I have given him enough red meat today to find objectionable.

Just thanking workers without acknowledging the threats and challenges they face would be aloof and mean. A broken industrial relations system and economic management that has suppressed wage growth have meant that wage earners have been falling behind in the past few years. Fortunately, and to the extent that self-government allows, the Barr Labor government has been doing everything it can to improve the lives of working people in this city. This includes things like the secure local jobs package, which means that government work in the ACT will be done only under the highest labour standards.

When I talk to workers in the commonwealth public service and to their representative unions I hear the opposite. Outsourcing, diminishing your own workforce, hiring freezes and wage deflation do not make for a motivated, productive workforce—even if they are the Liberal way.

MRS JONES (Murrumbidgee) (10.15): I take this opportunity to join with Ms Cody and my Assembly colleagues in thanking all the hard-working men and women of the ACT. Whether they were working on the front lines of our emergency services, doing shift work or working through the many public holidays over the summer period, I too say thank you.

I would particularly like to thank the men and women of our police and emergency services. Our police, fire, ambulance and all of our emergency services are made up of so many good people who work so hard for our community. They have a generous and professional nature, with a steadfast dedication to the people of Canberra. They put their physical and mental wellbeing on the line each and every time they put on their uniform, and they do this for us.

I am, of course, concerned that despite the continuing work these selfless men and women do, this government seems to ignore the fact that their workloads are steadily increasing while their workforce is stagnant and, in some cases, shrinking. Our police force is smaller than at the beginning of the decade. Our ambulance service has seen a huge increase in the demand for services and there continue to be fewer fire, ambulance and police than perhaps there should be.

Too often this government goes out of its way to prioritise its donors to the detriment of the wider community. The secure local jobs code contains some examples of this. In the enterprise negotiations for our staff in this place, the government's position is that the contact details of staff should automatically be provided to the relevant unions, unless they opt out.

I have worked for unions and I know that getting members is difficult. But this is going a bit too far. We also see with the enshrinement of the UnionsACT MOU that

the government once again is going out of its way to help these mates. The appropriate separation of government and its donors is an important matter we discussed here yesterday and that we will continue to discuss. Meanwhile, the government is doing the opposite, via the euphemistically named code. The government's position, by default, seems to benefit the donors to the detriment of the proper separation of powers.

This motion is about thanking and supporting our workers. Whether unionised or not, I support our workers. The trouble is, the government seems to want to support certain employers, perhaps only the ones that have members or that have significant numbers of members in favourable unions. They treat companies as likely to do the wrong thing, which is the opposite of the Canberra Liberals. It is the opposite of the right philosophy.

We assume that people are good and will usually follow the law, not the other way around. This is not to mention that we know job creation is made more difficult when legislative and regulatory restrictions are increased and when local businesses are barred from government work unless undertaking an audit and compliance process for things they are most likely doing anyway—plus a few easy access clauses for unions. Unions that do their job get members. Such easy access clauses are only for lazy unions that want the government to do their work for them.

It is clear that while government members might be interested in thanking the workers who worked over the summer period—I am sure they are interested in thanking them—this government does not necessarily have an interest in making sure that those currently unemployed, or currently employed with companies that may or may not pass scrutiny or be interested in being scrutinised by the government, will have jobs over the next summer period.

The balance in the code is wrong and will restrict rather than encourage jobs growth for the very workers they are attempting to protect. The Canberra Liberals always have supported and always will support our front-line workers and shift workers in this city. We will always remain dedicated to growing our front-line workforce to match population growth and not force the best people we have in this city, with the most giving and service-driven kind-hearted natures, to shoulder a heavier and heavier burden to pay for a tram that they did not want.

MS LE COUTEUR (Murrumbidgee) (10.19): Thanks to Ms Cody for bringing this issue to the Assembly. Of course we have got a few issues which we would like to talk about in response to this motion. First of all another big thanks. The Greens would like to put on record our ongoing support for working people in Canberra. In particular, as Ms Cody has noted, this includes the many hardworking Canberrans who continue to work over the Christmas period while many of us enjoyed a break from working.

This is an issue that the Greens have talked about many times before in this Assembly, that is, the fact that people need to have reasonable breaks from work. They need rest and balance in their lives. This contributes to their health and wellbeing and helps to build a better and fairer society.

Even for those people who are, perhaps, more focused on profits and productivity, it is also a case of treating workers well and giving them proper breaks, which actually tends to improve productivity. It is a win-win. When people do continue to work instead of getting their break, be it outside the usual working hours or over the holiday period, they should be fairly compensated for that. For those people who worked over the summer holidays which, as Ms Cody says, included people in a wide range of services—from health to police, to emergency services, to hospitality, to public service—thank you for continuing to work so that the rest of us can enjoy a break and so that our city can continue to function at the level that we all enjoy.

A foundational principle of the rules and regulations that govern the working lives of people in the ACT should be that people have lives beyond work where they spend time with their families and enjoy other personal and community activities. People are not mere tools of production. Overworking is damaging to people's health and wellbeing. It can be harmful to family life and is also harmful to community life as people lack the time and energy to give back to the community.

These are some of the reasons that the Greens have been pleased to support all the portable long service leave schemes that operate in the ACT. Portable long service leave schemes protect the entitlements of workers in industries that are characterised by high levels of mobility and brief employment. The transient nature of these industries means that people can work continuously without actually accruing the long service leave that workers in secure industries enjoy. Portable long service leave closes this gap by allowing workers to transfer long service leave entitlements between employers in the same industry. We now have portable long service leave in place in a range of industries.

One question I would like to raise, and Mr Rattenbury has previously raised this in the Assembly, is the question of whether it is time for Australia's long service leave scheme to go through a more fundamental, modernising transformation. It is worth considering whether all long service leave could, in fact, be portable, recognising that today people change employers and industries fairly frequently. Today's working environment is not just the same as the days when somebody might be a company employee for their entire working life.

A few years ago the Senate education and employment references committee conducted an inquiry on this issue. The committee recommended that detailed modelling be undertaken by the government to determine the potential cost to employers of extending portable long service leave entitlements to all workers, and this is an issue we would like to see explored further.

I note Ms Cody's references to the secure local jobs code. The Greens have supported this code 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 workers. We support transparency in ACT government contracts.

I think that the quarrel over the secure local jobs code has simply highlighted the differences between the political parties in this Assembly. Issues concerning workers' health and safety and workers' rights come up regularly in this Assembly, and they always highlight a point of difference between the political parties in this place. Over many years it has become clear that the Liberal Party hold a different view about the rights of Canberra's workers to be paid, to take breaks, to enjoy their entitlements and to work in safety. Measures to improve these rights have always been met with opposition by the Liberal Party.

A few examples I will note, apart from opposing the secure local jobs code, include: the Canberra Liberals have also opposed the extension of the portable long service leave to insecure industries such as security and aged care. 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. It seems clear that they see workers through a different lens and that principles such as fair pay, leave entitlements and safety could be sacrificed to meet other goals.

In relation to the secure local jobs code, the Greens have said in the Assembly before that we would like to see a phase 2 of this project. The package is to ensure that the government awards contracts only to businesses that meet high ethical and labour standards. The question of what high ethical standards means is a really interesting one. A second tranche of this project should examine procurement issues and include issues such as fair trade, modern slavery and human trafficking in supply chains, Indigenous employment, procurement from disability-led organisations, social enterprises, and sustainability and climate change factors.

I would also like to acknowledge that there are many less fortunate people in Canberra for whom the holiday period can be a very difficult time. The Christmas-new year period can be a period of heightened unhappiness for people who are experiencing homelessness and, while I acknowledge that there is a specific Christmas program for those escaping family violence at this time, those for whom family violence is not the issue, nonetheless, are at a crisis point and service provision is less than at other times of the year.

The central referral point for homelessness supports and services, otherwise known as OneLink, is closed for some of this period, as is the Early Morning Centre which is a place where those who are homeless can get a meal or take a shower. I would also like to note that, given our high temperatures in Canberra over the Christmas period, it has become more of an issue of shelter being required because it is simply too hot to be outside some of the time.

While we acknowledge those who work through the summer break, spare a thought for those less fortunate—those who do not have a job and those who do not even have a home—because, for them, this time of the year is a bleak time, devoid of services and with limited options to access the supports they need.

Lastly, in relation to Ms Cody's motion, I would like to raise the issue of the people who worked in the summer heat. January 2019 was the ACT's hottest January on

record. Canberra airport's mean maximum temperature was 34.5 degrees centigrade, its warmest January, which meant the maximum temperature on record was 6.3 degrees centigrade above average and 1.7 degrees above the previous record which was set in 2017. The temperature exceeded 35 degrees centigrade on 19 days at Canberra airport, just over six times the January average. January set a new record for the number of consecutive days above 40 degrees, four consecutive days, and I think we all remember those four consecutive days.

Unfortunately, with climate change, under any believable scenario these kinds of temperatures will become, I would like to say, the new normal, but unfortunately that is not the case. The new normal is going to be worse than that.

One of the many climate change adaptation measures that we need to take is to ensure that we have appropriate working and heat policies to protect the health and wellbeing of workers, particularly those working outdoors or otherwise exposed to the heat. And this is an area where I think the ACT government can improve, including in its approach to contracting. Contractors should all have appropriate heat policies to protect their workers. I was troubled to read in the *Canberra Times* about construction workers on the ACT's light rail project working through the heatwave on days when the temperature was over 40 degrees.

I can obviously see out from my office window the building site next to us, and I have been quite concerned to see that work appears to continue regardless of the outside temperature. This can be risky and unhealthy, and of course, we know that people in Australia have died from working in hot areas.

The ACT government could also look at introducing specific heat policies in regulation rather than relying on the generic provisions in the Work Health and Safety Act. Having made these remarks, I conclude by saying that the Greens, of course, do support Ms Cody's motion.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (10.30): I thank Ms Cody for bringing attention to the important contribution made by workers to the Canberra community over the summer period. As many Canberrans enjoy time to rest and recover with family and friends over Christmas, new year and maybe a few weeks in January it is important for us to recognise that many of our fellow Canberrans forgo this time to ensure that critical services continue to be delivered to our community.

In order to make up for this missed time some staff are entitled to increased rates of pay or time off at another time convenient to them. Unfortunately we hear more and more of workers not being paid their entitlements, whether that is superannuation, award rates, penalty rates or, in some cases, not even receiving a payslip.

As a government one of our commitments is to ensure that workers in Canberra are treated fairly and paid fairly, have their voices heard at work and, importantly, go home safely at the end of each day. A key pillar of this commitment, the secure local

jobs package, ensures that the ACT government only contracts with businesses that uphold the highest ethical and labour standards.

As I noted in question time yesterday, since the secure local jobs code came into effect on 15 January over 200 businesses have applied to certify that they respect their workers, that they pay their workers fairly and that they meet the highest ethical and labour standards. These are businesses that will meet the standard not only on ACT government sites, or just in the ACT, but across their entire operation. These are businesses I welcome working in my electorate of Kurrajong, building infrastructure and providing services to government to keep up with the growth of our city.

The government will now be looking at implementation of the secure local jobs package in relation to procurements primarily for labour valued at over \$200,000 or more, widening the scope of businesses that can proudly sign up to show that they respect their workers' rights.

I am proud to be part of a government that does what it can to ensure that these workers are treated fairly but also a government that acknowledges the important work of both the public and private sectors, emergency services, retail and hospitality workers, tradies, bus drivers and others who worked over the holiday period and the exceptionally hot summer.

It is also worth noting that our emergency services were not only providing critical services to Canberrans during extreme heatwave conditions but also provided support beyond the border in response to storm damage events experienced in New South Wales, further demonstrating their commitment to their family, community, friends, and neighbours.

I think everyone in this place can appreciate the importance of acknowledging those who work to ensure our community can operate through the heat and holiday period that we are safe and healthy, fed and watered, but also we can appreciate the sacrifice they make in order to do so. I reiterate Ms Cody's words in respect of the public servants who work throughout the year, rain hail or shine, including over Christmas, new year, and Easter.

In my capacity as Minister for Employment and Workplace Safety I have had the opportunity to meet many workers across the ACT, from retail workers who show great resilience over the Christmas period in the lead-up to Christmas and new year when they are too often subject to abuse from stressed out customers, to airport workers who operate as a team in a 365-day-a-year operation. I thank these workers in addition to the staff of Worksafe ACT who were available to attend any workplace incidents that may have occurred over the shutdown period.

As Minister for Children, Youth, and Families I reiterate my valedictory speech at the end of last year and again thank the frontline workers in child and youth protection services who undertake challenging, rewarding and important work supporting our most vulnerable children and young people and their families. Like nurses, firies, and ambos, they work 365 days a year, 24 hours a day on behalf of the Canberra community, and we thank them.

As Minister for Government Services and Procurement, I thank shared services staff who worked over the shutdown period to ensure that government employees were paid on time and that salary increases and back pay were processed as quickly as possible after the successful ballots on enterprise agreements for many ACT government workers.

I also thank Ms Cody for her motion and for the acknowledgment of these workers. While the work they do varies greatly, they all provide important services to the Canberra community and it is appropriate that members in this place record their thanks on behalf of the community that we also serve.

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (10.35): I thank Ms Cody for her thoughtful and very gracious motion before us today. Ms Cody, of course, is passionate about workers and those who do so much to look after us and this beautiful city. To borrow a phrase from the other side of politics, there is probably no better friend of workers in this place than Ms Cody.

As we embark upon another parliamentary year it is fitting and appropriate that the first private members motion before this place is about workers who did not get a break over Christmas, those Canberrans who were on duty across the public service, the hospitality sector and our first responders.

Many of those on duty over the holiday period were staff, officers and volunteers within my portfolio responsibility of police and emergency services. These Canberrans stayed on duty to keep our city safe, to protect us from harm and be ready to take care of us should the need arise. They are Canberrans who helped their fellow citizens and did not have time to enjoy the fun, relaxation and family time that the rest of us were able to.

I place on record my thanks and those of all government ministers and members to our paramedics, firefighters, police officers, SES and other volunteers along with support staff who stayed on duty over the Christmas and the new year period. We know you are at the heart of what makes Canberra great and we will continue to support you and to work with you as you go about protecting and caring for our city.

Ms Cody mentioned the stresses on those people, particularly shift workers, over that period, and the health and wellbeing of emergency services personnel is a key priority for this government. It is important that they are aware of available support services and that they know we fully support them in minimising exposure to stressors and in recovering from any ill effects experienced in their line of work.

The ACT Emergency Services Agency has delivered a number of initiatives that enable its volunteers and staff to better manage ever present stressors that are experienced by emergency services personnel as they seek to protect our community.

ACT Policing recognises the stress factors of community policing and is dedicated to early intervention and support strategies for all policing members.

I welcome the Senate education and employment committee's inquiry into the role of commonwealth and state territory governments in addressing the high rates of mental health conditions experienced by first responders, emergency services workers and volunteers. I encourage members to go to the Parliament House website and read the written submissions received. In particular I draw members' attention to a submission by the ACT Emergency Services Agency Commissioner, Mr Dominic Lane, which is consistent with government's focus on improving support for emergency services first responders.

Well done to all of those who worked over the Christmas break and thank you for keeping us safe.

MS CODY (Murrumbidgee) (10.38), in reply: I thank all my colleagues who spoke so kindly in thanks to all the workers who helped look after us and this beautiful city that we call home. I reiterate my thanks to all the people who worked throughout the Christmas period and January, particularly over Christmas Day, Boxing Day, New Year's Eve and New Year's Day. Those are days we generally spend with our families. It is very important that we have emergency services workers and other workers who give up their time with their family to help support the Canberra we know and love.

I emphasise the part of my motion that calls on this Assembly to pass on our thanks to ACT government employees who work unsociable hours and to continue to explore ways to improve the job security and employment conditions of all Canberrans. We heard Ms Le Couteur say that there are many out there who are not employed and who do not have homes and loving families. It is important that we recognise those who give up the time they spend with their loved ones to help us and our city.

Question resolved in the affirmative.

Schools—road safety

MS LEE (Kurrajong) (10.40): I move:

That this Assembly:

(1) notes that:

- (a) the safety of children travelling to and from school is of paramount importance and more measures can be taken to ensure safety around schools;
- (b) over 77,000 students returned to ACT schools last week;
- (c) currently only 20 school crossings (serving 23 schools) have the additional safety of a school crossing supervisor with an additional five schools included in the program in 2019;
- (d) these crossing supervisors are part of a pilot program and there has been no commitment of the pilot being adopted permanently or being further expanded; and

- (e) at the start of Term 2 this year, 51 schools will lose their dedicated school bus service, forcing many students to cross major roads in order to access their schools;
- (2) further notes that:
 - (a) in the first week of the 2018 school year more than 400 fines were issued to drivers exceeding the 40kph speed limit in school zones; and
- (3) calls on the ACT government to commit to:
 - (a) ascertaining the safety needs for every school in the ACT;
 - (b) funding school crossing supervisors for all schools that meet the criteria for this additional safety measure by the start of Term 2 this year; and
 - (c) ensure all school zones are more visibly identified through additional road markings and flashing lights with this work to be finalised before the start of the 2020 school year.

Last week at 134 schools across Canberra a cohort of over 77,000 students from four-years-old and upwards started or returned to school for the first time in seven or more weeks. For students it can be a stressful time, particularly if they are starting at a new school or starting school for the first time. It can also be an exciting time and looked forward to with great anticipation as they meet up again with friends and download all that happened over the long holidays.

For parents it can be a time of stress, excitement, sadness or perhaps even relief. And for motorists who have no connection with or awareness of the fact that schools have gone back it can be a time of absolute ignorance as they drive past any number of schools on their usual route to work. For each of those groups, safety around schools is of paramount importance and priority.

In 2014 the ACT Council of Parents & Citizens Association conducted a survey amongst parents. The results of that survey found that more than two-thirds of the 1100 parents surveyed had seen an accident or a near miss around their school. In fact, parents of schoolchildren from 73 of the territory's then 86 government schools cited problems with dangerous driving, high traffic volumes, misuse of pick-up and drop-off zones and school crossings, and problems parking.

The council's newsletter at the time said that more than two-thirds of parents surveyed had witnessed an accident or near miss around their school, with 14 per cent of respondents reporting this happened often. A similar number said their school car parks and drop-off areas were unsafe, while a fifth thought roads around their schools were very unsafe. The newsletter states:

While 70 percent of parents surveyed found both parking and set-down 'difficult', the most alarming result was the perception of safety, or lack of it, around ACT public schools. Nearly two thirds of respondents say their school carparks and set-down areas are unsafe to some degree ...

The newsletter went on to say that the lack of parking is deterring some parents from attending school events, engaging with the school and even from volunteering. The

council continued their campaign for more action around the safety of students getting to school, and in 2016 Labor went to the election promising to deliver crossing supervisors. Also in 2016 the Canberra Liberals proposed flashing lights in addition to any other safety measures in place to improve school safety. Whilst our policy for flashing lights was dismissed by Labor for reasons unclear other than it was a Canberra Liberals' idea, there was a commitment for crossing supervisors.

Of course, as we have learnt with this government, the devil is always in the detail and in the timing. We know they do not get their timing right on massive projects like light rail and hospitals, but one would have hoped that a relatively simple and straightforward policy of crossing supervisors might have been able to be delivered a little more expeditiously.

It took more than 16 months to start to deliver their election promise and then only announced it as a pilot program and only at 20 crossings. Remember, there are 134 schools in the ACT and many schools have more than one pedestrian crossing point. So to fund crossing supervisors at 20 crossings, whilst technically starting to deliver on the election commitment, hardly even covers the 73 schools that parents had identified as unsafe in the council's survey. Adding a mere five additional supervisors this year is also a drop in the ocean. At increments of five a year it will be over two decades before all schools are covered.

The ACT Greens included improvements in road safety around schools as part of their parliamentary agreement. The little work that has been done in the more than two years since that document was signed surely must be disappointing to them. I was hoping I would get their support, but I note that there will be an amendment completely rewriting my motion. No doubt they worked on that together.

The Education Directorate's brief to the minister on the issue lists a number of activities intended to meet the parliamentary agreement's conditions, but the brief talks only of the top 20 schools. Another 30 or so schools have been given dedicated set-down spaces while another 10 schools have some plans in train for new car parks and additional parking regulation enforcement. In reality it is not much more than window-dressing.

In the past two weeks my team and I have been looking at numerous school crossings, pick-up and drop-off zones and the general issues surrounding traffic management around schools. In talking with parents it is obvious that the school crossing supervisors, or the lollypop people, as they are fondly referred to, are popular. Parents told us that they feel more confident about their children walking to school knowing that someone is there to ensure that they can safely cross the street.

On roads that are effectively a rat-run route, such as at Lyneham primary where we have been told there have been accidents, the supervisors force motorists to recognise that it is not only a school crossing but also that it is not an optional choice to stop or keep going. When you are confronted with a whistle-blowing person, highly visible and with a big sign walking in front of your car, it tends to focus your mind.

Statistics from traffic fines last year clearly indicate that motorists can become distracted and perhaps become lax in their recognition of and respect for pedestrian crossings at schools. We are all busy and I have no doubt that the vast majority of motorists who break the rules at school zones do not mean to do it. Obvious reminders like crossing supervisors and other ways of highlighting crossing zones remind motorists that vulnerable children are about.

In the first week of the 2018 school year over 400 fines were issued to drivers exceeding the 40-kilometre zone. We know crossing supervisors are effective, and because we know they work surely it is not good enough that only 25 out of 134 schools have been offered this essential safety feature. Given that the directorate already had research from the council identifying at least 73 schools with unsafe crossings, why is its election commitment being rolled out so slowly? Just like the response to school psychologists, it seems to be tokenistic to have the bare minimum so they can look like they are doing something while treating the community with disdain.

My motion also calls on the government to install flashing lights. Again, extensive research both here and overseas has identified the improved safety outcomes for pedestrians and children and the positive impact on motorist behaviour where flashing lights are in place.

In 2010 the New South Wales Audit Office presented a report to the New South Wales parliament on the effectiveness of initiatives of the Roads and Traffic Authority and New South Wales to improve the safety of children around schools. Reduced speed zones around 10,000 New South Wales schools had been introduced in 2003. In presenting the report the Auditor-General noted:

Despite the 40 km/h school zones having been in place for 7 years, motorists continue to exceed the speed limit.

The Auditor-General recommended the introduction of flashing lights at school zones and consideration of increased penalties for speeding where flashing lights are installed. The then New South Wales Commissioner for Children and Young People Ms Vanessa Whittington endorsed the Auditor General, saying:

... the Commission believes every school in New South Wales should have a flashing light warning system in place so that all children enjoy the same level of protection. The Commission supports the Auditor-General's recommendation to improve the visibility of school zones by increasing the use of flashing light warning systems ...

A 2004 Main Roads Western Australian study titled "Effects of flashing lights on driver speed behaviours within school zones" found that the installation of flashing lights led to a substantial increase in drivers' compliance with the school zone speed restrictions:

These reductions in the average speed, in a case of a crash, would reduce crash casualty risk by up to 50%, and significantly greater if a crash involves a pedestrian.

An NRMA submission to the New South Wales inquiry on school zone safety in 2011 found that motorists' awareness of school zones and their ability to comply with the speed limits was significantly improved where flashing lights had been installed:

This is because it alerts drivers both to the fact there is a school zone, but also that it is operational. The introduction of flashing lights helps remove the ambiguity of whether it is a school day, the time of day, and the start point and end point of school zones on the road ... The NRMA believes that a motorist's awareness of school zones and ability to comply with the speed limit has been significantly improved where flashing lights have been installed.

A 2011 study into speeding behaviour in school zones by the Institute of Transport and Logistics at the University of Sydney identified that things like flashing lights in school zones reduced drivers' speed without impacting on vehicle flow during times when school is not operating.

Overseas as early as 1993 a paper by the US Institute of Transport Engineers on modified signs, flashing beacons and school zone speeds showed that flashing lights reduced average speeds by 9.3 per cent and that this reduction was maintained.

Today flashing lights are placed at every 40-kilometre-an-hour school zone in New South Wales and are in operation during school hours. All New South Wales schools have at least one set of school zone flashing lights, and an additional set of flashing lights has been installed at more than 500 schools that have multiple busy entrances.

If this government is serious about increasing safety around schools, flashing lights should surely be included in a commitment to improve road safety around our schools. If Labor and the Greens are serious, they would not be picking just a handful of schools for a crossing supervisor but would make them available for every school that needs one. There is little point in having painted signs on footpaths around schools showing a safe way to school if the whole safety message is lost at the pedestrian crossing because there is no-one there to supervise the traffic.

We do not believe a few painted signs and a couple of graphics can be considered a traffic safety plan in its entirety. We know that every school is different and we would work with every school to deliver an individual safety and traffic management plan for the school community. We would consult with parents, with traffic experts and with school staff to understand the complexities and the needs of each and every school. We would assess whether the traffic flows are working and whether dedicated drive-throughs and short-term parking are needed or need to be expanded.

We know schools like Forrest primary seem to have got it right. They did it themselves, but such basic things as a workable traffic plan should be core business for a government. We know already that schools are jam-packed nightmares morning and afternoon. Just look at schools in Gungahlin where local residents know there is no point in trying to get out of their driveways before school goes in.

The situation is only going to get worse when next term 51 schools will lose the dedicated bus routes that deliver them to school. When those are axed even more students will be faced with crossing busy roads. In the case of schools around Dickson, it will be a major traffic thoroughfare like Northbourne Avenue and Antill Street that will bear the brunt.

This government has identified road safety around schools as a major responsibility and it is one that has to be shared by the education and transport directorates. Between the two you would hope that one of them would have got it right, but it is yet another half-baked, half-delivered policy that needs full commitment.

