



QUESTION TIME
OF THE
LEGISLATIVE ASSEMBLY
FOR THE
AUSTRALIAN CAPITAL TERRITORY

HANSARD

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Questions without notice
Crime—motorcycle gangs

MR COE: My question is to the Attorney-General. Attorney, I refer to a recent report which states:

Outlaw bikie gangs have declared Canberra a “free for all” zone, with one of the world’s most bloodthirsty outfits targeting the nation’s capital because of its lack of consorting laws.

Attorney, what information have you or your directorate received about gangs now targeting Canberra?

MR RAMSAY: I thank the Leader of the Opposition for his question. Certainly it is the case that community safety is an absolutely vital area. It is important that we see the government and ACT policing working together to make sure that Canberra remains a safe place. I think one of the important things to note is that in relation to the criminal activities of outlaw motorcycle gangs, ACT policing has established Taskforce Nemesis.

The results speak for themselves. As part of that work, ACT Policing, through Taskforce Nemesis, has executed 131 search warrants. As of 30 October last year there have been 71 outlaw motorcycle gang members brought before the court. They were charged with a total of 217 offences. Sixty-seven per cent of those matters have received a finding of guilt.

In August the government also announced an additional \$6.9 million in funding over four years to expand Taskforce Nemesis on an ongoing basis—

Mr Hanson: Point of order, Madam Speaker.

MADAM SPEAKER: Yes.

Mr Hanson: On relevance. The question was directly about what information has been received about gangs targeting Canberra, not about the activities of Taskforce Nemesis. What information have we got about gangs targeting Canberra?

MADAM SPEAKER: Thank you, Mr Hanson. I have heard reference to activity targeting gangs and that that is why they were presented before the court. Attorney-General.

MR RAMSAY: Thank you, Madam Speaker. It is important to note that we continue to work in relation to the information that is coming through and in relation to the policing. It