There are 77,000 students in this territory and they and their families have every right to expect safe travel to and from school and safety whilst at school. The government needs to lift its game. I commend my motion to the Assembly.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.52): I move the amendment that has been circulated:

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

“(1) notes that:

- (a) the safety of children travelling to and from school is of paramount importance;
- (b) the ACT Government implements a number of programs to make travel to and from school safer, including Active Streets for Schools and School Crossing Supervisors;
- (c) the School Crossing Supervisors program was designed to assist children to cross roads safely, improve health and wellbeing through increased active travel, improve traffic flow and reduce congestion;
- (d) in the establishment of the School Crossing Supervisors program, 20 schools have been provided with School Crossing Supervisors in 2018, and an additional five were provided from the start of this year;
- (e) the School Crossing Supervisor program has received very positive feedback from schools, parents and the community since it commenced, and a program evaluation is currently underway and expected to be finalised in June 2019;
- (f) early results from the evaluation indicate the program is providing demonstrated benefits, with almost 75 percent of respondents to surveys indicating that traffic danger has reduced greatly following the introduction of a supervisor;
- (g) Transport Canberra and City Services has a dedicated senior officer to support schools and applies a range of measures, recognising ‘a one size fits all approach’ is unable to meet the specific and sometimes unique needs of our schools; and

- (h) the ACT Government is continuing the development of individual traffic management plans for every school in accordance with the Parliamentary Agreement, including consideration of further safety measures such as flashing lights;
- (2) further notes that:
- (a) the ACT Government is making a record level of investment in public transport and an integrated transport network;
 - (b) the new bus network has been designed to encourage more students to use public transport, give families greater choice and help offer students greater flexibility while getting them to school on time. Every school in Canberra will be serviced by the new bus network; and
 - (c) currently around 60 percent of students who catch a bus to school use the regular network and there will more buses servicing schools in the new network; and
- (3) calls on the ACT Government to provide a report to the Assembly by the last sitting week of 2019:
- (a) on the results of the School Crossing Program evaluation and preparation of traffic management plans for schools; and
 - (b) on an implementation plan for additional actions, informed by the evaluation and traffic management planning process.”.

I am glad to have the opportunity to speak today regarding the safety of schoolchildren. Of course, the government and I agree that the safety of schoolchildren travelling to and from school is of paramount importance. The ACT government takes a strategic and holistic approach to improving road safety around schools, recognising that every school is different in terms of its physical location and relationship with the road and shared path network.

Madam Speaker, there are no silver-bullet solutions to solving the challenge of road safety near schools, and you cannot just roll out measures such as flashing lights and think that that in itself will resolve problems at all schools. The government will be working with all schools to develop tailored and individual plans and will look at a number of possible measures, which could include lights if that is what is required.

Over the past three years the ACT government has invested over \$6 million to deliver behaviour change programs, infrastructure improvements and on-the-ground support, all supported by dedicated resourcing within the Transport Canberra and City Services Directorate. A key component of this investment has been ACT Labor’s 2016 election commitment to establish school crossing supervisors to support the safe travel of children to and from school. Also of relevance is the government’s record level of investment in public transport and integrated transport networks, which include active travel infrastructure as well as active travel programs.

Trips to school make up a large part of daily traffic on our roads. This has an impact on congestion and road safety within school environments. It will take a strategic and holistic approach to get more kids out of cars and onto bikes, walking or onto a bus. One of the government’s key achievements is the schools program within TCCS. This

program was established to provide dedicated traffic management and safety support to schools, with a core focus on encouraging more children to walk or ride to school as the desired outcome.

The schools program provides a central point of contact for schools, parents and the community to raise school-related traffic management and active travel issues. These issues are then assessed by experts within the directorate and the solutions are then delivered in conjunction with school communities. Members will be aware that under the schools program there are several indicatives, including the active streets for schools, school crossing supervisors and ride or walk to school programs.

Active streets for schools is focused on making the environment around schools safer and easier for students to ride, walk, scooter or skate to and from school. The program delivers active travel infrastructure improvements and way finding with pavement stencils to help students and families identify safe routes to school. Educational resources are also provided to schools and families, which include maps of the safest walking routes or part way drop-off points for parents who must drive to drop their children at an appropriate car park nearby.

Active streets was first piloted at four Belconnen primary schools in 2015-16. The results from the pilot were very encouraging, with strong growth of around a five per cent increase in the number of students walking and riding to school within the first 12 months.

Following the success of this pilot the program was expanded to an additional 25 schools between 2016 and 2018, and last year the government announced that active streets would be further expanded to an additional 52 schools. The additional 52 schools were selected following an expression of interest process run by TCCS. All the schools that nominated will be included in the expanded active streets for schools program.

The school crossing supervisors program commenced in 2018 at 20 schools. The schools were selected based on a range of criteria, including pedestrian and traffic volumes, the location and size of the school, safety considerations and the proximity of the crossing to other schools in the area.

To support schools as part of the new integrated public transport network in 2019, the government has added an additional five school crossing supervisors to the program. The school crossing supervisors program is currently being evaluated. Early results coming out of the evaluation are positive, with almost 75 per cent of respondents to surveys indicating that traffic danger has reduced greatly as a result of the crossing supervisor.

School crossing supervisors are making a strong contribution to improving road safety at ACT schools, but they are not a silver bullet on their own either. Some schools have low levels of traffic and would gain very little from having a crossing supervisor. I would like to reiterate my point that every school is different and that a tailored approach is required to ensure that road safety at each individual school is properly addressed.

The ride or walk to school program was developed by the Health Directorate in 2012. Since its inception the number of schools participating has increased, with over 80 schools now registered in the program. Ride or walk is designed to promote an active travel cultural change within school communities. The program is a free service which is delivered in schools by the Physical Activity Foundation.

The program aims to build the capacity of schools to actively support and encourage students to ride or walk to school. Schools participating in the program can access accredited teacher professional learning, lesson plans, curriculum resources, bikes and equipment to deliver safe cycle lessons, tailored route maps, bike maintenance workshops, and a range of resources to promote active travel throughout the school community. An evaluation of the ride or walk to school program found that students at schools participating in the program were more likely to use active travel as their usual mode of travel, and teachers reported increased confidence in students undertaking active travel as a result of the program.

In relation to the government's record level of investment in public transport, the government will deliver an integrated public transport network ahead of the start of term 2 which will give students across Canberra more options to get to and from school by bus and light rail.

Every school in Canberra will be serviced by the new bus network and there will be more buses servicing schools in the new network. The new integrated public transport network will be different. The government has already announced a number of other measures to help support and encourage students to use public transport to get to and from school.

These include: deploying customer service assistants at key transport interchanges to help students and other customers to use the new network; publishing detailed route information and maps for every individual school showing the different bus and light rail services that students can use to get to and from school, and the walking routes from bus and light rail stops at or near each school; and employing a dedicated staff member in Transport Canberra to focus on improving engagement with schools and encouraging more students to use public transport to get to and from school.

As I mentioned previously, an additional five crossing supervisors have been deployed to support schools with the new integrated public transport network. The government is doing a lot to improve road safety around schools through investment in active travel, public transport and specific road safety measures. It is a strategic and holistic approach that is required to address this issue.

The location of the school, the age of the school or suburb in which it is located, the concentration or spread of the student population, the functions of the local road network, enforcement and regulatory measures such as signage and the active travel infrastructure all contribute to traffic management and safety considerations for schools.

Another feature of ACT schools, which sets us apart from other jurisdictions, is the all-day, 8 am to 4 pm, operation of our school zones. One of the reasons that other jurisdictions use measures such as flashing lights is because their school zones only operate during the morning and afternoon peak, and the flashing lights help to remind motorists that the school zones are in operation during these times.

The all-day operation of ACT school zones recognises that students may be present at any time during the day. Kids can be unpredictable as pedestrians, and all-day 40-kilometre school zones recognise the importance of road safety in these environments throughout the day, not just during the peak periods. All-day school zones send a consistent message to motorists, so that they do not have to check the time before entering a school zone during the middle of the day, for example.

The Justice and Community Safety Directorate and ACT Policing run education campaigns to remind motorists about ACT school zones throughout the year, with reminder campaigns as school terms begin. On the matter of speeding fines in school zones, drivers who ignore speed limits and put our kids in danger will continue to be fined. I fully support Access Canberra and ACT Policing in undertaking school zone enforcement when it comes to speed. The government is doing a lot to support and improve road safety for children travelling to and from school, and we will continue to invest strongly in this area as it is of absolute, paramount importance to the government and to any family.

Through the parliamentary agreement, the government has already committed to developing individual traffic management plans for every school. Work began with TCCS on this program in 2018 and development of individual plans will be progressed throughout the year. TCCS will work with schools to develop safe school travel plans that will look at each school environment in its entirety. TCCS will work collaboratively within the school community, including with school executives, teachers, parents and the broader community, to develop solutions that meet the needs of the school and local community.

This approach will help to ensure that the safe school travel plans are relevant to each school community and will help to create community ownership to ensure long-term, sustainable behaviour change. Once the delivery of this initiative commences, it will ensure that safety issues are identified and prioritised around all 140 schools across the territory.

The government has already made strong commitments and will continue to improve road safety for children travelling to and from school. The government will always invest heavily in this area. I commend my amendment to Ms Lee's motion to the Assembly.

MR PETTERSSON (Yerrabi) (11.04): It is not often that members of the opposition call on a government to expand a program that we have conceived, developed and delivered. But on this one we are willing to take credit where credit is due.

The program I speak of is, of course, the school crossing supervisor program. It does not sound very revolutionary. There is no hi-tech equipment or fancy workspaces, just well-trained, community-minded individuals helping children to cross the road. For those with a short memory, it could be easy to overlook that this was a program we took to the 2016 election. I do not think this was a vote changer for many constituents; it was something that was well received.

It is fundamentally important that our schools are safe places, and that does not include just the school yard, the oval or the class room but also the roads and paths that surround them. Improving road safety is important. Every school is different, with different roads and paths leading to each them. Of course the way to improve safety is different at each school, which is why we need to take a holistic approach to all of these issues.

One of these ways is school crossing supervisors. The school crossing program encourages children to walk or ride to their local school, fostering an active lifestyle early in life. As obesity becomes a greater epidemic we need to find new ways to encourage movement and health, by getting kids and, perhaps more importantly, parents comfortable with the idea that their kids will be safe crossing with a lollipop guard.

The feedback we have received shows that while kids want to ride or walk to school parents are concerned for their safety. By alleviating this concern we encourage children to be healthy and active, while saving parents the pain of a detour on their morning commute. I know the stresses it often causes parents. Kids rarely grasp the need for parents to be on time to work and this can be the cause of major stress each and every morning.

The government has so far rolled out school crossing supervisors, as a pilot, across 20 crossings in Canberra, and then a further five. And the feedback I have received, as a local member, has overwhelmingly been positive. People love school crossing supervisors. The conversations I have with them, with parents in the street, are not about how much they cost but, "When is my school getting one?" Every parent I have spoken to thinks they are great, and they want to see more of them. And I think that is a good thing.

As convenient as getting a lift to school from your parents is, there is nothing quite as formative as taking the bus, walking or even riding to school. You need to get yourself there on time. I will admit that I do not ride or walk to work as often as I should, if ever, but I tell you what, Madam Assistant Speaker, if you get one of those crossing supervisors out the front you might see me in some Lycra sometime soon.

Paragraph 3(c) of the original motion calls for flashing lights to be installed at schools by the 2020 school year. As someone who likes to check in on social media occasionally, I could not help but check in on what the Canberra Liberals had been doing online in the past few days. I had noticed that they had been pushing this on social media, and good on them. But I did notice they tried to get the hashtag going. And for those playing along at home, it is #safercanberra. And I would encourage you all to go and have a quick look.

As most of you will know, the Canberra Liberals are not particularly well known for their social media. So I was distressed to see that the Canberra Liberals caucus has not embraced their new hashtag *safercanberra*. It appears to me that only Ms Lee, Mr Coe and Ms Lawder are utilising this hashtag. For all of their enthusiasm about flashing lights, I hope that this can be carried over to their new and exciting hashtag.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.09): Ms Lee has certainly raised an important issue in this morning's discussions. I have said many times in this Assembly that people often overlook the importance of road safety. They start to see road deaths and injuries as an inevitable part of the transport system. They forget that everyone who dies or is injured is a person with a life and a family. And, in this context, they become complacent about issues such as speeding or driver distraction, which are serious and dangerous problems.

These issues are amplified when it comes to road safety around schools. School children are a class of vulnerable road user. They are smaller and more fragile, they have less experience negotiating our traffic environment and their behaviour can be more unpredictable. Drivers owe a special duty of care to children in these environments. They are driving a large, fast, heavy machine that can easily kill a child if they hit them. That is why we have 40-kilometre an hour zones at schools, as well as a range of other measures, to improve safety.

We are certainly very supportive of the intention of Ms Lee's motion. We strongly support improved safety around schools as we are committed to the vision zero concept that there should be no deaths on ACT roads. And that is why we have put into our parliamentary agreement the item that requires the government to develop an individual traffic management plan for every school in the ACT. That is the best way to improve safety at schools. It is an evidence-based approach that assesses the individual needs of schools and determines what will be most cost effective.

There has been a bit of discussion this morning about who took what to the last election, and I do note that, but that was actually the policy we took to the last election. There was the Liberal Party pushing for flashing lights. The Labor Party talked about school crossing supervisors. They are very specific responses when, in fact, what we know is that each school is different; each school has a different road environment.

As Ms Lee touched on in her remarks today, there is a range of factors impacting on each school, and that is why we put forward as our policy the fact that each school needed an individual site assessment and traffic management plan because different things will be needed at different schools in response to different dangers. Simply choosing a blanket solution that every school must have something like flashing lights or crossing supervisors, we believe, is probably a bit of a wasteful approach and does not address the underlying problems.

Just because New South Wales has flashing lights at schools does not mean that this will work in every circumstance in the ACT. We have different school environments

here. Many New South Wales schools are on busy roads with high speed limits. The lights indicate that the driver must make a rapid reduction in speed. Almost no ACT schools are on these types of roads, and most of our schools, fortunately, are well embedded in the suburbs, often with relatively small residential streets around them. Some are on busier roads—there is no doubt about that—but we also have all-day 40-kilometre an hour limit at schools, which I believe has been successful and reflects the fact that children come and go at different times.

Occasionally there are letters to the editor or I have received them from constituents saying, “Why don’t we make it like New South Wales?” I think New South Wales should make it like ours. Kids come and go. I think the schooling environment has changed particularly in the past few decades where children come and go at different times. Whether it is for regular reasons such as particular appointments or it is something one-off or children going to a nearby facility—there are a range of reasons why children are moving around during the day—I think the all-day limit is a very important approach. As I said, the smartest thing to do is to assess what each school needs and invest in that rather than waste government funding on interventions that are less effective. That is what individual school assessments will achieve.

I will come back to the figures that Ms Lee cited in her speech from the surveys done by the P & C association. In that they outlined a range of risks that they have identified, things like dangers in the carparks and those sorts of things. Flashing lights are obviously not going to fix that, and that is where those individual assessments will achieve results.

I think I have spoken in this place before—but if I have not I know others have seen this—about the very successful approach taken by Macquarie Primary School where they were having significant issues with their car park. One potential solution was simply to go and build a bigger car park, which would have required a whole lot of money and disruption and the like. They actually did a wonderful co-design project with their students where the students sat and watched the car park for several morning and afternoon drop-off periods, then sat down and did some design work.

For a couple of thousand dollars and with a few bits of tape and, I think, a few witch’s hats and a few other bits and pieces, they reconfigured the car park, made it safer and made it flow better. And I think that was a terrific example particularly because the students were involved and did it as a learning exercise. It was a particularly impressive piece of educational work, both in terms of learning and in terms of providing a practical response.

I am not sure that flashing lights are needed to warn people that the speed limit is 40 kilometres an hour in all school zones. I think it is really well known here in Canberra that that is the case, and I do not believe that everybody is receiving speeding tickets in school zones because they were not aware that the speed limit was 40ks an hour. They are, I think in the large part, receiving speeding tickets because some people are complacent or they are perhaps distracted by something else or they are deliberately speeding and hoping they will not get caught.

There is a dangerous culture of speeding in Canberra that we need to reflect on. This is clear from survey data such as data commissioned through the road safety area in the JACS Directorate showing that Canberrans self-report a high degree of speeding. Canberrans admit to speeding. They do it frequently, and this is clearly something we need to change in the context of thinking about road safety and about vision zero.

One of the important changes we made in the road safety space was to ensure that mobile speed cameras can operate in school zones. Until a couple of years ago when I amended the regulations, that was not the case. I think this is a good change that is acting as a constant reminder to people that they need to slow down in speed zones and is also providing and enforcing the mechanism. Unfortunately, it will take some people getting a fine for them to perhaps get the focus on what they need to do.

What I can let the Assembly know is that, on average, there are 25 sites across the ACT every week that are monitored by the road safety cameras, the mobile speed vans. That is quite a comprehensive coverage, and certainly it is not just a random one. Where there are particular cases reported where a school or parents might express particular concerns, a more targeted approach can go on. A school might see the vans a couple of times in a month as part of a more targeted approach.

Another point I would like to raise about safety around schools is the issue of travel mode to school. There has been a significant shift in the past few decades away from children walking and riding to school towards parents driving their children to school. This was highlighted in a presentation Minister Stephen-Smith and I saw last night at the Inner South Canberra Community Council about walking infrastructure presented by Living Streets (Canberra) where they again highlighted this exact figure.

In 1970 nearly all young people in Australia walked, cycled or took public transport to school or university. And when I say “nearly all”, that was 84 per cent, and only 16 per cent travelled by car. A 2018 survey showed that two in three Australian children and teenagers are being driven to school. That is an extraordinary turnaround. There are many factors behind it. The recent survey identified parental peer pressure as a reason parents drive their children to school. Another survey showed parents were choosing this option for convenience. One of the results of this, apart from declining health, is that school areas are more dangerous for children. More cars and more driving means more danger for children. That is simply a reality.

School areas are becoming increasingly congested and increasingly fraught to navigate. Partly, this is a symptom of Canberra continuing to grow as a car-dominated city. As the Greens have said many times before, this needs to change. We can have a more sustainable city that favours public transport and active transport. This not only creates a more sustainable and livable city, it will create a safer city for everyone including our school children.

As I said, this was quite a topic of conversation at the Inner South Canberra Community Council last night where the spokesperson for Living Streets (Canberra) highlighted the fact that so much of our infrastructure has been designed for the rapid movement of cars. As pedestrians, it can be particularly intimidating to try to cross

some of the very wide roads, because of the wide-angle corners that enable cars to travel around them very quickly. These are issues of Canberra infrastructure generally, and they come into particular focus at school zones. As I mentioned earlier, I think school children are a particular class of vulnerable road users sometimes because of their inattentive behaviour, their lack of experience, and other factors.

In terms of the motion today, I thank Ms Lee for bringing this topic forward. It is one that occupies my mind on a regular basis. I do think that individualised assessment for each school is the way to go. I am pleased to see that Ms Lee has recognised that position in her remarks and reflected what is in the parliamentary agreement.

I also welcome the amendment brought forward by Ms Berry which sets out some of the things that are happening and provides some data on the current circumstances. I think it is helpful to the Assembly to have that information provided. And I particularly welcome the commitments that it calls on to be reported back to the Assembly on the results of this school crossing program evaluation and also the preparation of traffic management plans for schools as well as implementation plans for additional actions.

I think these are worthwhile measures to inform the Assembly of the work that is being rolled out now and to give us all an opportunity for our own peace of mind, our own analysis, to look at those things and then decide whether further steps need to be taken. In the meantime I look forward to seeing the continued rollout of these programs which I think are having a positive impact on the safety of school children around our educational institutions.

MS CHEYNE (Ginninderra) (11.19): There is no denying that keeping our children safe is of the utmost importance. That includes travelling to and from school. That is why the ACT government are committed to doing what we can to ensure safe passage for all students making their way to schools across Canberra, whether on foot, by bike, on the bus or in a car. It is why this government has already introduced a school crossing supervisor pilot program.

As we all know, last year's pilot program delivered supervisors to 20 crossings across Canberra, benefiting 23 schools, including Florey Primary School in my electorate of Ginninderra. I find it pretty curious that Ms Lee noted in her own motion that the school crossing supervisors program is a pilot, and then throughout her speech consistently failed to recognise that it was a pilot, describing this government as letting down schools by not installing the program everywhere. I know this distortion suited Ms Lee's speech, but attention does need to be drawn to it being a distortion.

Crossings were chosen by a selection committee on a needs basis. Their decisions were based on advice from Transport Canberra and City Services regarding similar programs interstate, as well as data on pedestrian and traffic volumes at crossings used by early childhood, primary and special needs students. Since then, the initiative has been expanded to include another five crossings. These crossing supervisors—sometimes referred to as lollipop men and women—have become familiar faces guiding some of this city's most vulnerable.

So far, the feedback from schools, parents and the community has been positive, with a formal evaluation due for completion in June. That is why it has not been rolled out further yet: it is February 2019, not June. As Minister Rattenbury said, no school is the same as another and we do need to learn and to take into account what works where. It would be silly to rush Ms Lee's motion through, as it stands, before that review is complete.

A number of crossings are also benefiting from infrastructure upgrades, including traffic calming measures, new signs, improved line markings and better footpath access. All in all, it is a great initiative; I think that is something that we can all agree on.

Ms Lee noted that school pick-ups and drop-off areas can be dangerous places. One of the reasons for that is the sheer amount of vehicular activity. There is a trend that driving to school is increasing. As Minister Rattenbury said, more cars equals more dangerous activity, so it stands, quite naturally, that if we want to make our schools safer, we need to be investing in ways to encourage parents and children to leave the car at home when they can.

The active streets program has been expanded to include an extra 52 schools over the next few years, making it easier for families to map out a safe route to school on foot or by bike or scooter. Participating schools were selected based on an expressions of interest process, and every school that applied has been included in the program.

The initiative comes off the back of a successful pilot program, again, involving four Belconnen primary schools in 2015-16 and an initial rollout to 25 schools in 2016-18. Many of us would have come across the blue stencilled images on footpaths across the city indicating appropriate routes to school with minimal road crossings. It is another great initiative.

These are just two programs helping children and families get to school safely in the ACT. On top of these initiatives, the ACT government continues to develop traffic management plans tailored to the needs of each school, in accordance, as we know, with the parliamentary agreement. This includes consideration of extra safety measures, including flashing lights.

All of this work has given parents across Canberra peace of mind that their children can travel more safely, and all of this work complements our broader strategy of encouraging active travel across Canberra. Creating an environment that is safer and more accessible for pedestrians and cyclists will see more people don their walking shoes or their helmet. It is good for our health, it is good for our environment and it is a sure-fire way to reduce traffic congestion at peak periods and make some of our most vulnerable people safer.

The new bus network is another important piece of the puzzle and has been designed to encourage more students to catch public transport. Every Canberra school will be serviced by the network, giving families greater choice and flexibility. I know it suits the opposition to bleat that the sky is falling about school buses but, again, it is very

important to bring the facts to this debate: currently 60 per cent of students who catch a bus to school use the regular network, and more will. There will be more buses than ever before servicing schools in the new network.

With all this good work underway, why did the opposition decide to bring forward this motion? The ACT government is already deploying school crossing supervisors across Canberra, as a pilot, and evaluating the effectiveness of that program. The ACT government is already ascertaining the safety needs of school communities across the territory and is already expanding existing initiatives that are making it easier for children and families to safely walk and ride to school. To put it another way, the Liberals are preaching to the converted.

I will end by saying that I am very surprised, and I think that the Canberra community should be concerned, that Ms Lee, particularly in her capacity as the shadow education minister, used her speech to defend drivers speeding through school zones because Canberrans are busy people and easily distracted. Excusing dangerous behaviour that risks schoolchildren's lives because Canberrans are busy is a step beyond the pale. I would ask her to reflect on her comments and address them in her reply. I commend the amendment.

MISS C BURCH (Kurrajong) (11.27): I thank Ms Lee for moving this important motion today. Ms Lee's motion, calling on the government to install flashing lights in all school zones by 2020 and to fund additional crossing supervisors where needed, is a step in the right direction to ensure that we are prioritising the safety of children across our city. These are both commonsense measures which are critical not only for the safety of children who currently walk and ride to and from school but also to encourage more parents and students to choose active travel. Given that flashing lights and crossing supervisors are prevalent in New South Wales and other jurisdictions, it is disappointing that these measures have not yet been fully implemented in the ACT.

Making matters worse is the government's recent decision to cut a huge number of dedicated school buses across the ACT. At the start of term 2 this year, 62 school bus services will be cut, with 51 schools being left without any school bus services. In addition, the government recently released its 2019-45 integrated transport strategy, which ranks dedicated school bus services last in its list of priorities. Active travel is ranked number one and yet the government continues to refuse to implement these commonsense measures and enhance active travel infrastructure in our school zones.

The safety concerns of parents are borne out of the statistics. Four hundred fines were issued to drivers speeding in school zones in 2018. That is 400 times that the lives of young children were potentially put at risk.

Ms Lee is not suggesting that these measures are a silver bullet solution, but flashing lights are a simple, yet significant way that we can ensure that drivers are aware that they are entering school zones. And to respond to Mr Rattenbury's comments, we are suggesting not that drivers do not know that school zones are 40 kilometres an hour, but that we can increase awareness of where school zones are.

Those opposite have mentioned numerous times that we should be doing more to encourage children to walk or ride to school, not making it easier to drive. These measures do make it easier and safer to walk or ride to school. Is it lost on those opposite that it is not only parents driving children to school who drive through school zones?

Crossing supervisors provide invaluable supervision at the most dangerous times of the school day, ensuring that children are not ducking in and out of cars, remain aware of their surroundings and cross the road safely.

Too often this Labor-Greens government continues to disregard parents' genuine safety concerns as scaremongering or dismisses them outright without explanation.

The priorities outlined in Ms Lee's motion are important and are clearly common sense. The community wants and needs flashing lights and crossing supervisors to ensure that our young people are safe. It is up to the minister to take these concerns seriously and deliver the infrastructure that will achieve this. If, as Ms Cheyne suggests, we are preaching to the converted, why not support Ms Lee's motion? If the Labor Party and the Greens are serious about prioritising active travel, supporting this motion would be a no brainer.

MS LEE (Kurrajong) (11.30): I thank everyone for their contributions but especially thank Miss C Burch for her support of my motion.

Well, Madam Assistant Speaker, it is another private members' day and another day that a minister hijacks the only day we have to bring debate on in this chamber. It is becoming routine that those on the other side are so desperately insecure that they have to rewrite everything we put up in a motion whether they agree with it or not. When evidence such as what I have presented today is ignored for no particular reason, and a motion is rewritten just for the sake of doing it, you have to start questioning whether this government have become so arrogant that they do not need to take comment from anyone. Let us face it; they could not even bring themselves to agree to a sentence that said:

... the safety of children travelling to and from school is of paramount importance ...

Instead, they chose to rewrite the exact same sentence in the amendment that we have seen.

The minister refers to record investment in public transport. It might be record investment, but so far we have not seen a good return on that investment. We get 51 fewer school buses and we get only a privileged handful of schools getting crossing supervisors. We have a few painted lines and some graphics on the transport and education directorate websites. I am sure that motorists look at both of those on a daily basis—not.

The minister referred to the published safe walking routes to schools. The minister should probably speak to the parents of children who go to Lyneham high as to whether they believe the crossing of a six-lane road in Northbourne Avenue to get to their school from where the bus now drops them off is considered a safe walking route.

The minister wilfully misunderstands me in saying that flashing lights are not a silver bullet. I have never claimed them to be. Of course they are not. But I had hoped that she would have at least listened to some of the staggering evidence that I put in my speech. Clearly she did not. She clearly also missed the part where I said that safety and traffic management plans are needed for every school because every school has different needs.

Ms Cheyne apparently had an issue with me referring to the program as a pilot, which it clearly is, and I have said that. The real question is: why did it take 16 months after the start of term for the pilot to commence in the first place? And if, as Ms Cheyne says, we should wait, and it would be imprudent to do anything other than wait, until the pilot has ended in June to see if it actually works or not, why has the government rolled out the program to another five schools this year? You cannot have it both ways. You cannot have a minister in a speech just now literally spruiking how well it is working and you cannot roll out further schools into this program and then say, "But wait; we would not rush into this and you are irresponsible for suggesting that we do so."

As to the comments saying that I was excusing dangerous driving, that is just absolutely incorrect. I want to put on the record that she should withdraw that remark.

The members on the other side, even Mr Rattenbury, clearly did not read my motion in its entirety and listened to selective parts of my speech. Every single one of them was criticising, saying the whole one-size-fits-all approach does not work. I have said very clearly in the motion, and it is in the "calls upon" section, that we need to get the government to commit to "ascertaining the safety needs for every school in the ACT". I have clearly said in my speech that every school's needs are different. Every school's safety needs are different, and that needs to be considered. We would ensure that schools' different safety needs would be addressed.

Parents have expressed their frustrations that this government is not listening to their concerns, whether that be safety outside the school or safety inside the school. The education minister lives in a bubble of blissful ignorance about what is happening in her own schools. The transport minister is about as informed on school buses as her education minister colleague. The education minister is too busy having conversations around buzzwords to get to the heart of what is happening in education in this territory.

Madam Assistant Speaker, we have seen this government let down our children when it comes to literacy, numeracy, academic standards, language education in our schools, safety in our schools, safe transport to get them to and from school, and even, now, making sure that our school zones are safe. We have amongst the highest per student funding of any jurisdiction, so we have a right to expect evidence from that investment. At the very least, our community should expect that our children are safe at school, inside and out.

Apparently the minister and this government need a whole year to report on the results of the evaluation of the crossing supervisors program, yet she has literally just now spruiked the success of that program under her government's leadership.

Once again, we have a “calls on” section in the amendment which allows the government to continue drip-feeding safety measures that clearly are working. She has admitted that. Two decades—that is what it will take before we finally have all ACT schools getting crossing guard supervisors. At this rate, my unborn child will have gone through her entire schooling and become a fully-fledged contributing adult before all our schools have essential safety measures.

I reject the self-serving platitudes that the minister has put up as this amendment. All it does is belittle her and continue to demonstrate her wilful ignorance about all matters affecting our schools. The Canberra Liberals will not be supporting her amendment. I commend my original motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 13

Noes 10

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

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Children and young people—services

MRS KIKKERT (Ginninderra) (11.41): I move

That this Assembly:

(1) notes that:

- (a) research has increasingly called attention to the importance of what is called “middle childhood” or the “middle years” (variously defined as age 8 through age 12, age 14 or even age 15);
- (b) middle childhood is an important period, marked by “rapid physical, emotional and social development, including the most intense period of brain development during a human lifetime”;

- (c) it is also the period when young people in Australia transition from primary to secondary school (and are most likely to experience bullying at school);
 - (d) development during the middle years has been shown to affect “future cognitive, social, emotional, language and physical development”, with impacts stretching into adulthood;
 - (e) indicators of low wellbeing in the domains of family, school, health and social networks during middle years create disadvantage that likewise tends to follow children into their adult years; and
 - (f) research suggests that issues typically associated with older adolescence are more frequently presenting in children in the middle years, with:
 - (i) the onset of puberty beginning earlier;
 - (ii) half of adult mental health problems emerging by age 14; and
 - (iii) children as young as 10 regularly seeking professional counselling in the ACT;
- (2) further notes that:
- (a) notwithstanding the above, child development researchers have highlighted a lack of funding for programs to support the wellbeing of young people in the middle years, as well as a “critical gap in research data” relating to their unique needs; and
 - (b) researchers have also recommended that “measures and indicators of social inclusion, social capital, community strength and support... should explicitly include data relating to children in middle childhood”;
- (3) further notes that:
- (a) “children and youth who are homeless experience significant social and health consequences, including disrupted schooling, high rates of mental health problems, and engagement in risk-taking behaviours”;
 - (b) addressing homelessness therefore can assist in addressing other issues that may complicate the lives of children in the middle years;
 - (c) “there are currently no accommodation services in the ACT for young people under the age of 16 who are experiencing or at risk of homelessness” despite this having been identified as “a critical area of concern” in the ACT Homelessness Strategy 15 years ago;
 - (d) the Youth Coalition of the ACT found that “there was a strong consensus among youth workers that the issue of at-risk and/or homeless young people aged between 12–15 is a significant problem” in the Territory and that “the conditions faced by 12–15 year old young people experiencing homelessness in the ACT are severe”; and
 - (e) homelessness programs for young people in other Australian jurisdictions have been shown to be cost effective, “creating \$12 in social value for every dollar invested”;
- (4) further notes that:
- (a) community-based diversion programs “are more effective in reducing re offending than the traditional justice system, especially detention”; and

- (b) the cost of these programs is a fraction of that needed for community based supervision or detention; and
- (5) further notes that much more needs to be done in the Australian Capital Territory to support children and young people in the middle years; and
- (6) calls on the ACT Government:
 - (a) to make a formal commitment to improving services and programs for the Territory's children and young people in the middle years; and
 - (b) to demonstrate that commitment by identifying and including specific provisions in the 2019–2020 ACT Budget that address important issues facing those in middle childhood, including giving due consideration to the following:
 - (i) Families ACT's recommendation to "support the collection of longitudinal data on the wellbeing of middle years children in the ACT";
 - (ii) the Youth Coalition's recommendation for a homelessness service model for children aged 8 to 15 in the ACT, as supported by Families ACT, ACT Council of Social Service and ACT Shelter;
 - (iii) Canberra Police Community Youth Club's proposal to have a support accommodation unit for young people under the age of 16, to address the gap in service provisions for this age group; and
 - (iv) requests from various community services providers for funding for youth diversion programs.

I am grateful for the opportunity to bring this very important motion to the Assembly today. As stated in the motion, both Australian and international research have increasingly called attention to the importance of what is called middle childhood or the middle years. The Australian Research Alliance for Children and Youth which, in partnership with the Smith Family, established the middle years network two years ago, defines this period as beginning at age eight and continuing through age 14, though other forums and researchers may use slightly different numbers.

It is widely understood that middle childhood is the developmental stage between early childhood and adolescence in which children undergo dramatic social, emotional and physical changes, including the most intense period of brain development during a human lifetime. Focus on the middle years has been driven in large part by two complementary realisations: first, as leading child development researcher Gerry Redmond has put it, this is a period of benign neglect characterised by lack of dedicated research data and critical gaps in funding for support services.

As the Australian child wellbeing project found in its 2016 study *Are the kids alright? Young Australians in their middle years*, most young people in their middle years are doing well. This is good news that has probably contributed to the lack of data and support services for this particular cohort. It is, after all, the period between early childhood, which receives enormous attention for obvious reasons, and the often complicated period of later adolescence, when attention again picks up. Too often, we just assume that kids are okay.

The second realisation is that we live in a time when typical youth issues are presenting in children earlier in life and resulting in coping mechanisms and responses reflective of adolescent behaviour. The onset of puberty is beginning earlier and young people are also engaging in risky behaviours earlier. A striking illustration of this can be seen in the fact that Canberra's Menslink extended counselling to boys aged 10 and 11 in the middle of 2017 after previously offering services only to those 12 and older. Within one year, boys under 12 made up 15 per cent of their counselling clients.

These and other contributing factors mean that, and again I quote from the Australian child wellbeing project study:

A significant proportion of young people in their middle years have low wellbeing, and are missing out on opportunities at this crucial time.

Importantly, low wellbeing in the middle years tends to follow young people into adulthood. In fact, research indicates that how a child develops during this time affects future cognitive, social, emotional, language and physical development, which in turn influences later success in life. As just one illustration of how formative this stage is, at least 50 per cent of adult mental health problems emerge by the age of 14.

In light of all that I have related, it is no wonder that numerous stakeholders and front-line workers with whom I have met over the past two years have all stated that more needs to be done in the ACT to support children and young people in the middle years.

This important task is an investment with significant returns. Addressing needs in middle childhood is often rather simple. It is the perfect space for early intervention as it means that problems can be addressed before they become too complicated, before the disadvantage grows too entrenched or the trauma has permanently altered the course of a life.

I know that the ACT government is not unaware of these issues. Stakeholders and front-line workers no doubt share their concerns and hopes with those opposite as well. In addition, I understand that the government was involved in the groundbreaking middle years forum that was hosted by Families ACT here in Canberra just over two years ago. Knowing about an issue, however, is not the same thing as adequately addressing it. Nine years ago, a previous ACT Labor-Greens government sponsored a care and accommodation forum, the report of which was subtitled, "12 to 15-year-olds at risk of homelessness."

The stated purpose of this forum was to make recommendations that could be in the form of a structural transformation or could be ensuring that young people have a safe place to sleep at night. The report concluded with 11 excellent recommendations for solving the territory's problem with homelessness amongst young people under 16 years of age.

Nine years later, the ACT Council of Social Service is able to state:

There are currently no accommodation services in the ACT for young people under the age of 16 who are experiencing or at risk of homelessness.

In fact, ACTCOSS claims that various ACT governments have recognised this problem for the past 15 years, since the 2004 breaking the cycle ACT homelessness strategy, but it has never adequately been addressed. Clearly, the time for talk is past. It is now time for action. It is for this reason that I have moved this motion calling upon the ACT government to make a formal commitment to improving services and programs for the territory's children and young people in the middle years.

In order to make sure that we make genuine progress in this space, it is absolutely necessary that the government demonstrate this commitment by including specific provisions in the 2019-2020 budget that address important issues facing those in middle childhood. These provisions should be clearly identified as well so that there is no question that those in the middle years are receiving the attention they deserve. In the end, it will be up to those opposite to determine which recommendations from stakeholders make it into the budget.

This motion does not ask the government to circumvent the normal processes of evaluating submissions, consulting with stakeholders, seeking expert opinions and so forth. I do, however, want to take this opportunity to encourage cabinet to give due consideration to some of the recommendations that have been submitted.

First, researchers such as the ANU's Sharon Bessell and Jan Mason of Western Sydney University have recommended that measures and indicators of social inclusion, social capital, and community strength and support should explicitly include data relating to children in middle childhood. This is because, as Families ACT have noted:

In the ACT, as in much of Australia, there is a critical gap in research data to enable parents, teachers, doctors, community workers, policy makers and the wider community to understand and support the unique needs of 8-12 year olds.

As I recently argued in supporting a motion relating to data tracking for children and young people exposed to domestic and family violence, the beginning of all good policy is good data. I therefore commend to this government Families ACT's recommendation to support the collection of longitudinal data on the wellbeing of middle years children in the ACT by expanding upon the ACT's existing schools-based data collection. Families ACT have identified this as one of two most critical areas to support middle years.

I likewise commend to this government the Youth Coalition's recommendation for a homelessness service modelled for children aged eight to 15 in the ACT. As noted earlier, there are currently no accommodation services in the territory available to support those under age 16 who are experiencing, or are at risk of experiencing, unaccompanied homelessness.

I think it is important to explain briefly what homelessness actually looks like for those in this cohort. These are not young people who are facing homelessness along with their families. Rather, these are young people who are facing homelessness because they cannot be with their families. A qualitative study released last year by the Australian Catholic University's Institute of Child Protection Studies paints a vivid picture of what unaccompanied homelessness for the territory's children and youth actually looks like.

In nearly all cases, children who find themselves in this situation are seeking to escape homes where they have experienced violence, abuse or neglect, often accompanied by equally challenging issues that co-exist within these abusive and neglectful homes. These include familial substance abuse by parents or siblings and parental mental illness and disability.

The service model proposed by the Youth Coalition, and strongly supported by Families ACT, ACTOSS and ACT Shelter, seeks to respond to the primary risk factor leading to youth homelessness, family conflict and breakdown by intervening early, reducing family conflict, changing life trajectories away from involvement with statutory services, reducing disengagement from education, and building the capacity of the youth and family sector to engage in family-focused youth work. Similar homelessness programs in other Australian jurisdictions have been shown to be extremely cost effective, creating \$12 in social value for every dollar invested.

A similar proposal has been put forward by the Canberra PCYC, which already enjoys a strong reputation for providing programs that divert young people away from crime and the criminal justice system and programs that help young people to re-engage with education. Their specific proposal is for a support accommodation unit for young people under the age of 16.

This residential facility would create a safe, healthy and positive environment for youth, providing temporary and short-term accommodation away from environments that can lead to unaccompanied homelessness and its attendant risks, such as living on the streets or couch surfing. One of the main goals of this accommodation unit would be to work with the whole family in order to resolve the family conflict and breakdown that led to the homelessness in the first place.

PCYC staff share the concern that this territory currently does not provide any accommodation services for young people under the age of 16. They have had experience with youth who have been picked up by ACT Policing at night. When it was deemed unsuitable for the young people to be returned to their homes, they have been placed in the watch house overnight instead, thus giving them their first taste of entering the justice system. Surely we can do something more appropriate than this for children who are afraid to return home. I commend this proposal to the government as well.

Finally, I commend to this government all the other requests from various community services providers for funding for other non-residential youth diversion programs. On paper, this government has a commitment to youth diversion. Unfortunately, too

many of our children and young people still end up in the youth justice system. As I stated earlier, funding such programs is an investment with significant dividends. It currently costs \$3,319 a day to detain a young person in Bimberi.

In contrast, a young person on a community justice order costs \$101 per day. But even a community justice order comes once a youth is already in trouble. Diversion programs that prevent problems in the first place can cost much less than that and avoid the impact on the lives of the children and young people whose needs are met before life becomes too complicated.

I understand that all of these proposals need to be evaluated and considered. But, once again, I passionately call upon the ACT government to make a formal commitment in the upcoming budget to the territory's children and young people in the middle years. I commend this motion to the Assembly.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 11.56 am to 2.00 pm.

Questions without notice

Education—student expulsions

MR COE: My question is to the Minister for Education and Early Childhood Development. Minister, how violent does a student need to be before they would be expelled from an ACT public school?

MS BERRY: There are policies in place for schools and recently there has been a conversation with school principals around suspension processes in schools. It is very difficult to make a judgement on that question from outside when you are not directly involved in the school community or with a particular incident. You have to have faith, and I do have faith, in the profession, in the school leaders and the school communities, to be able to implement those policies appropriately. That should always be the case.

It is unacceptable in any place, but particularly in our schools, for any children to be exposed to violence. The government takes that very seriously, and so does the Education Directorate. That is why we have been rolling out across our schools the program to ensure that our schools are communities where complex and challenging behaviours can be addressed appropriately and where students who commit violence against other students are properly dealt with. There are 48,000 students in our schools. Generally, as I said yesterday, they are safe places. But on some occasions some people in schools get hurt. They need to be properly supported, and perpetrators of violence in schools need to be properly managed.

MR COE: Minister, what aspects of the government's policies and procedures relating to suspensions and expulsions apply to all schools and all students, and are these policies and procedures public?

MS BERRY: Yes. School principals and school communities would be able to access information on school suspensions and be provided that information should it be required. If a school principal or school community believes that a child needs to be removed from a school then they would get in touch with the director-general and a decision would be made on the process forward from there.

MS LEE: Minister, what options are available to an expelled student, their parent or carer under the ACT education system?

MS BERRY: There are a number of options available. Schools, working with their school communities—parents, families and children—work out different ways to approach violence in schools and situations where students might need extra support, where students who have been violent need to be suspended or expelled from schools on occasion.

I think the main process that schools are concentrating on is to try to build school communities that are positive so that they are less likely to have violent situations occur.

Mr Coe: Point of order.

MS BERRY: I can get some information back to the Assembly on—

MADAM SPEAKER: Resume your seat, please. Point of order.

Mr Coe: It is on relevance. Ms Lee's question was specifically about after a student had been expelled so, really, what pathways or options are available at that point, not leading up to that point.

MADAM SPEAKER: Minister.

MS BERRY: Yes, I can get some more information on that. I do not think it would be for a particular instance but generally around what occurs after a student has been expelled. I will try to get some more information on that and provide that to Ms Lee.

Public housing—thermal performance

MS LE COUTEUR: My question is to the minister for housing. Minister, during the recent heatwave, many public housing tenants complained to me about dangerously hot temperatures inside their homes, at least up to 43 degrees. Minister, what is the government doing to support tenants in their dwellings during heatwaves?

MS BERRY: The heatwave conditions in the ACT recently were very hot, the hottest that the ACT has ever experienced. ACT Housing has a program of visits, phone calls and contacts with housing tenants who might be more vulnerable or susceptible to injury or even, unfortunately and sadly, death in conditions where they experience extreme heat. Every one of those people is contacted to make sure that they have all the support that they need if they need it, that they have fans, that they are looking

after themselves and that they know how to keep themselves cool and get help if they need it, should they be affected by the heat.

I can assure the Assembly and Ms Le Couteur that Housing ACT take very seriously making sure that housing tenants are kept safe during conditions like extreme heat. They do have a program of visits. I understand that they visited all of those residents in public housing who might have needed extra support during that time.

MS LE COUTEUR: Minister, given climate change, what is the government doing to address the issue of dangerous heat in the existing public housing stock that is not scheduled to be renewed?

MS BERRY: There is significant work going on to ensure that our public housing properties are easy to maintain, easy to keep cool and affordable for our tenants. Last year I attended a public housing property with Mr Rattenbury, around replacing old gas furnaces with reverse-cycle air conditioning and heating. That means it is not only easier and more affordable but also much more comfortable for our tenants to be able to get through some of this extreme heat, as well as cool situations in winter.

In addition we will be working with the minister, Shane Rattenbury, on other different ways that we can make sure that public housing properties are sustainable and that they can be affordably heated and cooled so that our tenants are able to have comfort in their lives.

MR PARTON: Minister, how many of those at-risk residents you spoke of earlier were visited during the recent hot spell?

MS BERRY: That is a good question, and I will get the number to you. Thank you, Mr Parton.

Education—data collection

MS LEE: My question is to the Minister for Education and Early Childhood Development. On 11 February this year, the *Canberra Times* reported:

In its latest annual report, the directorate reported 1660 student incidents in public schools, though that number does not capture all incidents reported to the directorate.

Anecdotally, parents have advised that some of their reports to the schools have not been recorded. Minister, how many incidents were not reported? And why?

MS BERRY: Schools are required to report incidents, and that information is collected at the school level and provided to the Education Directorate. I do not have any information around the actual numbers that Ms Lee is after. I will check with the directorate and find out if that information is available.

MS LEE: If the directorate collects this information centrally then why, in your answer to question on notice 1930, does it say that the directorate does not?

MS BERRY: I said I would check with the directorate and if it is available I will provide it.

MISS C BURCH: Minister, how can the directorate professionally manage bullying if central information on incidents is not available?

MS BERRY: It is available, and I am going to check on that as I referred to in my response to Ms Lee's earlier question.

Education—teacher exit surveys

MS LAWDER: My question is to the Minister for Education and Early Childhood Development. Minister, when teachers leave the ACT education system or request a transfer, do they complete exit surveys? If not, why not?

MS BERRY: I am not sure whether they do. The ACT government does provide opportunities for public servants to give information on reasons why they leave. Anecdotally, teachers often leave the education systems across the country because of burnout, because of lack of respect and because of the lack of value given to their profession. We have been hearing a lot about that, and particularly around the requirements for teachers to implement NAPLAN testing across our schools.

I have been talking with teachers about the kinds of things they need to support them and to get them to stay in the education system. One of those things that the government has funded—and we talked about it in this place yesterday during question time—is ensuring that they get opportunities for professional development, that they get extra support in schools through mentoring programs and that the leadership in the schools also gets development and support, so that they can best make sure that the profession as a whole is professionally developed, that individuals have the chance to continue to learn, to update their skills and to hone the methods they provide in the classroom.

There are lots of reasons why, but one that I have been hearing more and more is that they do not feel that they are valued in this community for the important roles they play for our children.

MS LAWDER: Minister, how many teachers have cited fear of violence or experience of violence as a reason for leaving a school?

MS BERRY: I do not have that figure on me and I am not sure if it is available, but I will check with the directorate and find out.

Of course the Australian Education Union has conducted surveys of its members around violence in the workplace, and the government works very closely in implementing our policy on violence in schools and making sure that we work closely with the teachers and their union to support them in the workplace and make sure that there are proper policies and procedures, a plan, for a way forward to ensure that teachers are not harmed in our workplaces. They are absolutely vital and, with such an

important role in our children's education and in their lives more generally, we need to make sure that their workplaces are safe: safe from violence in schools from students but particularly safe from violence as well from parents and other members of the community.

As we have been working on this complex issue around how we can support teachers better in their workplace, we think we are getting there and we want to make sure that, as we work as closely as possible with teachers and the Education Union as we implement this policy of a changing culture, a better value and respect are placed on the teaching profession in ACT schools.

MS LEE: Minister, what information, preparation and support are given to new teachers to prepare for bullying and violence between students and, indeed, from students?

MS BERRY: There is support and information provided to teachers when they are inducted into our schools. In fact, last week I attended a new teacher induction for 130 new teachers across our ACT government schools. Of course, the Australian Education Union were there to offer support to new people joining their union or to people who have been members for some time.

Yes, there is support provided to teachers to ensure that they have the information they need. They are also provided with information at the school about policies and procedures on how they can best support students and best support themselves, and make sure that their school communities are positive and welcoming places for everyone.

Economy—budget review

MS ORR: My question is to the Chief Minister: how is the government continuing to invest in more and better services for Canberrans through the budget review released yesterday?

MR BARR: I thank Ms Orr for the question. The budget review continues the government's investment in services and infrastructure for Canberra. Some initiatives I would particularly like to highlight this afternoon include: the expansion of care at home for older Canberrans through the GRACE program; the funding for the Weston Creek walk-in centre; and continued funding for free flu vaccinations for young Canberrans

The budget review also contained a \$46 boost to the utilities concession for around 32,000 Canberra households. That takes that annual concession now to \$700. We are also supporting more Canberrans to use the new integrated public transport system by providing one month of free travel across the entire public transport network. We are delivering more ambulances and paramedics so our emergency response times remain the fastest in the country, and there are a series of important initiatives working to divert people away from the justice system and reduce crime.

In the lead-up to the Multicultural Festival we are very pleased to boost funding for that event so it can remain the most popular and well-attended community-focused event in our city. Of course, there were the announcements of more seats under cover at Manuka Oval and better facilities for female athletes who play at that venue, as well as the announcement of a restoration of the Old Bus Depot in Kingston.

The government continues to make these important investments in community facilities, infrastructure and community services as part of our commitment to the people of Canberra, commitments that we took to the 2016 election.

MS ORR: Chief Minister, what does the budget review show about the state of the ACT's economy and important components of it like the housing market?

MR BARR: The budget review shows that the territory economy grew by 4 per cent in the 2017-18 fiscal year. That is the fastest rate of growth of any state or territory in Australia. The outlook for our economy is for continued strong and broad-based growth. We expect that to be around 3½ per cent in the 2018-19 fiscal year, which is again above our 15-year growth average.

The unemployment rate in the ACT in December 2018 was 3.6 per cent, the lowest in the country. Our employment growth remained above the national rate throughout 2018-19 and has also been revised upwards for 2019-20, in recognition of our very strong economic and population growth outlook.

Our residential construction sector was strong in 2018. This momentum is expected to continue through the medium term, supported by historically low interest rates, our low unemployment, our very strong population growth, our low rental vacancy rate and our high rates of economic growth.

We have seen ACT house prices moderate somewhat in 2018, but this is in contrast to the significant falls in segments of the national housing market, particularly in Sydney and Melbourne. A range of commentators, including Deloitte Access Economics, has noted that our economy is strong and is growing, people are continuing to move to Canberra and our unemployment rate is low, so the outlook for our housing market is more stable than in other cities.

MS CHEYNE: How is the government responding to recent developments in the broader Australian economy and budget that have affected the ACT?

MR BARR: I thank Ms Cheyne for the supplementary. Certainly we are experiencing a period of significant international and national instability. International events are impacting upon some territory investments, and at a national level uncertainty around future energy policy has impacted on the value of our large-scale generation certificates, which are a major paper asset on the government's balance sheet. The nervousness in the two big cities around house prices and house values has flowed somewhat into consumer sentiment, so we, like all other states and territories, had a reduction in GST revenue through the commonwealth's midyear fiscal update.

All of these factors are beyond the ACT government's direct control. In the fullness of time, they may turn out to be simply temporary impacts that can be partially or fully reversed in future budgets or updates. We have made the decision to continue our fiscal strategy as we intended. There is nothing in the national or international events at this point that would necessitate a change in the government's fiscal strategy. However, we will, of course, monitor the early federal budget, the pre-election budget, and any commitments made during the forthcoming federal election campaign and the impacts that they may or may not have on the ACT. Certainly, any further announcements from the federal coalition government in relation to stripping more public servant jobs out of Canberra would be detrimental to our territory's economy, and I fear there may be more such announcements forthcoming.

Schools—bullying

MR PARTON: My question is to the minister for education. Minister, in an email to parents, the principal of a Tuggeranong primary school has recently written, "Senior students had been reminded that hitting, kicking, punching and swearing at other students are not acceptable." Minister, what are the consequences when students do these things?

MS BERRY: As I said before, it is difficult to say how a school would respond to an individual circumstance when it occurs. But throughout all the programs that are in place in schools, there are policies and procedures that schools have in place to ensure that they manage these situations appropriately. I could not stand here, without context behind an individual circumstance, to say how a school responded and whether that was appropriate or not.

I will say, though, Madam Speaker, that I understand that the Canberra Liberals want to make sure that our schools have all these processes in place and that our teachers are properly qualified and have the support to manage these situations. Of course, it is terrible when a child gets hurt in our schools. I have absolute sympathy for parents and families where a situation like this occurs.

I understand that it is a terrible thing to have to go through. It is quite a difficult thing for parents and for the school community to work through these kinds of issues. So the directorate and I make sure that there are processes in place and that school teachers are properly supported and have these supports, often from outside the school, to be able to support those families and those children. But it is a terrible time for families; I understand that.

We want to make sure that we work with school communities to ensure that they are positive learning places and that they are safe places for children to go to. That is why I spoke yesterday about the positive behaviours for learning program, amongst a whole bunch of other programs that are available in schools. But I know that at the moment when a child is injured, that is a terrible time for a family to go through. So we need to make sure that our schools are properly supported and that they can support those families and that child. *(Time expired.)*

MR PARTON: Minister, what plans are in place at this primary school for students who are afraid to use the bathroom as a consequence of the aforementioned behaviours?

MS BERRY: In this particular circumstance that Mr Parton is referring to, I am not aware—is it the Theodore primary one that you are talking about?

Mr Parton: Yes.

MS BERRY: Okay. There have been some incidents at Theodore primary. It has been a terrible thing, as I said, for those parents. I understand and absolutely sympathise with them. A child should not be going to school fearful and be fearful when they are at school. There are processes in place. There are plans that the school should be implementing to ensure that children are safe at school.

Mrs Jones: What are they?

MS BERRY: I can provide that information, amongst all the other processes that I have talked about: positive behaviours for learning, engaging schools framework, safe and supportive schools, as well as codes of conduct. All of that is available.

Mrs Jones: But what do they do?

MS BERRY: We are dealing with humans. It can be difficult. I am not excusing the behaviour at all, and I am not excusing the fact that this child was scared. I am saying that in this particular circumstance it was not dealt with in a very good way. There were some issues, which I am still getting to the bottom of, around communication and the implementation of those processes. I will continue to do that, because schools should be safe places for every child; they absolutely should be.

At this school, we will work through it. We now also have to work on how we can make sure that this school can recover from this story being dragged around. That is also at the front of my mind. *(Time expired.)*

MS LEE: Minister, what have you personally done, or what are you doing, aside from getting assurances from the director-general, to reassure parents at that school that their children are safe?

MS BERRY: The first thing that I have to do is have some faith in the teaching profession at that school and give them the chance to get things back on track with proper supports around them. I think that is the first thing.

I have been having, and my office has been having, daily briefings from the Education Directorate. The school community is having a meeting this week to discuss the issues and the processes in place to assure parents that the school is a safe place for their children and that the directorate and the school community will work together to ensure that it is a positive and safe place to learn.

Personally I have been listening to the Education Directorate, asking for advice and making sure that they are conducting a thorough investigation as to what has happened at that school and the sorts of things that now need to be done to assist that school in recovering and building a good, strong community out at that school.

I will continue to personally be involved in how that school recovers. I do not know that it is appropriate for a minister, or anyone, to start going in and stomping around in a school at this early stage in the resolution of working towards a stronger school community. They are being supported by experts. As we go through the process of finding out what happened and how we can improve and make sure that the school is a positive and safe learning environment, that is what we will continue to do.

Schools—bullying

MRS KIKKERT: Madam Speaker, my question is to the minister for education. Minister, my question is: have you received complaints or been advised by parents about bullying and violence at schools other than at a Tuggeranong primary school in the past six months?

MS BERRY: As I said, generally all our schools are safe, positive communities for children to attend. However, with 90,000 students across all our schools there will be issues that arise occasionally where students are injured or are exposed to bullying in school. This is not okay.

These are situations I take very seriously and sometimes I take a little longer to respond because I want to make sure that I have all the information in front of me and that my responses are appropriate and sympathetic to the families and what they are going through at that moment in time. I know I have had some correspondence from families about their experiences that have not always been positive over the past six months.

MRS KIKKERT: Minister, how many other schools have been identified as having bullying complaints in the past six months?

MS BERRY: I do not have that information on me at the moment, Madam Speaker.

MS LEE: Minister, can you bring that information to us, and can you also confirm that there is an investigation underway at that Tuggeranong school in relation to these instances of violence?

MS BERRY: Yes, of course there is because I have asked the directorate to very carefully investigate what has been going on at that school. I said that yesterday and today. I want to make sure that I know very clearly what occurred, what were the processes put in place, why they were not a satisfactory or appropriate response to those matters and how we can make sure that the teachers are supported during this difficult time as well as working very closely with the school community.

Schools—bullying

MRS JONES: My question is to the minister for education. I refer to a report in the *Canberra Times* of 11 February this year about bullying at a Tuggeranong primary school. I quote:

“My son has been vomiting before school, he’s so stressed, they make us promises but it keeps happening,” one parent, who did not want to be identified, said.

Minister, what exactly is the government doing in the meantime, while investigations are going on, to make this school safe for those children?

MS BERRY: Yes, that is very distressing to hear that from a parent, and that family’s experience of what was going on with that child during those incidents. Some of the measures that have been taken I described yesterday. There will be a meeting with the school community this week. Some of the other changes that have occurred at that school include increased staff supervision in the playground during breaks and new structured activities including interest-based clubs and activities during recess and lunch. Students are currently letting the school know their interests via a survey so that the clubs can be up and running by week 3, next week.

There is the ongoing rollout of the positive behaviour for learning program, which I can speak more about if the Assembly is interested; a planned series of workshops and information sessions to assist parents to support their children at school; and, importantly, increased communication with families. The directorate has also had a hotline, a phone number, for families to get in touch with the directorate if they want to do that in a confidential way, an anonymous way, if they are not comfortable to talk about that publicly at the school level. There have also been Education Directorate officials available at the school during drop-off and pick-up times for parents to raise any issues that they might have or talk about their experiences, positive or otherwise, at the school community.

So there is a lot of work happening right now to rebuild that community at that school to make sure that every child is supported and feels safe.

MRS JONES: How many children at ACT government schools need counselling as a result of bullying at ACT government schools, and how exactly is that provided?

MS BERRY: Children are supported in lots of different ways in public schools. In the ACT, as you will know, there are 20-plus psychologists available across our schools, which the government committed to implementing as part of our election commitments. There are school counsellors and other workers in schools. Also, children will have different relationships with people that they trust in schools, and that they can also get support and advice from. I do not know if that information is collected generally. There is likely to be some information about how students are getting support from psychologists and counsellors, but not more generally. They can get support in lots of different ways.

MS LEE: Minister, does the number that you are thinking about include the students who are witnesses to bullying and violence; if not, can you provide that number to the Assembly?

MS BERRY: If that is collected centrally and it is available, I am happy to provide it to the Assembly. Students get advice on a whole range of things, whether that is bullying or issues that are going on in the school or at home. As to how that is collated, I will have to check whether that information is available and whether it is broken down into those kinds of categories.

Building—quality

MS CODY: My question is to the Minister for Building Quality Improvement. Can the minister update the Assembly on the progress of building quality reforms in the ACT?

MR RAMSAY: I thank Ms Cody for the question. The government has certainly been getting on with the job of delivering on our commitments. Our regulatory and policy officers have been working hard to upload a series of building policy reforms. Shortly we will begin testing for those people who are seeking A or B class licences. We will also start testing those who are renewing their licences and who have a demonstrated history of non-compliance, as well as a random selection of those who are renewing their licence.

We are doing this because we want to make sure that our builders have the required knowledge that we want them to have to work in the industry. We want to ensure that they have the ability to properly read and interpret building plans and how to apply the building code to those plans. We want to ensure that they understand their various roles and their responsibilities when they are a licensed builder and that they are keeping their knowledge up to date.

We are also preparing to roll out other policies to increase the level of design documentation that is needed to get a building approval, new codes of practice for those in the industry and other changes to ensure that we have a high quality building industry here in the territory, and I look forward to making further announcements on those in the coming days and weeks.

MS CODY: Can the minister advise the Assembly of the role of the Access Canberra rapid regulatory response team and how they are helping to address building quality issues in Canberra?

MR RAMSAY: I thank Ms Cody for the supplementary question. Since the establishment of the rapid regulatory response team in May last year, we have been working hard to ensure that building complaints are dealt with as quickly as possible. The team consists of people with skills in investigations as well as skills in the technical aspects of building and planning.

They are able to get on site quickly to undertake a preliminary assessment and to determine whether there looks to have been a breach in building or planning legislation. They can collect the evidence and take photos to help assist in further investigations. Since 1 July 2018, the rapid regulatory response team has resolved 66 complaints, referred 18 complaints to other regulatory areas of government and escalated 44 matters to the building and planning compliance team for further investigation.

Their actions have led to a number of stop-work notices and demerit points being issued to builders and certifiers for undertaking unapproved works or unapproved parts of works. This team is helping the regulator to respond more quickly to building issues. They can help solve problems as well as issue notices to prevent work from occurring where it needs to stop. They are an advance squad of the regulator to get on site quickly and early and to provide information to the community more quickly so that the less complicated issues are resolved quickly and the more complicated cases are referred for full investigation.

MR PETTERSSON: Can the minister explain how this team and the data it collects will help us improve quality in the building industry?

MR RAMSAY: I thank Mr Pettersson for the supplementary question. The building regulator is using the data gathered by this team as well as that gathered by the rest of our building inspectors and through our other complaints channels to build a far more comprehensive picture of those working in the building industry. They will be using this data to target their resources to those who are not doing the right thing. That means that those who have complaints against them substantiated through the work of this team will shortly have their knowledge of the building code tested when they seek to renew their building licences. They should also expect to see inspectors on all of their sites across Canberra checking that the problems that have been seen are not being replicated across multiple sites.

Our building regulator is also using this data to build a picture of the types of issues we have in Canberra. They can then be used to educate the industry, our builders and our certifiers on the issues we are seeing. The registrar has already held an information session with certifiers late last year, on the issues we have been seeing with waterproofing, to help guide them on what they should be looking out for. The registrar will be having these sessions regularly to help inform the industry and help prevent poor work practices from proliferating.

This government makes its decisions based on evidence. We will be using the data to target our resources to lift the quality of building here in the ACT.

Schools—bullying

MR MILLIGAN: My question is to the minister for education. What protocols are in place in ACT schools to notify parents that their child has been a victim of bullying at school?

MS BERRY: There are procedures in place in schools around incidents and around notification of families should incidents arise, and if they are known to the school. If there are particular instances in mind where that has occurred, and the member wants to raise those with me privately, I would be happy to find out what happened in those situations.

But if an incident occurs in a school where a child is injured, it should be the case that the family will be notified. It might be the case that during a session where a student is getting support from a counsellor or a psychologist, they might want to keep that information private for the moment, while they are working through how they are going to get supported and how they are going to resolve that situation. But if it is reported to the school and the child has been injured, and it is not during a confidential session as I have described, one would expect that the family should be notified, along with the action that the school is taking to address the issue.

MR MILLIGAN: Minister, what protocols are in place in ACT schools to notify parents that their child has bullied another child in their school?

MS BERRY: There is information available on the website around processes and what parents can do to support children, and also on what the school would be doing under the circumstances where a child might be affected by bullying in a school community. I can direct the member to the website. If there is any further information required, if he could contact my office I can try to get that to them. Generally it will be a decision by, and contact will be made by, a senior officer or by the principal in the school.

MS LEE: Minister, what actions have you taken to satisfy yourself that ACT schools are complying with the protocols that you have just outlined?

MS BERRY: I have faith in our schoolteachers and the profession that they understand what their roles are, that they have been provided with all the policies and procedures and that they have done the personal development and learning to ensure that they know and understand the policies that exist in ACT schools and how they respond to them. Personally, I speak to educators, school professionals and school leaders to assure myself that they are appropriately supported and have the appropriate skills and knowledge to be able to react in all kinds of different situations in our schools, and react appropriately. I have to have faith in our school teachers, and I do. I do not know why the Canberra Liberals seem not to.

Education—violence in schools

MISS C BURCH: My question is to the Minister for Education and Early Childhood Development. As minister for education, are you ultimately responsible for providing a safe environment for students in our schools? If not, who is?

MS BERRY: Of course I am. Of course, I am responsible; I am the minister, and I am responsible for ensuring that our schools are safe and positive places in which to learn. I do that by making sure that when situations like this arise, I personally get in

touch with the Education Directorate, with the director-general, and get assurances from them that schools are applying policies and procedures as appropriate and, if they are not, by ensuring that they have support so that they can do that.

MISS C BURCH: Minister, what are the consequences for an education minister who continuously fails to address the problem of violence in our schools?

MS BERRY: I do not agree with the premise of that question; that is completely untrue. Members will know how closely I have been working with the Australian Education Union and the school communities to ensure that our schools are free from violence. It is a complex issue when you are dealing with human services and people at the front line. It is a difficult and challenging issue to resolve. But, as I have said, the ACT is leading the country in this journey. We have provided the information to other states and territories who are interested in making sure their schools are free from violence as well.

It is wrong to suggest that I am not taking action. I am the only minister in this country who took action. I am the only minister in this country that actually worked very closely with and listened to the teachers in our schools about what was happening. I took action almost immediately after I was appointed as minister to make sure that our schools were free from violence for teachers. I have been working very closely with those professionals to assure myself that they have the supports they need to provide our children with the best possible education in a safe and positive environment.

MS LEE: Minister, why is it that, if you are the only minister in this country who has taken action on violence in schools, we have seen repeated reports of violence in ACT schools since the beginning of your term as education minister?

MS BERRY: That is true. When you bring attention to an issue, you ask that people report and you say to them, “You are not going to be blamed or judged. Your professional judgement will not be called into question if you ask for help.” I have been out there saying, “If you are being injured at work then you need to tell us so that we can properly support you.” I expect that that number will continue to rise as we work through the procedures and the plans to support teachers appropriately in their schools.

Mental health—cannabis

MRS DUNNE: My question is to the Minister for Mental Health and minister for road safety. Minister, I refer to a question time brief prepared by the department of health which states that the risks of high or long-term cannabis use include addiction, altered brain development, symptoms of chronic bronchitis and increased risk of chronic psychosis diseases including schizophrenia. Minister, what research has the ACT government done into the impact of the legalisation of cannabis on the demand for mental health services in the ACT?

MR RATTENBURY: This is obviously a matter that is being considered by the government at the moment. Generally, the government is considering issues of drug

policy in relation to road safety issues, which is where I thought Mrs Dunne was about to go. Obviously as the Minister for Mental Health, this is an issue I have to consider as well.

What we know is that a range of illicit substances is linked to mental health conditions. Whether it is legal or illegal drugs, they are linked to a range of co-morbidity factors. Alcohol, other drugs: heroin, methamphetamine and cocaine, these are all associated with mental health problems.

In terms of the specifics around cannabis, I have been seeking specific advice from ACT Health on this. The evidence around cannabis being a causal factor for mental illness is mixed. That is the official advice I have from the directorate. They say that there are studies which can show causality.

Mr Hanson: Not according to the AMA it is not.

MR RATTENBURY: This is the official advice I have from ACT Health. There is a range of studies which make that point; there are others which do not, which say that that is not the case. This is an area where, because of the moral fear that has been generated by so many over such a period, there has been a lack of research in this space, because researchers cannot actually get access to the drugs.

Mr Hanson: There has been an extraordinary amount of research. That is not true.

MR RATTENBURY: Mr Hanson, you had your say in Saturday's newspaper. Why don't you listen to the answer?

Opposition members interjecting—

MADAM SPEAKER: Mr Hanson, allow the minister to continue.

MR RATTENBURY: Where do you go with some of the inane commentary that comes from the other side of the chamber?

Opposition members interjecting—

MADAM SPEAKER: Members on my left, the minister has the floor and he will answer the question in the time he has left.

MR RATTENBURY: As I was saying before I was rudely interrupted from the other side of the chamber—*(Time expired.)*

MRS DUNNE: In addition to research in relation to demand for mental health services, minister, what research has been done on the demand for rehabilitation services as a result of a possible legalisation of cannabis in the ACT?

MR RATTENBURY: The thing about the issue is that we need to be prepared for that situation. It is important, as part of any move to legalisation—if that is what this Assembly passes—that the services are available. Right now, because of the illegality

of these substances, people do not seek help. People are stigmatised, they are fearful and they are unsure if they should seek help. That is actually a significant problem, because we know, the reality right now, is that, right now, people are using these drugs in Canberra, but because of the stigmatisation and the illegal nature of them, they do not seek help.

One of the things I want is for people not to be fearful. I want them to go and seek help. It is clear that for some people, using these drugs is bad for their health. That is clearly the case, but that is the case now, and it will be the case in the future. I want an environment where people are willing to come forward to seek help without fear and without stigma, so that their health can be better than it otherwise would be.

MRS JONES: Minister, what research has the ACT government done into the impact that legalising cannabis, as we are considering, would have on road safety? What is the exact research you have undertaken?

MR RATTENBURY: There is data available on the number of people who are being drug tested on ACT roadsides. We are seeing an increase in the number of people being prosecuted right now for drug driving offences. So this is the reality of our community today. What we know is that if cannabis were to be legalised in the ACT—of course, I am taking a hypothetical question here but, in the spirit of being helpful, I will continue with my answer—there is no intent for drug driving laws to change in the ACT. If people do choose to use these drugs—

Mrs Jones: Madam Speaker, I raise a point of order on relevance. We are half way through the answer and—

Mr Barr: Twenty-nine seconds.

Mrs Jones: Okay.

Mr Barr: If that is your idea of halfway, don't you ever be treasurer of the territory.

Members interjecting—

MADAM SPEAKER: Members! Mrs Jones, on your point of order.

Mr Wall interjecting—

MADAM SPEAKER: Mr Wall!

Mrs Jones: The point of order is that the question was specifically not about what is happening on ACT roads now, not any of the things that the minister has alluded to, but what research has the government done, if any, on the impact of legalisation of cannabis on road safety in the ACT. The minister has not even started to touch on the relevant substance of the question.

MADAM SPEAKER: Thank you. He does have one minute and 30 seconds left to respond to the question. Minister Rattenbury.

MR RATTENBURY: In terms of research and data, I have just outlined to Mrs Jones, members of the opposition and the entire chamber that, in fact, we are seeing an increase in drug driving offences already because of the enforcement that is going on. Whether this will change in the future is hard to tell, but we are seeing an upward trend both in this jurisdiction and in other jurisdictions. This means that we need to continue to educate the community about the risks of drug driving and also the consequences of taking drugs and then continuing to drive.

There is continuing scientific research on how long these drugs remain detectable in your system and for how long they can cause impairment. This is an uncertain area of science. Again, because of the illegal nature of these drugs, there has been limited research in this space. There is limited scientific evidence. But I want to be very clear that if cannabis is decriminalised in the ACT, clearly we will need to be very deliberate in educating the community about the risks of consuming cannabis and driving.

Waste—green bins

MR PETTERSSON: My question is to the Minister for City Services. Can the minister please update the Assembly on the rollout of the green bins program?

MR STEEL: I thank Mr Pettersson for his question. I am delighted that the ACT government is delivering better services, and earlier, to the Canberra community. I was pleased to announce in January that the full rollout of the green bins program to all Canberra suburbs has been brought forward, with collections starting from April. Households in these new suburbs will start receiving their green bins from 25 February, ready for collections starting in April. Canberrans in the new areas have adopted the green bins with enthusiasm. I strongly encourage any households wanting to register for a green bin to go to the website, actgreenwastebin.com.au.

Green bins save time and money, provide high quality compost products for landscaping, and divert waste from going into landfill. The green bin program has proved incredibly popular with ACT residents. Once the rollout is complete across the territory, there will probably be changes in collection dates for households already using a green bin to make sure that the collections are as efficient as possible. We will keep the community updated on any changes as we continue to roll out better services for our growing city.

MR PETTERSSON: Minister, how is the rollout schedule of green bins in the ACT progressing?

MR STEEL: I thank the member for his supplementary. As a result of the hard work by the team at ACT NoWaste and also JJ Richards and SULO we have started collections early across the whole of Canberra. There have now been 50,000 registrations for green bins across the ACT, including 9,000 in the areas of Gungahlin, the inner north, the inner south, Woden and Molonglo.

The contamination rate of the green bins has been only 0.01 per cent by weight, which is an outstanding performance and reflects the commitment by Canberra residents to using their green bins correctly.

The contents of around 300 bins are checked every week with friendly labels to encourage proper use. Education officers have been completing follow-ups with any households showing contamination in their bins to ensure it is removed before the next collection. This process has been working. As of yet no fines have been issued and just two bins have been returned.

MS ORR: Can the minister please advise the Assembly about how the green bins program is helping to reduce waste in the ACT?

MR STEEL: I thank Ms Orr for her supplementary. There are a few reasons why the government is rolling out the green bin program. Firstly, the green bins are helping Canberra households to maintain their gardens and retain the character of our bush capital. But also, importantly, by rolling out a large-scale garden organics collection service we are reducing the amount of waste going into landfill, turning into methane and contributing to climate change. The green waste collected is instead processed into high quality mulch and compost for landscaping.

As of December 2018, 6,277 tonnes of organic garden waste have been collected from green bins since the pilot commenced in April 2017. While the green bin program provides kerbside collection for garden waste only, we will continue to look at how we can use the bins as a vessel to support other types of waste collection in the future, like food organic waste.

Crime—motorcycle gangs

MR WALL: My question is to the minister for police. Minister, Victoria Police made a submission to a federal royal commission that stated:

Victoria Police has identified Outlaw Motor Cycle Gang (OMCG) members being used by union officials as ‘hired muscle’ for debt collection, with ‘standover’ tactics used to intimidate victims. Victoria Police intelligence has identified a number of known members of OMCGs such as the Rebels MC, the Comancheros MC and the Bandidos MC, being members of trade unions, participating in industrial activities such as strikes and picket lines, or engaged in ‘debt collecting’.

Minister, has ACT Policing identified any similar links of OMCG members being members of unions in the ACT, as they were in Victoria?

MR GENTLEMAN: I thank Mr Wall for the question. The police have not briefed me on any connection between union membership and criminal gang activity. I will say that ACT Policing are tackling the issue of serious criminal gangs, and they are doing this because of the resources provided by the government, along with the enhanced legislative powers that the Attorney-General has shepherded through this

place. It is the opposition and Mr Hanson that voted to stop an additional \$1.6 million being provided to ACT police in the most recent budget. Without support from the ACT government, ACT Policing's Taskforce Nemesis would not have achieved the success that they have. Over the past year, ACT police have laid 78 charges against 29 criminal gang members and have executed 101 search warrants. Since the beginning of last year, Taskforce Nemesis have seized 1,480 rounds of ammunition, 20 weapons and two vehicles relating to criminal gang activity. I can assure you, Madam Speaker, that the government is taking this activity very seriously.

As well as providing additional resources, the government has also acted to strengthen our laws, and we will continue working to tackle these serious criminal gang activities. Unlike those opposite, our approach to serious criminal gangs is not just to have a go. It is to work with the experts to deliver change that will help to tackle these serious criminal gangs. We have indeed resourced ACT Policing, and they have been successful. We have also instituted tougher penalties for drive-by shootings, including a specific offence with a maximum penalty of 10 years imprisonment. We have provided new powers to ACT police to preserve evidence in a timely manner. *(Time expired.)*

MR WALL: Minister, has ACT Policing identified any outlaw motorcycle gang members as being members of trade unions and participating in industrial activities as they were in Victoria?

MR GENTLEMAN: As I said, I have not been briefed on any connection between union activity and outlaw motorcycle gangs. The ACT police are doing a fantastic job in ensuring they can keep criminal gang activity down. I congratulate them on the incredible work that they have done over past years. We will continue to resource ACT Policing as best we can, particularly in regard to criminal gang activity. That resourcing will—

Mr Wall: Pass the consorting laws. That is within your power.

MADAM SPEAKER: Mr Wall!

MR GENTLEMAN: That resourcing is taking effect. In regard to Mr Wall's interjection on particular laws, I refer him to the Chief Police Officer's statements where he said that no particular single law will be just as effective. We need to take a range of actions. They will be working with government to ensure the reduction of criminal gang activity across the ACT. Those efforts are being successful.

MR HANSON: Minister, has any investigation into this issue been undertaken by ACT Policing or any other body given that bikie gangs are now moving to Canberra due to our weak bikie law?

MR GENTLEMAN: There has been no brief to me about any of that associated activity that Mr Hanson insinuates is going on. In regard to bikies moving to the ACT, the Chief Police Officer has advised me and the press that there are no extra bikies in the ACT. It has been the same number over the past couple of years.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, you will get your chance for a question.

MR GENTLEMAN: What is occurring is simply a patching over and re-allegiance with a different group. ACT police have acted very successfully in ensuring not only that we have some 25 per cent of criminal gangs behind bars but that we have a further 20 to 25 per cent facing the courts and ready to be locked up.

Legislation—human rights

MR HANSON: My question is to the Attorney-General. Attorney, you have stated on many occasions that the reason for your opposition to anti-consorting laws is the human rights considerations. The editorial in the Canberra Times on 16 September states:

The human rights values of the few shouldn't override the ... safety of the rest of the community.

Attorney, why do you continue to put the rights of the few over the safety of the rest of the community?

MR RAMSAY: I will answer the question clearly and succinctly: we do not. On the accuracy of the quotation, I commented yesterday that the Canberra Liberals like to quote things selectively and choose the particular words that suit them. Let me say it once again: there are two things that have guided our work all the way through on this law and on other laws. One certainly is the human rights implications. We will not step away from the fact that our jurisdiction is a proud human rights jurisdiction. In fact we have had it reinforced to us, including through ACT Policing, that our human rights stance enhances the way this community works, which makes us a safer community.

The second thing is that we have always said that the guiding principle will be that we will make sure that laws are effective—human rights and effective. What we have said over and over again, and I repeat for the Canberra Liberals very clearly today, is that we will not provide laws that the evidence says are not effective. We have no intention to provide ineffective laws. Again, I draw attention to the New South Wales Ombudsman's report and to the work that has been done through Bond University and others. Anti-consorting laws and the criminal organisation control orders that are lifted so confidently as something that would wipe out the problems here are simply not effective laws. We will not provide ineffective laws.

MR HANSON: Attorney-General, what assessment has been made by the government of the impact on human rights under section 9 and section 18 of the Human Rights Act, that is, the rights to life, freedom and security of the person, by failing to introduce anti-consorting laws?

MR RAMSAY: When responses are being considered, as the shadow attorney-general I would hope is aware, it is indeed a balancing matter when it comes to working through the various human rights. What I have said before is that, with the dual way of looking at matters, both in terms of the human rights and in terms of the effectiveness, when any piece of legislation comes through, I will consider the advice and provide the human rights compatibility statement before a piece of legislation is tabled in the Assembly. It does form part of the considerations along the way.

Let me remind the Assembly of the laws that we have introduced that have had a significant impact: the anti-fortification laws, the crime scene powers and the drive-by shooting offence. The crime scene powers, which we worked through carefully, having regard to the human rights implications and the balancing of the human rights implications, are effective laws and have been used very effectively and very well by Taskforce Nemesis.

Again can I place on record my profound respect for the way that Taskforce Nemesis and ACT Policing are working with the increased powers that we have provided. We are providing further work across the nationally consistent laws, with the unexplained wealth provisions. I was very pleased recently to sign up to the intergovernmental agreement, on behalf of the ACT government, extending the commonwealth unexplained wealth law provisions. We are currently working on an ACT-based unexplained wealth law. So there is a continued rollout. We will attack the problem that is there, and we will provide effective laws that are human rights compliant.

MRS JONES: Minister, what distinction is made by you between the rights of outlaw bikie gang members as opposed to the rights of innocent members of the community—like those whose homes and cars have been mistakenly fire bombed or shot into because bikie members used to live in those homes—whose lives have been put in danger?

MR RAMSAY: Not only was there a question but two or three interjections have referred to five bikie gangs. It is important for us to make sure there is a correct statement—

Mrs Jones: Point of order, Madam Speaker. The question was about the distinction between the rights of outlaw bikie gang members as opposed to innocent members of the community. It had nothing to do with interjections.

Mr Hanson: On the point of order—stop the clock—to back up Mrs Jones, the minister cannot talk about an interjection that was made during a previous question in answer to a question before the Assembly now.

MADAM SPEAKER: Is there a point of order?

Mrs Jones: It is on relevance.

Mr Hanson: Relevance, of course.

MADAM SPEAKER: Being 20 seconds into the answer I think the minister—

Members interjecting—

MADAM SPEAKER: Members on both sides of the chamber!

Mr Hanson: It's got to be relevant.

MADAM SPEAKER: I do not need any more guidance from you, Mr Hanson. The attorney was 20 seconds into his answer. He is free to answer the question as he likes as long as it contains policy subject matter relevant to the question. Attorney.

MR RAMSAY: Thank you, Madam Speaker. Noting that the question specifically asked about balancing the rights of members of the community with supposed rights of bikies let me make sure that the opposition is aware of how many bikie gangs there are in the ACT. It has been said on numerous occasions today by the other side that there are five. It is important that this misinformation is corrected.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson! One more time and you will be warned. Attorney.

MR RAMSAY: If the Canberra Liberals are serious about this matter they should not be afraid of having their misinformation corrected for the sake of the awareness of this Assembly and the broader community.

Mrs Jones: A point of order, Madam Speaker. Is the clock able to be stopped?

MADAM SPEAKER: My call.

Mrs Jones: May I ask that the clock be stopped, please?

MADAM SPEAKER: It is the Speaker's call.

Mrs Jones: I am asking: can you please—

MADAM SPEAKER: I will stop the clock, but what is your point of order, Mrs Jones?

Mrs Jones: The point of order is on relevance. We are now down to 30 seconds left for the answer to this question. We have not yet heard anything relevant to the question, which was: how does the minister balance the rights of outlaw bikie gang members as opposed to innocent members of the community? That has not yet been even touched on by the minister.

Mr Rattenbury: Madam Speaker, on the issue of the application of standing orders, I note that the standing orders prevent interjection, and the attorney has been interjected against repeatedly.

Members interjecting—

MADAM SPEAKER: Members! Mrs Jones, are you going back to the point of order on relevance?

Mrs Jones: Yes, the point of order on relevance is nothing to do with interjections. The point of order I am making is that we do not yet know anything about what the minister thinks about a very important matter in the human rights jurisdiction, which is the balance between the human rights—

MADAM SPEAKER: Mrs Jones, please resume your seat.

Mrs Jones: of people who are committed to criminal activity—

MADAM SPEAKER: Resume your seat, Mrs Jones! I am not going to rule on the point of order. The attorney has been quite clear in a comprehensive response to this question and others before what his view is around human rights compliance and the framework in which human rights in this territory operate. If you stand again on the same point of order on which I have just ruled I will warn you, Mrs Jones.

And in reference to Mr Rattenbury's point of order, I would say that we have one more question left so can we get through that without interjections.

Mrs Jones: On your ruling, Madam Speaker, I would like to ask how the minister has answered on the difference—

MADAM SPEAKER: I have made my ruling, Mrs Jones. You are now warned. Please sit down. Did you have anything to add, attorney?

MR RAMSAY: I am delighted to add to this as it is an important area. This demonstrates that there is a misunderstanding of the way human rights balances are made. It is not a matter of balancing a person's human rights versus another person's human rights; it is a matter of looking across the breadth of the policy work and the breadth of the implications across the ACT. As to the way I form my view—noting that of course that the opposition would not possibly be asking me for a personal opinion on this matter—in terms of it being a policy, I will take advice from the Human Rights Commission, the Government Solicitor and the directorate which has a human rights area offering advice on each piece of legislation I consider.

Education—Chromebooks

MS CHEYNE: My question is to the Minister for Education and Early Childhood Development. Minister, can you update the Assembly on the rollout of Chromebooks in public schools?

MS BERRY: Thank you, Ms Cheyne, for the question. Last week I was very happy to join students at Mount Stromlo High School to assist with the continued distribution of Chromebook devices to public school students in the ACT. This has

been a really important initiative which commenced last year and is providing every public secondary school student with access to a fast, robust, ACER Spin 11 Chromebook.

In addition to the 14,886 devices that were issued to year 7 to year 11 public high school students last year, the government expects to provide a further 4,200 Chromebooks to students in 2019 to students who enter year 7 in 2019 as well as students entering years 8 to 12 who are new to the ACT public secondary system.

In 2016, the ACT government went to the election with a commitment to increase access to technology to all public secondary school students by providing them with their own computer. We have been getting those devices out into the hands of students. In 2017-18 in the budget, the ACT government provisioned \$17.2 million to deliver these devices to students over four years.

The government's implementation of this initiative has been highly successful. I thank the Education Directorate for their work on it.

MS CHEYNE: Minister, why is this initiative so important?

MS BERRY: The government fundamentally believes in education equity, for every child and young person to have the equal opportunity to access a great education. The ACT government is committed to pulling down the barriers that occur and to ensure that our modern world technology is an unavoidable and vital part of a student's learning environment.

These devices are the textbooks of today. The government is making sure that every public secondary student has the learning tools they need to access their education. In today's schools, a significant part of learning happens digitally, especially in the secondary school context. Students use these devices to develop the capacity to analyse information, solve problems and communicate in a high digital society in line with the objectives of the Australian curriculum, which requires students to understand how to operate effectively in a digital world.

ACT government schools are also responsible for helping students to develop into responsible, literate and knowledgeable digital citizens. The government's nation-leading investment in public school IT infrastructure is making sure that this occurs. Family circumstances should not matter. Students should have equal access to technology-based learning. Because of this government, in public schools this is the case.

MS CODY: Minister, what is this initiative achieving?

MS BERRY: It is clear that this initiative is making a contribution to the ACT's high quality public education system. From the beginning of this year every public secondary student was provided with a Chromebook at no cost to their family. I have had parents remark to me how important this is in helping them meet back-to-school costs. I cannot understate how much this matters. Family circumstances should never get in the way of life-changing educational equity. Just as they need text books,

secondary students need access to a personal computer every day. The government is making sure that this happens.

The Chromebooks also align seamlessly with Google applications for education and will ensure that all students are using a safe and easily managed platform. Students using the same devices means that teachers can focus on improving learning outcomes and teaching with products that they are familiar with, without the distraction of having to learn across a whole lot of different and new technologies.

The ACT's investment in technology-enabled learning is vital to equipping students with the skills that they will need for work now and into the future, where knowing how to code, for example, is becoming a skill many employers seek, alongside capabilities like communication, problem solving and analysis. As this initiative and others like the future skills academy continue to be rolled out, the government is giving every student access to learn the skills they need for now and into the future.

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

Supplementary answer to question without notice Homelessness—services

MS BERRY: During question time yesterday, I provided an update on specialist homelessness services available over the Christmas and new year period. For the record, OneLink was closed on public holidays during this period, and the Blue Door was closed on public holidays and on 31 December 2018.

Papers

Madam Speaker presented the following paper:

Committee Reports—Schedule of Government Responses—Ninth Assembly, as at 16 January 2019.

Mr Gentleman presented the following paper:

Petition which does not conform with the standing orders—Canberra Sexual Health Centre—Ms J Burch (354 signatures).

Children and young people—services

Debate resumed.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (3.17): I thank Mrs Kikkert for bringing forward this motion and for providing the opportunity for us to discuss the very important middle years for children and young people. I move the amendment circulated in my name:

In paragraph (6)(b), omit: “demonstrate that commitment by identifying and including specific provisions in the 2019-2020 ACT Budget that address important issues facing those in middle childhood, including giving”, substitute: “give”.

This is a minimal amendment to clarify that the Assembly is not seeking to direct the executive in regard to the budget. I note that this is consistent with Mrs Kikkert’s earlier remarks in relation to her own motion.

Mrs Kikkert highlighted, through the motion, the important community consultation process that the government undertakes in preparing the annual territory budget. This motion quotes and summarises a number of the submissions received through the community consultation process. I do not intend to go through each of the points made in the very long motion—

Mrs Kikkert: And important.

MS STEPHEN-SMITH: Very important—noting that some of the factual information presented has been taken out of context, and some of it does not reflect Australian data. But that would be nitpicking. This is a very important topic. It is very important that the Assembly has the opportunity to discuss the importance of the middle years, and the importance of the territory budget community consultation process.

The government opened the community consultation on the 2019 budget in August 2018 and took submissions for three months. Over 140 local community groups, service providers and individuals made submissions through this annual process. The government gives consideration to all submissions lodged when it is preparing the ACT budget.

A number of community submissions for the 2019-20 budget, including those noted in this motion, focused on how services can better support children and young people in the middle years. These organisations are vital partners with the ACT government. Canberra PCYC, for example, is an important partner in supporting some of Canberra’s most vulnerable young people. The ACT government funds PCYC and a number of other community organisations to deliver a range of supports to young people, including intensive diversion, group programs and case management.

I would also note in particular organisations such as Families ACT and the Youth Coalition, and acknowledge their work and advocacy in bringing together the latest research and policy thinking on the middle years in the ACT context.

Over the last two years we have been working closely with the community sector to consider how services can better support children and young people in the middle years and how the system can shift towards providing early support before children, young people and families reach crisis.

In 2017, as Mrs Kikkert acknowledged, the ACT government supported Families ACT to host two middle-years forums, in February and November, bringing together experts from the research, education, medical and community sectors to discuss how children develop between the ages of eight and 12. These forums were very well attended and generated both conversations and action within the community sector. One of the things that both Families ACT and the Youth Coalition have emphasised is the importance of evidence-informed responses and the need to focus on early intervention and support.

In the 2017-18 budget review the ACT government committed more than \$1½ million over two years to commence the early intervention by design project, described in the budget papers as “early intervention for vulnerable children and their families”. As we have worked with the community sector and service users, this project has been renamed “early support”, reflecting the negative connotations that are often associated with the word “intervention”, particularly in Aboriginal and Torres Strait Islander communities.

The early support initiative is a 10-year cross-government plan to shift the ACT’s human services system from a crisis focus to one that prioritises and enhances wellbeing through increased support early in the life of an issue. Early support is built on a basis of evidence, gathered both nationally and internationally, demonstrating the positive impact of early support on whole-of-life outcomes.

Through the early support initiative, the ACT government aims to realise a system where young people are able to access meaningful assistance when they need it, through services that work with them holistically, in the context of family and community.

The early support initiative is based on extensive engagement and existing evidence about what works best for families and children. As part of this initiative the government will be looking at a co-production approach between directorates in the human services cluster—that is, Community Services, Education, Health, and Justice and Community Safety—and our community sector partners, and, importantly, with children, young people and their families. Next week I will give a ministerial statement on my recent trip to the UK and Ireland. This was something that was a key focus of that trip as well.

As part of this initiative we have been working with the community and have been undertaking our own research into the needs of young people who may find themselves in a position of vulnerability. This extensive research and engagement with community sector partners is building the strong partnerships that we need to support a more integrated service delivery approach in the future.

It is also critical to listen to the voices of young people and understand their lived experience. That is why the government has supported the Australian Catholic University research that Mrs Kikkert referred to in her contribution. The ACT youth assembly also considered the issue of homelessness and has made recommendations to the government. The voices of children and young people will continue to inform

the considered approach this government will take to the provision of services to young people at risk.

It is important to note, however, that we are not starting this early support journey from scratch. The early support approach is already part of existing government supports and services for children and young people. ACT government initiatives include the blueprint for youth justice in the ACT 2012–22, which has achieved significant reductions in the interaction of young people with the justice system. The progress report for the blueprint has acknowledged that intervening early is the most effective way of preventing youth from offending. That is what we have seen with our diversion programs that are already in place.

A task force was established in 2017 with key youth justice stakeholders to monitor progress, identify emerging issues and establish the direction for the next four years of the blueprint. The task force has been considering research, policy papers and expert advice on a range of issues and emerging challenges, as well as consulting with key stakeholders across the community.

Providing better support for young people in the middle years, identified as eight to 15 years by the task force, has been a key focus of the task force's deliberations over the last year, as was highlighted in its progress report which I tabled last year, and I expect to receive the final report from the task force in the next few weeks.

The government already funds a range of programs, including youth engagement services, through the child, youth and family support program. Consideration has been given to how these services might support children during the middle years. Historically, youth engagement services under this program have been targeted to young people aged 12 to 25 years, which covers some of the middle years range. But as awareness of the issues being faced by eight to 12-year-olds continues to grow, so have the conversations with CYFSP-funded providers surrounding appropriate services and supports for this age group.

For example, as Mrs Kikkert also noted, Canberra PCYC has recently lowered its intake age for group programs, and Menslink has lowered its intake age for counselling services. The ACT government will continue to support services and programs aimed at assisting children and families in these critical middle years.

In regard to homelessness specifically, the ACT government provides over \$20 million per year for 48 programs aimed at those who are either homeless or at risk of homelessness. This includes around 350 accommodation places. Whilst some programs are aimed at specific cohorts—for example, single men—the majority of these accommodation places and supports are targeted at families which include young people and children.

It is the case, however, that the majority of specialist homelessness services provide a crisis response to individuals aged 16 years and over who are presenting alone. Nevertheless, there are three youth specialist homelessness services—the Barnardos youth identified accommodation and support program, the CatholicCare youth housing support service and the Conflict Resolution Service family tree house crisis mediation service—which are able to provide crisis accommodation and support to

people as young as 15 and are funded as part of the specialist homelessness services sector.

These programs provide a range of support services, including family mediation, to keep young people at home if it is safe to do so, facilitating alternative accommodation options with a family member or friend, and provision of outreach and other supports such as financial support, tenancy assistance and assistance to find and maintain alternative accommodation.

As outlined in the Australian Catholic University report on the experiences of children and young people, some children and young people who are homeless or find themselves at risk of homelessness as a result of not feeling safe in their own home do receive support from child and youth protection services. But we need to acknowledge that young people will not always appreciate or want to be supported by child protection, and in some cases they will not meet the threshold for child protection support. These young people, early teenagers, often face very complex circumstances where they are making decisions for themselves that may or may not be in their best interests, but we need to respect their voice in the process as well.

Mrs Kikkert spoke about the importance of data in informing policy and understanding its effectiveness. In this context data collected through the education system is highly relevant. The ACT government is, of course, committed to the wellbeing and health of all children and young people in the ACT, and the Education Directorate and individual schools are absolutely critical in delivering on this outcome.

This commitment includes a focus on the provision of safe and inclusive learning environments with a focus on wellbeing, personalised learning pathways, collaboration and partnerships. This is reflected in the future of education strategy, which articulates the aim to enhance student wellbeing and psychological supports to ensure students are resilient and equipped for the future.

The future of education strategy identifies middle years as an area of priority focus, reviewing and building upon existing policies, supports and practices that enhance personalised learning, student agency and 21st century capabilities, particularly with regard to the learning needs in the middle and older years.

As I stated earlier, this government has heard and understands the need for evidence-based and evidence-informed responses. The Education Directorate collects a range of student wellbeing data through the annual student survey, and information collected is regularly reviewed and added to as necessary.

I am pleased to inform the Assembly that I understand that the Education Directorate has met with Families ACT and has identified two questions in relation to student wellbeing that are suitable to be included alongside existing data collected on student wellbeing, including for the middle years.

I acknowledge that there is more to do, particularly to support the most vulnerable children and families in our community, which is why the ACT government has been undertaking work such as the early support initiative, with a focus on the middle years.

It is also why A step up for our kids has such a strong focus on early intervention, prevention and supporting families to stay together wherever possible.

Again I thank Mrs Kikkert for bringing forward this motion and look forward to proving further updates to the Assembly on this important work in the future.

MS LE COUTEUR (Murrumbidgee) (3.30): I thank Mrs Kikkert for bringing forward this motion. I note the amendment put forward by Minister Stephen-Smith, which I support. Of course it is right that we need to focus on children aged between eight and 12 or older because these are the kids that have traditionally and historically fallen through the gaps of a range of service systems.

Over the years there has been much focus on younger children and the early years, as should be the case, and also on older kids aged 18 or older who are eligible for a range of services, although arguably we should not call them kids anymore. The middle years are an important period in child development and can be affected by a range of influences, including how they are going at school, whether they are experiencing bullying, what is happening in their family home and/or whether they have stable accommodation.

Although it is debatable at what age children or young people are most likely to experience bullying, the research I have come across indicates that, at whatever age it occurs, the impacts can be devastating. A national study undertaken in 2009 indicated that one in four—actually 27 per cent—year 4 to year 9 Australian students reported being bullied every few weeks or more often and that peers are present as onlookers in 85 per cent of bully interactions and play a central role in the bullying process. And for a local context we just need to think about question time today, where bullying was a substantial focus.

One in four kids have been bullied—I personally suspect it is higher—and more than eight out of every 10 kids have stood by and witnessed it. Notwithstanding that different studies use different methodologies and research design and that there are varied reporting and data collection tools, we can be pretty sure this is a significant issue affecting today's young people.

The impacts of such bullying include the development of mental health issues such as depression and anxiety—which are on the rise in young people—or worse; disengaging from school; or engaging in self-harm and suicidal behaviour, which for some could lead to homelessness. There is no question that bullying must be addressed.

Teachers and adults working with young children should be trained to identify, understand and successfully manage bullying episodes. Assessment of bullying in schools should reflect the age group of the children or adolescents involved and should focus on different forms of bullying that can occur at all ages. We must be aware that different age groups require more intensive prevention and intervention efforts and may require increased focus on specific forms of bullying.

Government education policies need to ensure prevention and intervention programs are instituted within primary and secondary schools to ensure bullying behaviours and aggressive interaction patterns are addressed before they become entrenched. That is linked to, of course, the delivery of respectful relationships education in schools, something I have been on about since the beginning of the Ninth Assembly.

I note the call from the Youth Coalition of the ACT to prevent child homelessness. Indeed, they have been active in their lobbying, and my Greens colleagues and I met with them recently. The issues they raise have been around for a long time. The service model put forward by the coalition in partnership with ACTCOSS and ACT Shelter expands this spectrum of support from early intervention to tertiary prevention. Their submission rightfully points out that family conflict and breakdown is the primary risk factor leading to child and youth homelessness. Too many of our children witness family violence or are victims of it.

Research by the University of Western Australia on the cost of youth homelessness indicates that over a third—39 per cent—of homeless youth surveyed reported police coming to their home because of violence between parents on one or more occasions with 14 per cent experiencing police coming to their house more than 10 times. Indeed, we know from other research that as many as one in four young people have witnessed family violence in the home by the time they are 16 years of age.

For this reason it is right that the Youth Coalition stresses that the model's central aim is to strengthen family functioning, including parenting capacity and parent-child relationships. Working on the dynamics of the family can support children to remain with their family or, if that is not possible, can contribute to maintaining a less conflictual relationship with family whilst safe temporary and long-term accommodation options are provided.

The other thing I add is that children in homelessness support services with a parent should be considered and funded as clients in their own right. That way their needs are considered separately to the needs of their parents, and their needs may well be different. As Dr Suzanne Packer said after becoming Senior Australian of the Year, we have to consider children as a group requiring focus in and of themselves. It is all very well and good to focus on family—and we should—but not at the expense of the child.

Children are amongst the most vulnerable in our community, and some children are more vulnerable than others. Think of the children and young people who are carers; we have more than a thousand of them under 15 in the ACT. Think of the children who have a parent who is incarcerated, and think of Aboriginal and Torres Strait Islander children who are over-represented in out of home care and the juvenile justice systems. They all need special consideration.

There is, too, a need to cast a gender lens across programs and policies because the issues can be different according to gender. If we do not look at it, we may not find it. For instance, girls of puberty age and onwards drop off in their engagement in sports. Team sports can play a positive role in personal development, confidence building

and holistic wellbeing and can be a preventative factor in the development of more serious issues.

Fourteen per cent of Australian children and adolescents aged 12 to 17 years have mental health problems. Some research suggests that boys are slightly more likely to experience mental health problems, whereas girls are more likely to develop post-traumatic stress disorder than boys, and we know all too well the significantly higher rates of mental health issues for children and young people who identify as transgender.

The point is that research has been done that shows that, deep inside the brain, reactions to immense stress are dissimilar between girls and boys, which means that trauma or great stress could lead to different teen mental health diagnoses depending on gender and could require separate types of treatments for the same experience. Perhaps this means that supported accommodation options should also be gender specific.

It is important of course to realise that the government alone will never solve all problems; it is simply not possible. Solving the problems experienced by eight to 15-year-olds will include working hand in hand with the community to change society and to change focus. Solutions have to be multifaceted and involve the community primarily.

It is equally important to consider the views put forward by the community in the budget submission process because this gives us an on-the-ground view of what is needed. This is particularly the case for peak bodies such as ACTCOSS, the Youth Coalition and ACT Shelter, who represent numerous service providers who are in turn informed by the very people they are providing services to. Any good government would do that, and I have faith that this government will give due consideration to the issues peak bodies and community associations raise in the community budget consultation process.

As someone who has been a frequent flyer in terms of membership of the estimates committee, I can say that I have seen the impact of community budget submissions on subsequent budgets, and that is very heartening. I support this motion as amended.

MRS KIKKERT (Ginninderra) (3.40): I thank those who have spoken in favour of this motion and its intent and I am grateful for the opportunity to move it. I especially want to thank all those in our community who work tirelessly to support the ACT's children and young people in so many ways. This includes peak bodies like the Youth Coalition and Families ACT, but it also includes a whole assortment of other NGOs, community service providers and organisations such as the PCYC.

Every single Canberran who does something to strengthen, protect, support or inspire a child is engaged in work of great importance. I am convinced that improving services and programs for the territory's children and young people in the middle years is the right thing to do. The research from both Australia and abroad is clear: the future wellbeing of a significant number of youth depends on getting this right.

As the Australian Child Wellbeing Project found when it researched the middle years, occurrences of low wellbeing tend to be concentrated in groups of young people who are recognised as marginalised: young people with a disability, young carers, materially disadvantaged young people, culturally and linguistically diverse young people, Indigenous young people and young people in out of home care. It is also those, as I noted earlier, who have experienced family conflict and breakdown. In other words, to take seriously the middle years is to take seriously the most vulnerable amongst us, and we must do so before the problems become too complex to solve.

This is the prudent and compassionate path for a government to pursue. It is the very meaning of the term “early intervention”, a principle the Canberra Liberals are thoroughly committed to. I find it disappointing that those opposite are happy to call upon the ACT government to make a formal commitment to improving services and programs for the territory’s children and young people in the middle but see no need for this government to actually demonstrate that commitment with specific provisions in the upcoming budget.

A formal commitment that is not backed up by genuine action is worthless, as everyone in this chamber knows. We have unfortunately had far too many such commitments in the past in this space, with successive Labor-Greens governments, with one clear example being pledging to take meaningful action on youth homelessness but not actually doing much at all. The problem is still with us, unaddressed and unresolved.

I put this government on notice that stakeholders, front-line workers, the Canberra Liberals and I will all be looking closely at the 2019-20 ACT budget. We all expect to see specific provisions in that budget that address important issues facing those in middle childhood. In their absence, we will be demanding a clear explanation as to why. Once again I commend this motion to the Assembly.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Environment—Murray-Darling Basin

MS CHEYNE (Ginninderra) (3.44): I move:

That this Assembly:

- (1) acknowledges the significance of the Murray-Darling Basin, including its:
 - (a) multi-jurisdictional importance and contribution as the largest river system in Australia;
 - (b) finite water resources; and
 - (c) historical and cultural meaning;
- (2) notes in particular the importance the Murray-Darling Basin has for, and in, the Australian Capital Territory, namely:

- (a) the ACT is wholly situated within the Murrumbidgee River Catchment, which feeds into the Murray-Darling Basin;
 - (b) Canberra is the largest population centre within the Basin; and
 - (c) its contribution to the ACT's security of water supply;
- (3) notes with concern:
- (a) the grave issues raised in the South Australian *Murray-Darling Basin Royal Commission Report* regarding the negligence and maladministration from the Murray-Darling Basin Authority and Federal Government including, but not limited to:
 - (i) failing to ensure the Murray-Darling Basin Plan was lawful;
 - (ii) contributing to further issues regarding climate change and the impact of this on communities;
 - (iii) ignoring scientific knowledge in making decisions; and
 - (iv) a predilection for secrecy;
 - (b) the massive fish kills in the Murray-Darling river system, in particular at Menindee in summer 2018-19;
 - (c) the public funding cuts to water science and research; and
 - (d) the impacts of the dramatic changes in water supply on communities throughout Australia;
- (4) acknowledges the ACT Government's actions to contribute to healthy waterways, including:
- (a) being an active and responsible participant in managing the resources of the Murray-Darling Basin;
 - (b) the depth of the *ACT Water Strategy 2014-44: Striking the Balance* in managing water in the ACT and the resulting report card for Implementation Plan One;
 - (c) maintaining the health of the Murrumbidgee River system; and
 - (d) that water use in the ACT is such that much of the water is returned to the Molonglo River, on to the Murrumbidgee River and eventually into the Murray-Darling system;
- (5) commends the ACT Healthy Waterways initiative, noting the contribution it is making in improving water quality throughout the ACT and delivering improved amenity and environment for Canberrans; and
- (6) calls on all Members of the ACT Legislative Assembly to:
- (a) condemn the maladministration of the Murray-Darling Basin; and
 - (b) support the ACT Government's actions in respect to the Murray-Darling Basin.

Water is essential to the life of every single person in this city and every single person in this country and, indeed, in this world. But yet again, thanks to the actions of others, the ACT's water supply is under threat. Last year I stood up in this chamber and condemned the New South Wales government's reckless decision to protect feral

horses in Kosciuszko National Park, a decision that threatens the vast majority of Canberra's drinking water, as well as our pristine national parkland.

Today, regrettably, I have to rise yet again to condemn the maladministration of the Murray-Darling Basin, a river system that, like Kosciuszko National Park, crosses multiple jurisdictions, including ours. The shocking mass fish deaths at Menindee and Lake Hume might feel like another world away, but the significance of the Murray-Darling Basin to Canberra's water health and security is much closer to home.

We should all be concerned about the findings stemming from the South Australian Murray-Darling Basin Royal Commission. Both the negligence demonstrated by the Murray-Darling Basin Authority and the federal government's inability to lawfully and productively safeguard Australia's largest river system are shocking, to say the least.

It will not surprise me if some members on the other side of this chamber are tempted to, as they often do, throw their hands in the air at what they perceive to be another motion calling out the actions of another jurisdiction, but they continually need to be reminded that the actions of other governments do impact on us, and we do have a responsibility to our constituents and to our environment to stand up when other jurisdictions or authorities make decisions that negatively affect us.

Like feral horses, water does not recognise borders. The Murray-Darling Basin traverses five states and territories, including the ACT. Canberra happens to be the largest population centre in the basin. Our territory is wholly situated in the Murrumbidgee River catchment, and this catchment of course feeds into the Murray-Darling Basin. As a result, ACT waterways and Australia's largest river system are intrinsically linked. Mismanagement of the Murray-Darling Basin impacts on the security of our water. Likewise, our actions in maintaining healthy waterways and managing water resources directly impact on the river network.

We were all shocked at the scale of the mass fish deaths in the Darling River at Menindee and Lake Hume. Millions of fish have been killed as a result of a toxic algal bloom. Footage of the big, bloated carcasses of the native and critically endangered Murray cod have gone viral. The ghastly sight and smell of these dead fish was enough to make one politician vomit. Meanwhile, many Menindee residents face muddy tap water and the stench worsening immediately after the mass fish deaths. As the ABC reported last month, one resident described her bathroom water as green and said the smell was enough to make her vomit in the shower.

The federal Department of the Environment and Energy has linked the unprecedented fish deaths and worsening river health to the drought and consequent changes to water temperatures, but numerous experts say these fish deaths were preventable. One such expert is Australian National University Professor John Williams, who has co-authored a paper on the health of the Murray-Darling Basin. Speaking to the ABC, Professor Williams said too much water was being removed from the northern basin and that irrigators needed to reduce their water intake by 40 per cent.

Further, a report by the Australia Institute has linked fish deaths to decisions made by the Murray-Darling Basin Authority based on instructions from the New South Wales government. As the institute's senior water researcher, Maryanne Slattery, told the *Guardian*:

It is clear what has caused the Darling River fish kill—mismanagement and repeated policy failure ... To blame the fish kill on the drought is a cop-out, it is because water releases were made from the lakes when this simply shouldn't have happened.

While the Darling River's water remains murky, one thing is clear: the Murray-Darling Basin Authority, the federal government and even the New South Wales government have failed the Murray-Darling Basin and the many communities that rely on it.

The South Australian Murray-Darling Basin Royal Commission report released less than a fortnight ago paints an incredibly bleak picture of negligence and maladministration from the authority and the Australian government; a failure to ensure the Murray-Darling plan was lawful in terms of the limits placed on the removal of water from the basin for consumptive use, such as irrigation; a failure to use the best available scientific knowledge in developing a sustainable limit on water taken from the basin; and a failure to grasp the real risks of climate change, despite the Water Act and the basin plan specifically mandating that these risks be considered.

It is no wonder that the head of the royal commission, Bret Walker SC, has recommended a complete overhaul of the scheme. His report outlines how the habitual behaviour of the Murray-Darling Basin Authority is marked by an unfathomable predilection for secrecy; how the authority ignored climate change projections for its modelling of the basin plan, meaning it was not based on the best available scientific knowledge; and how the authority never bothered to review climate change for the basin, a decision he described as not only negligent and indefensible but also incomprehensible. Coupled with cuts to water science and research, and the broader implications of a crippling drought on the supply of water to communities across Australia, yet again we have cause for concern.

Back in the ACT, governance fortunately could not be more different. Water security and environmental management have been top priorities for this government for many years. The territory has proven to be proactive and responsible when it comes to maintaining the health of the Murrumbidgee River and managing the resources of the Murray-Darling Basin, so much so that much of the water used in the territory is actually returned to the Molonglo River and then on to the Murrumbidgee River, flowing into the Murray-Darling system.

The ACT water strategy 2014-2044, striking the balance, outlines the government's vision for water management over three decades, including the delivery of a secure water supply and healthy waterways. As part of this strategy, the government aims to ensure that water leaving our borders is of the same quality as, or better quality than, water flowing into the ACT.

The ACT healthy waterways project, which I acknowledge is in conjunction with the federal government, has also made a splash as part of ongoing efforts to improve water quality and the environment across the territory and the broader Murray-Darling Basin. Central to this initiative is the establishment of ponds, wetlands and other types of natural infrastructure designed to reduce the level of nutrients, sediment and pollutants entering our lakes and our waterways.

It is clear our government is committed to working collaboratively with other states to ensure the success of the Murray-Darling Basin. Our actions yet again reflect a broader commitment to ensuring Canberra continues to have a secure supply of clean, safe drinking water, and an environment of which we can all be proud.

Since condemning the careless New South Wales legislation that prioritises feral horses over our pristine national parks and water catchments, the ACT government has taken the extraordinary step of declaring our alpine wetlands endangered, due to the threat posed by this introduced species. As ACT parks and conservation manager Brett McNamara told the *Canberra Times* earlier this month:

... it's absolutely critical that our catchment and the integrity of that catchment is maintained not only for today's generation but also future generations as well.

It is bad enough that our water security is under threat from feral horses, but to then have a threat from another source is making the work of our environmental officers much harder.

I think we can all agree that the Murray-Darling Basin Royal Commission report is sobering, to say the least. It is an investigation that has reinforced grave concerns over the management of our country's most extensive river network, a river that crosses multiple jurisdictions, a river network that is the life blood of so many communities, including ours. I call on members to unite today in condemning the maladministration of the Murray-Darling Basin and to support the ACT government's actions with respect to the river network. We are a government that cares about waterways, and yet again we are taking a stand.

I commend the motion to the Assembly.

MS LEE (Kurrajong) (3.54): Once again it seems the government backbenchers have clearly run out of local issues to talk about, so we have an aspirational motion clearly within the federal political arena. Nevertheless, the Murray-Darling is, of course, of significant importance to Australia. I welcome the opportunity to say a few words on behalf of the Canberra Liberals.

The Murray-Darling is Australia's largest and most complex river system. It supports a \$24 billion annual agriculture industry, nearly 10,000 irrigated agricultural businesses and an \$8 billion tourism industry. It is home to 2.6 million Australians. It is also home to 16 internationally recognised and protected wetlands, 120 waterbird species and 46 native fish species. The Murray-Darling system has strong economic and environmental implications for Australia. Yes, the ACT is a signatory to the

Murray-Darling Basin plan and, yes, we are geographically situated within the Murrumbidgee catchment, which is a tributary of the Murray-Darling.

To put the recent critical royal commission report about water flows into perspective, the report was commissioned by and for the South Australian government. South Australia is the last man on the river totem pole. Historically, it has always been at the mercy of states and communities upstream, and upstream extends all the way to Queensland. Water is shared between New South Wales, Victoria and South Australia under the provisions of the Murray-Darling Basin agreement. Over the years a combination of natural droughts and increased human use of the waterways for agriculture, manufacturing and towns along the river system has led to a decline in the health of the basin system.

The plan was established in 2012, when it was recognised that a formal agreement was needed to manage demands on the water and improve the health of the river system. The aim was to bring the Murray-Darling Basin back to environmental health. The ACT is a signatory to the plan, along with the Australian government and the Queensland, New South Wales, Victorian and South Australian governments. However, the reality is that economic pressures and expansion of agricultural activities, as well as increases in regional populations, have all played a part in bringing great system stress onto it. The current drought has, of course, exacerbated the problem.

Commissioner Bret Walker SC has targeted commonwealth government officials for what he has called gross maladministration, negligence and unlawful actions in drawing up the deal to save the river system. And perhaps there needs to be a reminder for this chamber that it was the former federal Labor government, under then Prime Minister Julia Gillard, who established the plan and approved its structure. It was never likely to be an easy task and it has proven to be so.

Getting states to agree to a fair allocation, to setting aside water for environmental flows at a time of drought, meaning irrigated crops and those businesses and families that depended on them would be denied their ability to produce an income, is not easy. Of course, sensational TV programs added to the already difficult and challenging debate.

Ms Cheyne's motion acknowledges the work of the ACT government and its healthy waterway projects that focus on water quality. However, they are not in the same category as the \$24 billion agriculture industry that depends on the Murray-Darling or the 9,200 irrigated businesses that have been developed.

On that basis, I think it is somewhat of an overstep for the ACT government to be preaching to either the federal government or state governments about what they ought to be doing. As a signatory to the plan, the ACT has an opportunity to put forward suggestions and work collaboratively, but we need to be mindful that it is not our constituents that we are condemning to failed business if we get the balance wrong. Equally, we have to accept that droughts are a consistent and frequent occurrence in the Australian weather pattern and if water is not put into the system through rainfall in the basin or upstream we have to control what is taken out.

Unfortunately for some players, there may never be enough water set aside for irrigation, never enough set aside for environmental flows. And South Australia, by reason of its geography, will always be the last man at the table and wanting more.

The royal commission report provides an opportunity to review current arrangements. What value there is in the ACT symbolically condemning in totality the administration of the plan is questionable. But then again we should not be surprised at the language in this motion, which comes from Ms Cheyne, the member for condemnation. After all, any view that is not hers, in her view, is embarrassing or to be condemned.

MS ORR (Yerrabi) (3.59): I rise in support of Ms Cheyne's motion and I thank her for bringing this important environmental issue forward for discussion. The current situation that we see unfolding along the Murray-Darling Basin is an environmental disaster. Most of us would be aware of the significant role the Murray-Darling plays in sustaining Australia's agricultural sector, as well as maintaining the biodiversity of much of eastern and south-eastern Australia. As it is the largest river system in our country, stretching from Queensland through New South Wales, the ACT, Victoria, and South Australia, these respective governments, along with our federal counterparts, must be held accountable for the efforts they undertake to sustain the vitality of this precious natural resource.

Today I would like to highlight a number of the water quality issues the ACT government is undertaking within my electorate and right across the territory that contribute to the wellbeing of this basin. The ACT healthy waterways project and its waterways sites assisted in improving water quality across the ACT and, in turn, the Murray-Darling Basin. The project reduces overall nutrients and pollutants within our creeks, waterways and lakes that are not feeding into the basin.

Within my electorate of Yerrabi the ACT government has undertaken work to improve the Evatt wetlands and create an established urban catchment. As specified by ACT healthy waterways, the Evatt site includes two wetlands, a sediment pond, a vegetated swale and the rehabilitation of degraded anabranches on two of the sites. It is expected that, through this rehabilitation, close to 17,000 kilograms of pollutants and sediment will be removed before the treated water makes its way into Ginninderra Creek and through to the Murrumbidgee. With 18 other projects similar to Evatt currently underway, the ACT government is playing an important role in keeping our waterways healthy and protecting our environment.

H2OK "keep our waterways healthy" is another initiative that contributes to the management and protection of waterways in the ACT. The initiative focuses on educating Canberrans on the importance of protecting our waterways, including through the "only rain down the stormwater drain campaign". H2OK is operational within the upper Murrumbidgee River catchment and supports Canberrans and our neighbours across the border to change behaviours that may negatively impact water quality around their homes. Both of these initiatives contribute to the ACT government's holistic approach to improving water quality throughout the ACT for the benefit of our local environment and the health of the wider Murray-Darling Basin.

Canberrans can be assured that we are doing our part to maintain the health of the Murrumbidgee River system, which feeds into the Murray-Darling Basin. However, the environmental significance of the Murray-Darling Basin cannot and should not be underestimated. With 120 waterbird and 46 native fish species calling the basin home, the natural habitats within the basin contribute to the strong biodiversity of Australia.

Further, for the wildlife inhabitants of the basin, there are around 15 bioregions, with a vast array of ecosystems that contribute to the natural significance of the Murray-Darling. The Murray-Darling Basin Authority has identified 23 rivers and more than 30,000 wetlands that depend on regular or intermittent water supply. That water supply is decreasing. And real action is required to fix this catastrophic situation.

Along with its environmental significance, the economic activity right across the basin contributes to the nation's economic growth. It is estimated by the Murray-Darling Basin Authority that tourism is worth \$8 billion each year to the communities within the basin. I am sure many Canberrans have visited the natural sights and regional centres that offer fantastic opportunities for recreation and business.

The economic value of tourism is, of course, in addition to the strong farming and agricultural sector that is worth \$24 billion annually. Farmers, their families and the regional businesses across the basin play a vital role in maintaining Australia's food security and quality exports. These 9,200 agricultural businesses across the basin rely on governments to get policy right and manage the basin effectively.

Whether it is the natural ecosystems and bioregions that rely on the basin, the over three million people who rely on access to its fresh, clean drinking water or the agricultural and farming communities that rely on quality water supply to provide our nation with the resources we all need, there must be serious and meaningful policy changes to protect and better manage the river systems in their entirety.

Ms Cheyne has outlined the serious issues that are occurring within the basin due to maladministration. I am pleased to join her in condemning this maladministration from our federal and state counterparts and place on the record my support for the ACT government's actions in respect of the Murray-Darling Basin.

I would just like to take a moment to address some of the previous comments levelled at the ACT Labor backbench: that perhaps we should be focusing on more local issues. I think that fails to recognise that our environment does not know borders, the way we put borders in place, and that what we do impacts what happens across the whole basin. We have to do our bit. And where we have had so much maladministration and so much contention for such a long period going on, there is a role for us to say, "No, no. We're going to do the right thing. We're going to go ahead with this and lead the way in what we can do there." With that in mind, I say it is vital that we look after the Murray-Darling Basin and recognise its environmental significance so that it can look after us.

MR RATTENBURY (Kurrajong) (4.05): I thank Ms Cheyne for raising the issue of the Murray-Darling Basin. It has obviously been very topical in recent weeks and an

issue that a lot of people are both very concerned about and taking great interest in. It is a critical issue for Australia, for our natural environment and for all the people and other species that rely on the Murray-Darling Basin's ecosystem. Beyond that, it is an important issue for anyone who simply believes we have a duty to respect and protect the natural environment we live in.

The tragic environmental outcomes in the Murray-Darling Basin have been slowly unfolding for many years, but in recent weeks this has been put into focus by a series of traumatic photographs and videos highlighting some of the terrible outcomes: mass deaths of fish in the lower Darling in New South Wales, algal blooms deoxygenating the water and images of sheep and kangaroos stuck and dying in dried up mud as they desperately search for water. These images are hard to look at, but they paint the perfect picture of what environmental neglect looks like. This is what happens to our beautiful natural environment and our natural ecosystems when our leaders either fail in their efforts or simply do not care about the environment.

The Greens hold serious concerns over the health and future of our critical river system. There has been an ongoing series of negligence and compromises that has led us to this point. The issues with corporate irrigators taking more and more water from an already struggling environment must be addressed. The Murray-Darling is a natural ecosystem suffering because of human-made problems. Ultimately, of course, these human-made problems end up affecting humans as well: rivers have stopped flowing in north-west New South Wales, water supply is compromised, and some towns are even on severe water restrictions.

Many issues are facing the Murray-Darling Basin and they are quite complex. However, I want to spend some time highlighting one particular issue—that is, the important link between the health of the Murray-Darling-Basin and climate change. The Murray-Darling Basin, just like all of Australia's critical natural environment, is influenced by and at risk from changes to the climate. This is not something our climate-change-denying federal government can bring itself to say. They might say there is a drought, but they would never say droughts are more frequent and severe as climate change worsens, but this is the unavoidable truth.

We can look at the significant weight of scientific evidence to validate that or, indeed, to the recent South Australian Murray-Darling Basin Royal Commission report. In fact, the royal commission report contains an entire chapter on climate change. The commissioner, the eminent Bret Walker SC, is absolutely scathing of the Murray-Darling Basin Authority's negligence when it comes to preparing for climate change.

I want to elaborate on this point further because it highlights how critical it is that governments, decision-makers, land managers and others are aware of climate change and take it into account in all of their decision-making. The CSIRO advised the Murray-Darling Basin Authority that it needed to consider the recent climate of the past 10 to 20 years and its climate change projections. This advice was ignored by the MDBA. The commissioner said this amounts to negligence and maladministration.

In key modelling by the MDBA, climate change was not considered or factored in. The commissioner said this decision was unlawful as it meant the basin plan was not based on the best available scientific knowledge and was done with total disregard for the principle of ecologically sustainable development. Relying on historical climate data from 1895 to 2009 was also unlawful and, the commissioner added, indefensible from a policy perspective.

The commissioner points out that the best available scientific knowledge developed worldwide continues to point towards significant warming in the southern basin from 2030 and beyond and a significant if not catastrophic reduction in run-off, depending on global greenhouse gas emission scenarios.

The MDBA failed to conduct any review of climate change risks to the basin. The commissioner said this demonstrated ongoing negligence by the MDBA. He said it was a dereliction of its duties and was not just indefensible but also incomprehensible. It shows a contempt for the principle of intergenerational equity.

The commissioner went on to point out:

Since 2013, research—and peer-reviewed published work—in relation to climate change in Australia has been significantly curtailed, in part at least because of a lack of direction and funding by the Commonwealth Government. This is to the significant detriment of the proper implementation of the Basin Plan. It is against the national interest. A Commonwealth body is urgently required to lead the way in adaptation, and identifying what solutions can be found to such change.

The commissioner went on to say:

Climate change is happening now, and can occur quickly. Deferral to a later date, or asserting that climate change risk is shared between the environment and licence holders by yearly allocation based on water availability, is nonsensical in a policy sense as well as unlawful.

These are damning words from a royal commission. It is an extraordinary series of findings and is one of the most powerful things I have seen written in a while.

The commissioner does not hold back in highlighting the negligence of the MDBA in this area, caused by its failures to respond to the clear and extensive scientific evidence of the impacts of climate change. He goes on to say:

... the climate is changing faster than at any time in recorded history, and it is changing because of human activities—the MDBA knows this.

There will undoubtedly be higher temperature extremes globally and in the Basin—the MDBA knows this.

Sixteen of the past 17 years of the planet's recorded history have been the hottest on record—the MDBA knows this.

The commissioner is making the point that the evidence of climate change and its impacts on the natural environment are well known and it is negligent to ignore them.

It is indefensible to ignore climate change in decision-making or policymaking. I think members will agree that this is a damning critique by the commissioner of the South Australian royal commission.

The failure to consider climate change in managing the Murray-Darling Basin is a tragedy at a national level, but it is also a reminder for the ACT government that it has a duty to plan for and respond to climate change in all of our decision-making, be that in managing our own water resources and natural environment or in the way we plan our urban environment.

For example, when we set regulations for the design of buildings we need to consider the climate change projections for Canberra in the future. When we decide how many trees we will plant and, indeed, what species of trees, we need to consider the climate Canberra will experience in the future. We need to be able to mitigate the urban heat island effect with cooling living infrastructure like shade trees. But those tree species also need to be able to survive and thrive in a warmer and drier climate. We need to consider climate change when we build and design government facilities like schools, sporting facilities, community facilities and new neighbourhoods.

As the commissioner makes clear in this damning assessment of the Murray-Darling Basin Authority, there is ample evidence to show what will occur under climate change scenarios and it is incumbent on decision-makers to respond. The ACT environment, both urban and natural, is at threat from climate change. The government here is under the same duty the commissioner has identified to plan and adapt for the risks that climate change will bring. It will be negligent not to do that, not just in water and environmental management but across the whole range of government decision-making.

I look forward to working with colleagues in the ACT government to ensure that the ACT's approach to water management is environmentally sound, best practice and responds to climate change. On this note, I highlight the good healthy waterways work that has been ongoing across Canberra. This work stems from an election commitment my colleagues and I made and then negotiated into the parliamentary agreement. We are proud of the progress being made.

The money had previously been allocated to the ACT for a project at the lower Molonglo treatment works—\$85 million given to us by the commonwealth. That project had not proceeded and the money was simply sitting there doing nothing. We proposed that it be repurposed to allow for the building of the natural wetlands and various overflow ponds we are seeing at the moment.

I am very grateful that the commonwealth allowed that repurposing. The projects we are now seeing roll out right across the city are a testament to a new direction in policy and a recognition that natural waterways rather than stormwater concrete drains can make a very significant difference to water quality in the city and also provide cooling living infrastructure, as well as terrific amenity for local residents.

The various wetlands are a visible result of the investment. There is, of course, more to do and we will continue to work in this area. There are still many, many kilometres

of concrete drains across the city. We know those drains speed up the water. The water travels with greater velocity, the sediment is not taken out of it and it goes straight into the lakes. Whilst our lakes are designed as part of the stormwater system—that is part of their purpose—the modern reality is that our community has an expectation that those lakes are cleaner than they currently are. We must continue to improve that water quality.

It was very disappointing—this was spoken about here yesterday—that the corporate and community triathlon on Saturday had to cancel the swim leg. When I first came to this place 10 years ago as an active triathlete, I was really aware of what was going on and it was the reason that in the Seventh Assembly I moved a motion to have the environment commissioner look into water quality in our lakes and produce a report that has led to some of the policy changes we have seen.

That problem has been around for a decade, and the bottom line is that by the time we get to this part of the year—it can still be pretty damn hot at this time of the year—our lakes are increasingly unavailable for recreational activities because of all the sediment, nutrient overflow and the like. We have still have a long way to go in our urban environment. Of course, that whole system flows into the Murray-Darling Basin, so we have to take these issues seriously in Canberra.

In conclusion, I simply reiterate that the Murray-Darling Basin situation is tragic and that governments and decision-makers responsible over a long period of time are to be condemned for their failure to respond adequately. We must see better long-term decision-making. We cannot afford to ignore the science. We are now living through the consequences of doing that, and it is a salient lesson that we must take on board. I am pleased, on behalf of the Greens, to support Ms Cheyne's motion today.

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (4.17): As the Minister for the Environment and Heritage and as a member of the Murray-Darling Basin Ministerial Council for the ACT government, I support the motion put forward by Ms Cheyne today. It is right and proper for this Assembly to discuss the issues raised in the South Australian Murray-Darling Basin Royal Commission report, and I thank Ms Cheyne for her thoughtful and considered motion that allows for this to occur.

I am disappointed by the comments from the shadow minister. This is not just a matter for the commonwealth. Once again, she has proven that she is the shadow minister against the environment. It is vital that we address the broad range of issues raised in this report, combined with the Productivity Commission report into the Murray-Darling Basin plan and the significant fish deaths. Community and stakeholder confidence in managing the basin has been shaken. Basin states and territories need to respond quickly and in an open approach.

Communities of the basin, and indeed Australia, need and expect a viable and healthy, managed Murray-Darling system. Clearly, the royal commission report has, at the very least, questioned the efficacy of the basin plan and its implementation. I hope

that there will be a meeting of the Murray-Darling Basin Ministerial Council in due course to discuss the report and respond to those recommendations.

As the minister representing the territory, my aim is to develop a constructive way forward to improve basin plan implementation and to restore community confidence and scientific rigour to support full implementation of the basin plan. The issues raised are complex, and the crisis is made even more acute and difficult by the occurrence of a drought across many parts of the basin. The ACT government has supported the overarching objectives of the basin plan from its commencement in 2012, and the subsequent basin plan implementation agreement in 2013 and related implementation measures. Basin compliance since the media exposure of July 2017 has become a significant issue. I can report that the ACT has met all its compliance requirements, including metering and enforcement.

The ACT government provided a submission to the royal commission on the operations and effectiveness of the basin plan, and indicated several matters of concern for the ACT. In particular, I mention that, unlike for the rest of the basin, the ACT was set a net sustainable diversion limit, SDL, which has an impact on the scope of water planning and water management. For example, the net SDL discourages measures to reduce sewage returns to the river system. And I mention the slow progress being made to develop and support interstate water trading between the ACT and New South Wales.

I am able to advise that, following our submission, we are now working more closely with the commonwealth government, the Murray-Darling Basin Authority and the New South Wales government to address these issues. Because of the nature, location and use of water, the ACT has not been directly involved in a number of the problematic supply and constraints measures reported on in the media.

The ACT government fully appreciates the importance of a healthy, well-managed basin system where not only is recognition of improving the environmental health of the basin stated but measures are implemented to improve the environmental conditions of the whole basin. Since the commencement of the basin plan, the ACT has endeavoured to fulfil its full range of commitments as required under the basin plan. This is reflected in the annual implementation milestone reports and basin plan evaluation reports. The ACT will be submitting its water resource plans and long-term watering plan to the Murray-Darling Basin Authority in the coming months.

Our leadership on climate change has ensured that we consider this across a range of different plans and programs. As the Chief Minister noted yesterday, responding to climate change is not only an environmental necessity; it is an economic imperative. It is only right and proper that water policies account for the changes that climate change will bring. I can advise the Assembly that our water resource plans explicitly consider climate change and the associated implications of a hotter climate, water for the environment, cultural water and security of water for a growing population.

We are working with the commonwealth government to establish a range of water efficiency projects, providing up to 15 gigalitres of water savings annually. That is

approximately 6,000 Olympic swimming pools of extra water potentially available for the environment every year.

I would like to again stress that the ACT strongly supports the role of interstate water trading in the southern basin to supplement water needs for the environment, future growth and climate viability, especially with New South Wales in the Murrumbidgee River system. Trade mechanisms exist in all other jurisdictions and will provide a level playing field for the ACT to trade unused water out of the territory and acquire more water, if required, in the future.

It should be understood that while Canberra is the largest urban area in the basin, the ACT occupies only a very small area of the upper Murrumbidgee River system and uses about one per cent of available water in the total Murrumbidgee catchment. We are, however, required to meet a number of basin plan commitments. The ACT, unlike other jurisdictions, has not had an over-allocation of water and therefore has not had the associated problems. The ACT has been forthright in providing priority for the environment through the provision of its environmental flow regime.

As Ms Cheyne has indicated, the ACT government has undertaken a range of actions to improve the health of the ACT watercourses with the ACT water strategy 2014-44, striking the balance, as the platform for policy development and implementation.

The ACT is also implementing its healthy waterways projects across a number of subcatchments which aim to improve the water quality of our Canberra lakes and waterways, the Murrumbidgee River, and hence the basin. The project will reduce the level of nutrients and pollutants entering ACT regional lakes and waterways that, in turn, have a significant impact on the Murrumbidgee and broader Murray-Darling Basin. The first phase of the five-year project was completed in February 2016. Detailed information and community feedback about ACT waterways was gathered and assessed and a wide range of potential water management options developed. The second implementation phase is well underway and will see 20 new infrastructure and water management projects implemented. These projects are on schedule to be completed this year.

As mentioned, I will continue discussions with the commonwealth and state water ministers about the serious issues raised by recent reports. I endorse calls that the water ministers should meet urgently to consider the issues raised through these two very important reports. The ACT government is committed to ensuring the health of the Murray-Darling Basin, an important river system for all Australians.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.25): I thank Ms Cheyne for moving this important motion today. It has provided an interesting insight into the respective views of people in this place regarding one of the most significant environmental challenges that our region faces.

The development of the Murray-Darling Basin plan, a plan that was signed back in 2012, was, I remind members, nearly a century in the making. It was the result of

extensive consultation across multiple jurisdictions and at all levels of government. Proper management of water within the Murray-Darling Basin impacts on the lives of more than two million people who live within the basin.

That is why this afternoon I am pleased to echo the words of Minister Gentleman that it is right and proper for this Assembly to discuss the issues raised by the South Australian Murray-Darling Basin Royal Commission report and the issues raised in the Productivity Commission's recent report on the basin plan.

The findings of these reports have, at a minimum, raised serious questions about the efficacy of the implementation of the Murray-Darling Basin plan. Communities within the basin, including people living here in Canberra, the largest population centre within the Murray-Darling Basin, expect proper management of the basin's resources. The findings of the recent royal commission and the work of the Productivity Commission, as well as the much-publicised mass fish deaths, have shaken community confidence in basin management. Therefore, it is vital that the basin states and territories respond quickly and effectively to restore community confidence.

That is why I have written to the Prime Minister and the South Australian Premier, Steven Marshall, who made some comments on the release of the South Australian royal commission report calling for an urgent meeting, to agree that there should be an urgent meeting between the basin state and territory water ministers and the Murray-Darling Basin Ministerial Council. We simply must address these issues as a matter of priority and develop a constructive way forward for the implementation of the basin plan. I hope that the Prime Minister and Premier Marshall will be receptive to this proposal, to ensure thorough consideration of the issues and to properly inform the next COAG meeting.

It is important that the way forward be based on the best scientific information available, including accounting for the changes that climate change will bring, and that the way forward not be based on personal or political ideology.

The ACT government has supported the objectives of the basin plan from its inception and has endeavoured to implement its commitments. We remain committed to working collaboratively with the other basin states and the Murray-Darling Basin Authority to ensure the successful implementation of the plan. As Mr Gentleman has outlined, in contrast to some other jurisdictions we have met all of our compliance requirements, including metering and enforcement. This is reflected in the annual implementation milestone reports and basin plan evaluation reports.

We are also implementing the healthy waterways program to improve the water quality of our lakes and waterways and the water quality of the Murrumbidgee River, which feeds directly into the Murray-Darling Basin. These projects, which are nearly \$100 million in total, will improve long-term water quality here in the territory and in the Murrumbidgee River system by reducing the level of sediment and nutrients entering ACT lakes and waterways.

In addition to these activities, the ACT is a global and national leader on addressing the causes of climate change. The issues facing the Murray-Darling Basin have been magnified in recent times by drought across large parts of the basin. It is important that planning for proper water management consider the impacts of climate change, including hotter average temperatures and any reduction in the availability of water in the environment. I note the initiatives already mentioned by Minister Gentleman, including the water strategy 2014-44, striking the balance. We are not sitting idly by. We are taking action. We are committed to the health of the Murray-Darling Basin.

I commend Ms Cheyne's motion to the Assembly this afternoon. I was struck by just how extraordinary the shadow environment minister's contribution was today and how far off the mark and how far away from community sentiment those comments were. I guess we learn a lot when we bring forward these sorts of motions and people actually speak their mind on them. Sometimes it is good to hear what those opposite have to say on these issues, because they purport to be the alternative government of the largest city in the Murray-Darling Basin.

MS CHEYNE (Ginninderra) (4.30), in reply: I thank colleagues for their comments today. As we have heard, safeguarding our waterways is critical and this is why we should all be concerned about the findings of the Murray-Darling Basin Royal Commission report. This is why we should all be dismayed by the mismanagement of Australia's largest river network.

The ACT is one of the many puzzle pieces that make up the mighty Murray-Darling Basin. So we do have a responsibility to do our bit for the greater health of our water and our environment, just like other governments and bodies have a responsibility to do their bit.

Standing in this chamber today, I cannot help but feel like a broken record. No city or town is an island. No river is bound by hard borders. Decisions that other jurisdictions take do affect us. Why the Canberra Liberals continue to deny this is as clear as mud.

Ms Lee does not seem to like me using words like "condemn" or "embarrassing", so I will take the opportunity to use some others. I found it stunning and cringe-worthy to hear the shadow minister describe issues around the ACT's water supply as sitting squarely within the federal arena. I was troubled to learn just how little she understands about the interaction in the management of the Murray-Darling Basin between federal and state and territory governments. But most of all I was disheartened to hear her lack of passion for the issue, especially given she is supposed to be the alternative minister.

Like feral horses, water does not recognise state or territory boundaries. If an environmental catastrophe like the mass fish deaths in the Darling River—with swathes of dead, smelly, bloated fish floating on the surface—is not enough to have every member of this chamber concerned about the future of the Murray-Darling Basin, I do not know what is. If a damning royal commission report is not enough to have every member of this chamber concerned about the future of the Murray-Darling Basin, I do not know what is.

It is a report that outlines a litany of failures: a failure to ensure the Murray-Darling plan was lawful; a failure to grasp the real risks of climate change; a failure to incorporate sound scientific knowledge in decisions; and a failure of transparency. Again, it is no wonder the head of the royal commission has recommended a complete overhaul of the scheme. Coupled with cuts to water science and research, and the broader implications of severe drought on the supply of water to communities across the country, this gives us serious cause for concern. Action will need to be taken

As we have heard repeatedly today, the ACT government will continue care for our waterways and the surrounding environment. We will continue to implement the ACT water strategy. We will continue to prioritise the ACT healthy waterways project because we understand the importance of working collaboratively with other states and the federal government, like a federation does, to ensure the success of the Murray-Darling Basin. It is part of our broader commitment to the environment and to the security of our water—clean, fresh, safe water.

I again call on members to unite in condemning the maladministration of the Murray-Darling Basin. And I call on all members to support the ACT government's actions with respect to the river network. We will not ignore the actions of other governments and the Murray-Darling Basin Authority. We will not stand by silently, without passion, when such an important resource is at stake, just like we did not stand by silently when the New South Wales government introduced its reckless legislation to protect feral horses at the expense of our environment and our water catchment. We must ensure our waterways are looked after, now and in the future. The future of Canberra, and of Canberrans, depends on it.

Question resolved in the affirmative.

Alexander Maconochie Centre—accommodation

MRS JONES (Murrumbidgee) (4.35): I move:

That this Assembly:

- (1) notes the detainee population of the Alexander Maconochie Centre has reached a new high of 507, 68 detainees over the design capacity of 439 and four detainees fewer than the operational capacity of 511;
- (2) further notes that a feasibility study into future correctional requirements, including accommodation, was completed in early 2018; and
- (3) calls on the ACT Government to release its findings of the feasibility study and explain to the Assembly how it will accommodate detainees should the population increase beyond 511.

Here we are again, as we have been so many times before in this place, discussing problems with the AMC. From the outset I would like to acknowledge the local, national and international trends of incarceration rates increasing. Of course, this is due to a number of factors, as the minister has often explained. However, this trend is not particularly new. Ever since the AMC opened its doors 10 years ago, the

population has been steadily, if not rapidly, increasing. In fact, last year we reached a new record high population of 507 detainees. This is 68 detainees over the designed capacity of 439, the number that the AMC is actually designed to house, and only four detainees short of what the government calls its maximum operational capacity.

It is certainly not ideal to constantly operate above the designed capacity. Design is important. As Mr McAllister, the ACT Inspector of Correctional Services, put it, and as my chart shows, the population has been steadily increasing since the opening of the facility. It is not an unusual occurrence. It is not unexpected.

MADAM ASSISTANT SPEAKER (Ms Orr): Mrs Jones, that is a prop.

MRS JONES: I will pop it down.

MADAM ASSISTANT SPEAKER: Thank you.

MRS JONES: Can I table it?

MADAM ASSISTANT SPEAKER: If you would like to table it, you will need to seek leave.

MRS JONES: I seek leave to table the table.

Leave granted.

MRS JONES: I present the following paper:

AMC Population Growth—Copy of graph.

As Mr McAllister, the new ACT Inspector of Correctional Services, put it:

... the current accommodation at AMC ... is clearly not the best environment. Basically, we have two people living in a nine-square-metre cell that was designed for one person. It is as simple as that. There are some ... double cells, which were purpose-designed for two people. But putting a double bunk into a single cell is not effective design capacity. The design capacity is still for one person. Clearly, people are living in cramped accommodation. I was in a unit the other day that had 14 single cells, and there were 28 men in the unit. That is widespread, apart from the unit that the women are accommodated in, which is a bit more spacious.

It is important for facilities to have operational flexibility so that we can respond to peaks and troughs in population levels. However, the steady increase in population levels we continue to experience simply does not leave us with this flexibility. We need to know what the minister plans to do to address this issue.

I note that a feasibility study into future correctional requirements, which included accommodation options, was completed early last year. What are the findings of the study? I think it is important for the people of the ACT to know. We cannot rely on having to utilise our absolute emergency maximum capacity of 539. I imagine this

would include the use of the management unit, beds in the health unit, and double or even triple bunking in some cells, perhaps, for ongoing purposes. I am sure the minister will enlighten us. This would completely limit the functions of the AMC, cause havoc for detainees and staff, impact the ability of staff to separate certain inmates or certain cohorts of inmates and make health supervision more difficult. Moving inmates through the facility would take longer and be more dangerous.

Tabled documents from yesterday show that official visitor complaints about the prison have reached a four-year high, with a significant proportion of them being centred on the excessive lock-ins and lack of access to time outside the cell. These matters are exacerbated by an overpopulated prison. The ACT lags far behind other prisons in terms of the amount of time inmates spend outside their cells, which is a key goal for both rehabilitation and for meeting the human rights obligations that the minister set out just last week in a document that he released.

Clearly, the increasing population has made managing the facility more and more difficult. That is why it is so important that we have a plan. What is the plan? What will we do when there are 510 detainees? What about 520 or perhaps 550? What is the plan? Will there be some forward thinking or will we wait until there is a crisis before addressing the issue?

There are cells through which new inmates enter. They are holding cells, essentially. They are not designed for inmates to stay in for more than a few hours. As such, the design of these rooms is also different from the rest of the cells and accommodation. There may be beds available in other areas of the prison, as well, not designed for housing inmates for more than a few hours. I ask the question: is this what we will have to resort to under the minister's plan—or lack of plan? I realise that the minister looks at the ever-increasing number of detainees and thinks perhaps it is okay because we could go a few over 511 and still have beds to use. However, in my view, it is no way to run the facility, and I would be quite concerned if that were the thinking.

Given that we have seen a steady increase in the numbers of inmates or detainees in the system over a number of years, as my table shows, where is the plan for future expansions? What would the expansions cost, or is there a plan for a new facility? These may have been considered as part of the feasibility study, given that it was completed a year ago. It is about time that the people of Canberra knew some more about it.

Justice investment is good. Justice reinvestment is good. It is worth doing. But it is not a plan for the present management of the prison population. Clearly, any attempt to divert people is something that we would support. However, it does not fix, in the meantime, the overpopulation issues that we are facing.

One would think there should be a long-term plan if the consistent trend in the facility continues, and I assume that it will. But it seems there is not. According to the minister, in annual reports hearings last year and in more recent statements, he does not want to continue building a bigger and bigger prison, saying that “if you build it, they will come”. Certainly, it seems that even if we do not build it they will come anyway. They are coming nonetheless.

Last time we ended up in this situation, it was a crisis point for the women. We had more women detainees than beds in the women's section. I visited them and had guards who were stressing to me the need to do all we could to fix the problem. They were desperate to get the management unit and health unit beds back, as losing them had its own repercussions. They wanted the women to be appropriately housed as well.

I would like to acknowledge that, after many months, the minister did take action. It addressed the critical short-term problem of not having enough beds. However, I am concerned that the women now being housed in a higher security wing designed for men is not ideal—but at least there are enough beds. I would love to know if the minister considers this to be a permanent solution or whether the women will eventually go back to the cottage-style accommodation.

The women do not have grass, as they once did. They do not have purpose made and designed kitchens, which they once did, and which were acknowledged as being a part of their rehabilitation program. The aim of putting those women back into society in a better state to reintegrate into life is not being served as fully as it perhaps was in the designated women's section.

The women now get to access supersized weightlifting equipment but no gardens. They do not get to venture outside much; presumably, if they do, it is onto the oval, which is there for the men to use and where their activity is probably visible to some of the men's blocks and certainly would be visible from the men's yards. This is not how the facility was designed to be used. In the original design the women were given time outside and, when they were, it was on grass. They could be involved in gardening programs and were not in sight of the men. Because the original designers of the facility understood the difference between men and women, and that there is, as we often refer to, a power imbalance in a prison, there is a certain amount of feeling menaced that the women would naturally experience, which is now not adequately managed, in my view.

However, this change in the women's accommodation also makes me wonder if the total capacity number of 539 under maximum, urgent situations is actually perhaps less. If there are vacant beds in the women's section but there is an overpopulation of male prisoners, we cannot mix them together; so, in reality, we could be even closer to ultimate capacity than we think.

The recently released human rights principles for correctional facilities in the ACT call for detainees to have access to more space, the outdoors, natural light and regular exercise. All of this is made more difficult when we are over the design capacity. It is clear that cramming two or three detainees into small cells designed for one is not the way to meet our future needs or our human rights targets and requirements.

Last year, when I went on medical leave to give birth, I hoped that perhaps the break from my commentary would give the minister time to reflect on and resolve the issues affecting our prison. He is an intelligent man; even if I disagree with him on some of his political views, I believe he could resolve these issues. However, here we are

again, in 2019, and it is a bit like *Groundhog Day*—yet again, the prison is overpopulated; another day, another issue with the prison. And so it goes on.

I call on the ACT government to become open and let us all know what they plan to do to solve this problem. What will they do if the population increases beyond 511? The electors of the ACT deserve some answers. I note, as I have a little bit of time remaining, that the minister has circulated an amendment. We will support the amendment, as it contains, practically speaking, everything that was asked for in the motion, within reason.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (4.46): I am today essentially supporting Mrs Jones’s motion. I have circulated an amendment, but it has only minor additional text. I am not seeking to delete any of her original text with this amendment. My amendment simply adds some further figures that, for those who may read this historically, provide useful information. I move my amendment:

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

- “(1) notes the detainee population of the Alexander Maconochie Centre (AMC) has reached a new high of 507 on 20 June 2018, 68 detainees over the design capacity of 439 and four detainees fewer than the operational capacity of 511;
- (2) that, of the 539 actual beds, 511 are operational beds for detainee accommodation and 28 beds are used for special short-term use, crisis support or disciplinary requirements;
- (3) that the current population of the AMC is 475;
- (4) further notes that a feasibility study into future correctional requirements, including accommodation, was completed in early 2018; and
- (5) calls on the ACT Government to release its findings of the feasibility study and explain to the Assembly how it will accommodate detainees should the population increase beyond 511.”.

As I said, my amendment provides additional information and clarifies that while the population of the AMC did reach 507 in the middle of last year, the population overall has declined since then, although it does continue to fluctuate. Those numbers have gone up and down, but the amendment indicates that the current population is 475. I am pleased about that in the sense that Mrs Jones has spoken about the pressures that population growth can bring. Certainly, 507 was obviously concerning. With the lower numbers there is a little more latitude there. But it certainly continues to be a situation that requires careful management by AMC staff.

Mrs Jones spoke about ancillary services. Areas like the Hume Health Centre do come under pressure with those numbers. That is one of the reasons why, at this time last year, in the midyear budget review, we provided supplemental funding to expand the Hume Health Centre. That work will be getting underway shortly.

I am very pleased that over the summer Winnunga Nimmityjah Aboriginal Health and Community Services have officially begun offering services at the AMC. While this is a culturally appropriate service available to all detainees but obviously focused on Indigenous detainees, it also provides additional health capacity. I think that that is a very positive thing.

The issues of population growth are not new to this place. They are not new to me, to Mrs Jones or, in fact, to any jurisdiction in Australia. In fact, I would go so far as to say that most western democracies around the world are facing growing detainee populations and increased pressures on their criminal justice system. The issue is not a matter for debate. Those are facts. That graph that Mrs Jones brought to the debate is simply a reflection of publicly reported data. The key question is: how should we respond?

As part of the midyear budget review I have scheduled on Friday of this week, I have some major announcements that will outline the government's response to population pressure at the AMC and throughout our justice system, all designed with a focus on improving community safety. I would like to assure the Assembly that the measures that are proposed are founded on research and best practice.

This approach is the culmination of many years of hard work, robust collaboration and in-depth data analysis. As the motion indicates, this work has been under development for some time now, reflecting both the complexity of the issues but also the depth the government has gone to in thinking about our response.

Whilst I am not in a position to present it today—this is unplanned and awkward timing—I look forward to sharing the outcomes of this analysis on Friday. It will be publicly available and no doubt I will be discussing it with Assembly colleagues over the coming weeks. I will also this week release an executive summary of the findings of the feasibility study into future accommodation needs of the AMC, which I had already committed to do. But it will also fulfil the substance of the motion that is before us. I can assure the Assembly that that request in Mrs Jones's motion will also be fulfilled this week.

Other than noting some differently aligned timing and some proposed additional information in my amendment, I am happy to support the contents of the motion put forward by Mrs Jones today. I commend the amendment moved in my name to the Assembly.

MRS JONES (Murrumbidgee) (4.50): I thank the minister for his response to the motion. I am glad to hear that there will be some more information arriving on Friday. As I mentioned before, once again we find ourselves in a situation where there is concern about the level of accommodation available at the AMC, at our prison. Over the last few years under this minister we have had deaths, escapes, staff and inmates being bashed, illicit substance abuse, smuggling and not enough beds for the women detainees. Now, according to trend, we are heading towards full again.

We can no longer govern from crisis to crisis. We would like to see some forward planning and attention to detail. The prison has been designed to house 439 detainees. However, we continually house more than this. This fact, and design matters, should not be ignored. Someone in my office pointed out to me that if design did not matter, maybe Mr Rattenbury and I could swap offices. He could have my little space and I would have his bigger space. I am sure I would use it very effectively. But his space is designed for his role. I think in the prison the same thing applies.

We know that there are differences between different types of detainees, different genders, different ways of managing people. I would like to see us get back to the design purpose of the facility and it being used as it was intended. There are a few different ways to solve the problem. I would like the minister to tell us what he plans to do to solve the problem. I look forward to the release of the findings of the feasibility study later in the week.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Light rail—impact on local business

MR MILLIGAN (Yerrabi) (4.53): I move:

That this Assembly:

(1) notes:

- (a) that, according to the Government's own evaluation, Light Rail Stage 1 construction has had a negative impact on local business along the Light Rail corridor;
- (b) the report tabled by Minister Fitzharris in September 2018 titled *Business Impact Assessment of ACT Government-led construction activities in Gungahlin* provided clear lessons learnt; and
- (c) that this Government committed to the community that Light Rail Stage 1 would be operational by 21 December 2018 and, despite missing this deadline, there has been no commitment for a new delivery date; and

(2) calls upon the Government to:

- (a) acknowledge that Light Rail Stage 1 has had a negative impact on local business and the delayed delivery has compounded this impact;
- (b) immediately implement the lessons learnt documented within *Business Impact Assessment of ACT Government-led construction activities in Gungahlin* to better support local businesses throughout the remaining construction period; and
- (c) provide a report back to the Assembly on the implementation of these lessons learnt when Light Rail Stage 1 is fully operational.

It is an honour to stand here today, as a member for Yerrabi and as a former small business owner, to put forward the motion which represents the needs of local

businesses. But I am also incredibly frustrated that we are still seeing local businesses suffer. This motion is about finding a practical way forward to help those in our community that are still being impacted by light rail construction. And this is not just in the Gungahlin town centre but throughout the entire light rail corridor.

This motion is a genuine attempt from the Canberra Liberals to support local businesses in the north of Canberra who have suffered due to prolonged construction activities. Specifically, when it comes to light rail, we were meant to have the service up and running by now. The promise was made that we would have an operational service by 21 December 2018. And yet here we are in February 2019, nearly two months on, and the project is still in a state of chaos and with no finite completion date.

Problems include re-laying tracks, issues with cabling, late milestones, the stops are a mess, and multiple closures of traffic lanes, intersections and even roads. If local businesses ran like this they would all be broke. Traders all along the light rail corridor have been forced to endure this incompetence and have suffered. It is now at a point that it is not just local businesses who are feeling the pain but all Canberrans. Even those who were fierce supporters of the light rail are now at a point of frustration. Even those who do not live or work near the construction are sick of the mess and the noise, not to mention the cost of this project.

For the communities in the north of Canberra, I think we need to take the term “road rage” and change it to “rail rage”. It does not seem to matter which way you drive to escape the construction. Commuters try the Barton Highway, Gundaroo Drive, Horse Park Drive, Flemington Road, Majura Parkway or even, heaven forbid, Northbourne Avenue. The impact of this construction is everywhere, and at the heat of it all is light rail.

Just when you think one area, intersection or road is complete, they dig it up again. I struggle to find one part, one section or one stop that is actually complete. I cannot decide if the colour that best represents Canberra’s north is the orange of the bollards and witches’ hats, the yellow and black of construction and slow down signs, or just red to represent the anger residents feel. Take that anger, that frustration and triple it, because that is how local businesses feel. The commuters that are avoiding the construction areas have also avoided local businesses. It is going to take a real effort from this government to restore business confidence.

As you would be aware, in June last year we agreed in this chamber to conduct an independent audit of the impact of light rail on local businesses. Whilst the original motion I put forward was amended, I still was pleased that Minister Fitzharris agreed to support the underlying principle to assess the impact that construction was having on local businesses and the community.

Minister Fitzharris took carriage of the audit and commissioned the Canberra Business Chamber to conduct the research. As the government owned the light rail business link program, this arrangement seemed to make sense. Initially I was frustrated with the way in which the audit was initiated, the poor communication and

the late launch of the survey website. But after I made representation to the minister, the time line feedback was extended.

Businesses were doorknocked and there was an increased uptake from business owners to provide their input. The next step was actually seeing the report. Tabled in September last year, the impact assessment only reaffirmed what we already knew. Businesses were hurting. They reported profits down by at least 30 per cent, and in some cases more; a dramatic downturn in foot traffic and customers in the Gungahlin town centre; stunted business growth; and more exits than entries into the market. The evidence was in, and the picture was bleak.

What did businesses want from this government? Their recommendations included strategically spreading works over a longer period but limiting them to smaller areas; financial support and compensation for revenue loss; window and facade cleaning; greater certainty about timing and delays in construction; working with landlords to hold rent prices; better signage; fewer road closures. Concern was raised about parking and accessibility, as well as the communication to both business owners and the public, and advance notice of duration of noise-intensive activity. And here we are today in 2019 and these recommendations still ring true.

Realistically, none of this is asking for too much. This is project management 101. Businesses wanted better planning, communication and practical strategies to help them get through in the tough times. When those strategies did not work, they wanted financial support. And they are still waiting. After all, why should private enterprise carry the burden of government projects!

After receiving this report and discussing the outcome with businesses, I followed up with the government again, asking Minister Fitzharris a further 27 questions on notice about how the data was collected, interpreted and presented in the report. But most importantly I asked what she was going to do about it. We want the government not just to acknowledge the impact on businesses but to follow through and do something. Otherwise, what is the point of reports and reviews?

On 13 December 2018 I received a response to those questions. It was the same old, same old from the government: there will be more reports in the future once light rail is finished, and these reports will utilise case studies, literature reviews and primary data. Why, when we already had a report straight from the businesses that were asking loudly and clearly for support, should businesses have to wait any further and why should they tolerate yet another review, yet another report from this government?

The Canberra Liberals knew what was happening to local businesses. We were out there talking to them on a regular basis. Sadly, we are now more than six months on from that original motion and the government is yet to implement a single lesson learnt from their own report.

This motion is calling on the government to acknowledge the reality of the situation. Light rail construction has had a huge and very negative impact on local businesses. This government is late on delivering light rail, and the way the project has been

managed over the past two years has resulted in significant losses and downturn for local traders and service providers.

The time for talk is over and it is now time for action, not a half-baked marketing campaign or street party. We do not want a website or social media blitz because businesses can do and are doing that stuff themselves. We want real measures. Clear lessons learnt were offered by the businesses and now it is time to implement them before it is too late. Too many businesses have already suffered, and they are unlikely to recoup what they have lost. We cannot let this drag on any longer. I urge all members of this place to support this motion and implement the lessons learnt from the government's own business impact report.

MS LE COUTEUR (Murrumbidgee) (5.02): I got up too soon, because my intention is to support an ALP amendment. I believe there may be one; I am prejudging. However, what I am talking about is generally still relevant.

The issues that Mr Milligan has raised are real ones. When governments deliver infrastructure there is almost always, except at totally greenfield sites, an impact on the businesses that are around the work sites. The light rail is a big project but far from a unique project. The financial impact on the most impacted businesses can be very large. That is absolutely so. The usual pattern is that the biggest impacts happen to those businesses that lose visibility or passing trade. In other cases it is a temporary reduction in parking that causes the impact.

The scale of the works is important but it is not the only thing. Small works like paving upgrades can still have a big impact on those businesses. Many of us remember Tosolini's, which used to be on Bailey's Corner. It closed. Then another business took over. I think that other business only opened its doors for about one day. They did a whole fit-out. What sank them, it would appear to me, was the fact that the ACT government was doing what has turned out to be a very nice pavement improvement in front of them, which meant that you certainly were not going to get into their premises by accident.

All I am saying is that the problem of light rail stage 1 is a real problem but a far from unique problem; it is a problem all round Australia. Mr Milligan's motion raises the case of Sydney's light rail project. On top of that, a quick Google search by my office highlighted the following other interstate examples over only the last three months: business disruption caused by major rail and road projects in Melbourne, business disruption caused by the North Terrace light rail extension in Adelaide, and business disruption in Tenterfield in rural New South Wales caused by sewerage works partly closing a road.

Mr Milligan's motion argues that the government should pay compensation to the affected business. The problem with compensation is that, if the government pays compensation for one project, it sets a precedent for other projects. This could quickly become unaffordable and make it very hard for governments to deliver infrastructure and public realm upgrades. This is certainly the view of the New South Wales Liberal government. A *Sydney Morning Herald* article from 10 December last year quotes the Liberal transport minister as saying about their infrastructure program:

If we compensated every business that was affected by the \$73 billion program, we wouldn't be able to deliver a thing.

Given these issues—the need and desire for infrastructure upgrades and the consequent disruption of doing them—what should we do? There has to be a balance between fairness to businesses and the ability of government to deliver infrastructure for the whole community. The government cannot just pretend that impacts on businesses do not exist. But in almost all cases monetary compensation is not going to be an appropriate option. Also, we should think of the long-term benefits for businesses. For example, for the businesses in Hibberson Street in Gungahlin town centre between Coles and ALDI, light rail will deliver a large number of potential customers right outside their door.

I am pleased to see from Minister Fitzharris's amendment that the government has been trying to find ways to find the most impacted businesses. One of these has been to coordinate and support a street party, which is a good move. Coincidentally I happened to be in Gungahlin at the time of the one that should have been happening for 2018 that was cancelled due to weather. I am sure that the town centre marketing will be very welcome.

I will also talk briefly about Mitchell, which is also mentioned in Mr Milligan's motion. In December the year before last, I went up to Mitchell to have a look around with the Mitchell Traders Association. What I saw was fairly worrying. There were a lot of city services issues, like dead or dying trees that had not been tidied up or replaced. Light rail construction had also at that point basically cut Mitchell off from its rapid bus stop. I had quite a degree of sympathy with the traders who invited me out to see the sad situation.

With that in mind I was very pleased to hear from Minister Fitzharris's office that they have been extra focused on city service issues in Mitchell recently and that some extra work has been done. I understand they have also had targeted marketing support for the light rail business link program, which is great. Then in the budget there is funding to start working towards the Mitchell light rail stop, which will be a relief to the traders association. I think that in the long run light rail will be good for Mitchell, but I do appreciate that you cannot get to the long run unless you can get through the short run. That is the issue here.

To conclude, the issues for businesses of infrastructure works can be real and severe. But financial compensation in general is not going to be the option. I am therefore pleased to see that Minister Fitzharris has been working on a large number of non-compensation steps that the government can, and I hope and understand will, take to help businesses impacted by light rail construction work, and that they are promising to do more.

This morning I saw the light rail actually moving, in operation. So the end is nigh. It will get better soon—this year some time, I reckon. The Greens will be supporting the minister's amendment when the minister's amendment is moved.

MR STEEL (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (5.09): I welcome the opportunity to speak about our city's largest infrastructure project and the transformation that light rail is bringing. Light rail is a significant investment in the economic development of our city and growth in the business sector. It expands our economic productivity, directly and indirectly creating jobs in our local industries and showcasing our city as the modern and progressive capital it is.

Investment in our transport system reduces congestion and improves the community's mobility. It improves access to employment and services and ensures that Canberra continues to be a better place to live and do business. Canberra's light rail is already leading new investment in the corridor through new development projects and the establishment of new businesses that take advantage of the certainty of light rail.

The government acknowledges that the construction activity on a range of important infrastructure projects in Gungahlin has had an impact on businesses in the town centre. The construction of public works often comes with disruption and inconvenience as well as potential impacts that can be sensitively managed. The government has sought to minimise impacts by strategically staging works, coordinating traffic management and providing business support and consultation.

The report on business impact assessment of the ACT government-led construction activities in Gungahlin that was tabled last September identified recent major activities in the town centre and notes that impacts are not always clearly distinguishable from a particular project, rather, they can be the result of a cumulative impact.

The government notes that the report identifies a perception of negative impacts as well as optimism for the future with the works being on balance positive for Gungahlin. The government notes that statistical analysis identifies that the rate of business growth in Gungahlin has continued to be above the average growth rate for businesses across the ACT.

Partnering with the Canberra Business Chamber on the light rail business link program is a demonstration that the government is alert to the opportunities and challenges that light rail construction can bring, and that the government is committed to assisting the business community to access those opportunities and support businesses with those challenges.

The light rail business link program is innovative and is delivering opportunities for businesses to engage with the project. The program works specifically to identify actions to mitigate adverse impacts and provide businesses with support in marketing and promotion during light rail construction.

Since receiving the assessment outcomes and tabling the report the government has already implemented a number of measures that respond to the issues identified. The report identifies the perspective of businesses that customers would need to be encouraged to re-engage with the precinct and to re-establish shopping habits.

The government sponsored the Gungahlin community festival on 20 October 2018, working with local businesses to promote activity in Gungahlin to celebrate the completion of a number of public upgrades. The event provided the opportunity to promote business activity and shopping patterns and to thank businesses and the community for their patience during these works. The government and Canberra Metro, our partners in delivering light rail, have continued the conversations with local businesses as construction activity progresses. With a number of milestones in construction being completed, areas of the town centre have been re-opened at the earliest opportunity.

The government is also working to further promote businesses through major community events celebrating the completion of light rail and during light rail operations. As the report identifies, a more comprehensive lessons-learned process in partnership with other stakeholders is scheduled to be performed at an appropriate time following the construction of light rail stage 1.

The ACT government is supporting continued business growth in Gungahlin town centre and I really believe the disruptions caused by the project will be outweighed by the very positive outcomes of the project in the long term. Light rail is integrated into our transport system in our urban environment, but it is just one part of the picture. Our government has invested in projects that support the expanding Gungahlin town centre more broadly.

Investments have been made in the Hibberson Street shared zone, the Gungahlin bus station, upgrades to Valley Avenue and Kate Crace Street, the extension to Ernest Cavanagh Street and the construction of Camilleri Way. Broader road upgrades are supported with works underway or completed at Horse Park Drive, Gundaroo Drive, Gungahlin Drive and Mirrabei Drive.

A number of the development activities in Gungahlin also have private sector contributors. Some of these projects include the opening of a major expansion of Gungahlin marketplace, new commercial development in Hibberson Street for Bunnings and other new retailers, the construction and opening of the Gungahlin Club and a further five major apartment developments in the town centre.

I must also mention the Gungahlin walk-in centre that our government has completed and opened. The walk-in centre was a necessary public work that is now generating additional activity in the Gungahlin town centre. The ACT government has facilitated increased employment in Gungahlin through the construction of Winyu House providing a stable employment base in the town centre delivering jobs across the city and supporting small businesses where those workers will shop and eat.

The report identifies lessons learnt for both the current project and future projects. It also gives consideration to the lessons around how to improve collaboration with businesses. The ACT government consistently demonstrate that we are responsive to feedback. Through this report we have used the lessons learnt to inform ongoing work on the light rail corridor, and we certainly look forward to considering those lessons during the construction of light rail to Woden.

Along with the Canberra community, the government looks forward with anticipation to the commencement of light rail. It is very clear that significant progress is being made on the project. The whole system has now been energised and we have seen the first light rail vehicle arrive at the city terminus under its own power.

From the outset, the government identified an expectation for the delivery of light rail in 2019. As with any complex infrastructure project, risks and weather may affect timing, including the timely completion of testing and commissioning of light rail signalling systems, timing of the final third-party sign-offs. Canberra Metro must obtain a range of third-party certifications for the project, and meeting these obligations will determine when the ACT government can provide the exact date on which light rail will start.

The ACT government is committed to delivering light rail for Canberra, and that is what we are doing. The government is a strong supporter of our local businesses and is continuing to invest in growing our economy for now and the future. Consistent with my comments today, I move:

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

“(1) notes that:

- (a) the ACT Government is delivering Stage 1 of the city-wide light rail network along with other major infrastructure projects, with wide-ranging benefits to the Canberra community including economic growth, improved amenity, generating employment opportunities and greater levels of investment in the ACT;
- (b) significant progress has been made on construction of Light Rail Stage 1 and the Government will continue to update the community on the commencement of light rail services;
- (c) the priority for the ACT Government and Canberra Metro is ensuring safety during construction and delivering a quality light rail system;
- (d) the Government acknowledges that the construction of light rail, along with other important infrastructure projects, has caused disruption to local businesses and the community;
- (e) the Government funded specific communications, industry collaboration and business support programs through the Canberra Business Chamber to support businesses along the light rail corridor;
- (f) the report tabled in September 2018 by the Minister for Transport *Business Impact Assessment of Government-led Construction Activities in Gungahlin* included a number of lessons learnt and stated that a more comprehensive lessons learnt process be undertaken with stakeholders following the completion of Light Rail Stage 1;
- (g) infrastructure projects are benefiting directly from lessons learnt during light rail construction and the way the ACT Government engages and supports businesses has changed. For example, work to upgrade the Sydney building and Melbourne building verges was supported by naked fencing so that patrons could see through to the businesses, bespoke signage, fortnightly construction updates, window cleaning and social media videos;

- (h) through the Light Rail Business Link Program, the Government continues to work collaboratively with the local business community and stakeholders to provide communications, industry collaboration and business support programs to mitigate construction impacts to business along the light rail corridor; and
 - (i) the ACT Government has a Canberra-wide case manager service for new and existing business to assist them to obtain approvals such as for food and liquor, outdoor dining and other relevant permits. This service has worked proactively with business in Gungahlin, for example, impacted by light rail and other infrastructure improvement works; and
- (2) calls on the ACT Government to:
- (a) continue working with businesses to optimise benefits from Light Rail Stage 1 and the provision of support programs to mitigate construction impacts;
 - (b) provide a report back to the Assembly on the comprehensive lessons learnt process within six months of the start of light rail services; and
 - (c) ensure that lessons learnt on the impact to businesses inform future infrastructure projects across the Territory.”.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (5.16): I thank Mr Milligan for his motion in relation to light rail stage 1 construction and its impacts on businesses in the area. I thank Mr Steel for his comments and for his amendment. I would also like to take this opportunity to commend the quality of the work that has been done by Minister Fitzharris in this area.

As Minister for Business and Regulatory Services, I welcome the opportunity to speak about the positive work that the ACT government has been doing in this area to support businesses. Major infrastructure projects like stage 1 of light rail will deliver significant benefit to businesses and to the community along the route once it is complete. This includes economic growth, improved amenity, employment generation, and greater levels of investment. The significant work and the regeneration that are occurring along the corridor are evident, and the excitement is truly being felt.

The ACT government progressed several significant infrastructure projects in the Gungahlin town centre in 2018. These include stage 1 of Canberra’s light rail project, the construction of the new Gungahlin bus station in Gungahlin Place, and the Hibberson Street shared zone.

As is the case with any major public work, there is a level of disruption and inconvenience for the local community and for businesses. While this cannot be completely mitigated, the ACT government, through Access Canberra and through Transport Canberra and City Services, has been very active in ways to reduce the impacts to local businesses and provide information and support to reduce those impacts.

Access Canberra is committed to delivering excellent integrated services for ACT businesses, community groups and individuals seeking service, support, protection and advice from the ACT government. The key focus of Access Canberra is making it easier for people to do business with government for a safe and vibrant city.

The Access Canberra team has been working closely with businesses impacted by the works on the corridor since early 2017. A key focus has been supporting businesses which may use footpath areas to support outdoor dining. The team has temporarily and flexibly redefined outdoor dining areas to facilitate ongoing trade and minimise permit costs for businesses. By way of example, new ways of facilitating outdoor dining were established, such as permitting numerous smaller areas to maximise the outdoor dining space and reduce the cost for businesses.

Government directorates have been working together to make it easier for businesses on Hibberson Street by setting up standard conditions for those along the strip. This makes it easier for those businesses to apply by simplifying the process. Access Canberra was out speaking to businesses proactively, helping them with a case-managed service to get outdoor dining permits over the line.

Access Canberra has also proactively engaged with centre management at Gungahlin plaza and businesses to facilitate outdoor dining in the shared zone. Access Canberra has helped ensure that the placement of street furniture was done in a way that would not get in the way of potential outdoor dining locations. Access Canberra has also conducted several site visits of businesses on Hibberson Street and the new shared zone to discuss any concerns that they may have; to explain the process for applying for outdoor dining permits or where changes to a permit might be needed; and to inform businesses of ACT government initiatives intended to support small businesses, including the one-month free trial for outdoor dining and the eight per cent reduction in outdoor dining fees. As a result, six businesses' permits have changed and four new outdoor dining permits have been issued in the shared zone, adding to Gungahlin's burgeoning urban rhythm and economy.

In discussion with businesses, there is a strong realisation of the benefits that will flow from a world-class public transport offering linking our city and bringing additional patronage to areas like the Gungahlin town centre.

Access Canberra will continue its important work in supporting these businesses over the next few months as the light rail becomes operational, as well as providing leadership and support to businesses across our city. I look forward to the government continuing its work with businesses along the light rail corridor, and I commend the amendment to the Assembly.

MR MILLIGAN (Yerrabi) (5.21): While I can pretend to be surprised at how my motion has been received I am not. I would still like to thank my colleagues for their support and their support for promoting small businesses and economic development for our community. Sadly, the same cannot be said for this Labor-Greens government.

Here, today, we had the opportunity to do something good. We had the opportunity to implement practical strategies to help local businesses weather a storm that has been created by this government. We had the opportunity to show that government reports and bureaucratic reviews are not just an academic exercise or a waste of time, that we listen, we understand and we act. But no, no surprises here from this government. They promise the world and deliver nothing.

The amendment put forward by Minister Steel is nothing but a slap in the face to local businesses. Noting that light rail stage 1 has provided economic benefit to the community is a simplistic way to describe the two-sided impact of this project. Certainly there has been an increase in construction and engineering jobs associated with this project but the impact on traders, retail businesses and service providers has been extreme. And we are not talking about a short-lived disruption. We are talking about two years of noise, dirt and dust that has driven away the custom of so many businesses. Telling us you have made significant progress is yet another smack to local residents and businesses. We know how far the project has come. We have to drive past it every day.

The amended motion says that you will continue to update the community. The update should be simple. We all want to know when the project will be completed and business can start to return to some kind of normality.

The amendment also mentions specific government-funded communication. In your own report, 68 per cent of businesses rated the communication to date as not useful at all. That is damning. Again, the government's own report highlights that 84 per cent of respondents said their own adjustments were of better value than the so-called specific communications and industry collaboration provided by the government. Again, what does this say about this government's ability to support business?

Business wants practical steps to be taken for the things that government can control: the roadworks, construction scheduling, rates and fees. And here the amended motion from Mr Steel points to changes implemented on other infrastructure projects and points to the way the Sydney and Melbourne buildings in the city have had naked fencing and bespoke signage, window cleaning and social media videos. That all sounds good and we hope that those businesses are seeing some benefit from those efforts. But with all due respect, the targeted efforts for an inner city project do not help the traders in my electorate. Perhaps if Mr Steel and his colleagues visited the businesses in the Gungahlin town centre on Franklin Road and in Mitchell they would understand that naked fencing and bespoke signage or whatever other hipster words they want to use are too little, too late for businesses in Yerrabi.

The Labor-Greens government may want to pretend that they are doing what is required, but this could not be further from the truth. They can stand here and say they are implementing the lessons. I am sorry, but that is not true. Businesses all along the light rail corridor want them to prioritise business districts and actually finish the area. Why, after months of empty promises, is the Gungahlin town centre still a construction site? Why are there still bollards, closed streets and dug-up pathways?

Referring to the lessons learnt out of the business impact report, I would like to refer to lesson (d) greater certainty about timing and delays in constructions. The government can still not give a completion date, and businesses are still being left in limbo. Lesson (e) is working with landlords to hold rent prices during construction. Surely here there is a role for government to provide some help with negotiations.

I know of several businesses that have closed their doors, shut up shop, left the town centre, and with thousands and thousands of dollars of debt. This is a disgrace and here we have the opportunity to help those that remain but are close to the line. Instead, what does this government do? Nothing. It sits on its hands and uses spin to talk about marketing campaigns and future projects.

Lesson (f) is for better signage, fewer road closures and efforts to improve parking and accessibility. Surely, here again there are strategies the government could adopt to help promote foot traffic and patronage for local businesses. This stuff is not rocket science; it is basic town planning. And the government has failed residents in Yerrabi on this front time and again, and they are continuing to fail businesses by pretending it is not an ongoing issue.

This brings me to the last and probably most controversial of all the recommendations and lessons learnt, that is, (b) financial support and compensation for revenue loss. I am sure this is the one that scares the government the most, and I can understand that. Perhaps that is why the amendment put forward by Mr Steel is full of so much fluff and fails to mention anything about financial support. Providing compensation for a public infrastructure project could be a dangerous precedent. Why do I think it is justified in this case? Because the government had failed to properly protect and plan for the impact it would cause to businesses.

The light rail project had an environmental impact statement, of which barely two pages are dedicated to business. They rated the risk as so low that they did not make provisions to protect or promote business during construction. In fact, on page 50 of the EIS the risk to business is described as “low, not potentially significant”.

This makes it even harder to swallow the arguments being put forward today. Pretend all you like that businesses will benefit, but I am not convinced. And more to the point for this motion, you need to be doing more now. As I have argued time and again, asking people to hold on till the end, to put their houses and their livelihoods on the line, is unacceptable.

If the government believes they have delivered on the report from September last year, why have they not updated the Assembly or reported back on exactly what they have been doing to help businesses? Why? The answer is they have nothing meaningful to say and nothing practical to offer. Again, the amendment from Mr Steel only highlights that fact.

Where to now? I will go back out to the local traders and let them know the only real way to get action, to see change, is to vote for a Canberra Liberals government in 2020.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 11

Noes 9

Mr Barr	Ms Le Couteur	Miss C Burch	Mr Milligan
Ms Berry	Ms Orr	Mr Coe	Mr Parton
Ms J Burch	Mr Pettersson	Mr Hanson	Mr Wall
Ms Cheyne	Mr Ramsay	Mrs Jones	
Ms Cody	Mr Steel	Ms Lawder	
Mr Gentleman		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.

Organ donation

MS CHEYNE (Ginninderra) (5.35): This morning marked Canberra's largest community event that raises awareness about organ and tissue donation, transplantation and registration—the Gift of Life DonateLife Walk. I am yet to get final numbers but I would hazard a guess thousands of people were there, including schools, workplaces and even the Federation Guard—and the Governor-General.

The walk serves as a reminder to us all about how important organ and tissue donation is and how important it is that we have conversations with our loved ones about our wishes. It was a reminder to me especially that we all have to do more to support our families who engage with the organ donation process at any point: families who engage when their loved ones are a bit too healthy to be a recipient; families who engage when their loved ones are a bit too unwell to be a recipient; families whose loved ones receive organs and tissues; and families who have a loved one who becomes a donor who make that decision usually during the very difficult time of the sudden death of their loved one.

Today I met Mallie Taylor, a Gift of Life board member. Mallie and her husband, Matt, have the kind of love story you see and hear about in movies. Matt had some big health issues related to his lungs and his kidneys. For a long time he was just a bit too healthy to be eligible for an organ transplant. But in August 2016 after a terrible lung infection left Matt fragile and vulnerable, Matt and Mallie were told that Matt was too

high risk and that there simply were not enough donated organs in this country to risk giving Matt a shot. Matt was never in the right window of being just that right level of unhealthy, a window that is unfortunately necessarily imposed because organ donation rates are low. Despite this refusal, Matt remained a passionate supporter of organ donation together with his wife, Mallie. In fact, he completed the Gift of Life walk with Mallie just weeks before he died.

These stories are not easy; it is not easy for these loved ones to relive the difficult circumstances and death of their loved one, but these stories are so important. I thank and commend Mallie for how she is continuing to honour Matt and, by doing so, raising awareness of the impact organ donation can have or, in her and Matt's case, could have had. She is a real credit to the cause.

The thing is, Madam Speaker, our organ donation rates in the ACT are decent; we do all right in terms of averages. But the community support for organ donation is consistently much higher than the consent rates from families. Why is that? It seems there might be quite a lot of reasons and it is something I look forward to talking about and working on in coming months, including with people like Mallie Taylor.

As a start at least, families having an understanding of the wishes of their loved ones is important in improving consent rates so they much better match the community sentiment. Madam Speaker, through you I ask the Canberra community to use today as that prompt, that nudge, to take a moment to share their wishes with their loved ones and to ask their loved ones what they would want too.

Indigenous rights

MS LE COUTEUR (Murrumbidgee) (5.39): This week we remember 15 February 2008 when the Prime Minister made a heartfelt apology to Australia's first nations people. It was a day of sadness but also a day of joy, a day filled with tears and jubilation. Most of all it was a day that generated hope; hope that at last there was a will to set right the wrongs that had been inflicted upon Aboriginals and Torres Strait Islanders since the British colonisers arrived.

Since the commencement of the closing the gap strategy also announced 11 years ago, little has changed. Sadly Aboriginal and Torres Strait Islander people are still over-represented in out of home care and the juvenile and criminal justice systems. They have lower life expectancy than non-Indigenous Australians and still have high child mortality rates, gaps in reading, literacy and numeracy, gaps in employment and gaps in school attendance.

We know that six out of seven targets were not on track at the 10-year mark of the strategy. Something has to change if statistical gaps are to be closed. Structural inequalities must be tackled through constitutional reform to create a representative Indigenous voice to parliament.

I was deeply saddened when the *Uluru Statement from the Heart*, developed in 2017, was outright rejected by the then Prime Minister. This quite reasonable and frankly necessary step of truth-telling and call for acknowledgement of fair, honest

and open relationships with the people of Australia clearly sets the scene for truthful agreement-making and a way forward that starts to redress the balances of power and privilege. It is obvious that self-determination by Aboriginals and Torres Strait Islanders is required in setting the agenda for reconciliation and reparation.

We must get better at listening to our first nations peoples and letting them decide what and how things need to be done because it is obvious that strategies to date have simply failed to deliver. We must get better at examining our own racial or stereotypical prejudices. We must get better at understanding the impacts of colonisation, and we must get better at understanding that many of us, such as myself, still benefit from that colonisation today.

The reality is that sovereignty was never ceded, and we must genuinely accept that that is the case. Most importantly, any refresh strategy cannot be decided by governments alone. It is promising that the overhaul of the close the gap strategy includes plans to incorporate the perspective of Indigenous people through the National Congress of Australia's First Peoples. It is obvious that measures of success or progress for the Indigenous population must be defined by Indigenous people themselves. The lack of progress in closing the gap across a range of indicators suggests that a radical rethink is urgently needed to put resources and the power to direct them into Indigenous hands.

I note that the refresh of the closing the gap strategy is still underway and that there is an intention to establish a new formal partnership with Aboriginal and Torres Strait Islander peoples by the end of February 2019. I look forward to hearing more about this in the coming weeks.

Meanwhile, I acknowledge the good work of our own Aboriginal and Torres Strait Islander Elected Body and also look forward to the launch of the Aboriginal and Torres Strait Islander agreement 2019-28 next week. It is my hope that this agreement will bring about meaningful change and improvement in life outcomes for our local first nations people.

Question resolved in the affirmative.

The Assembly adjourned at 5.43 pm.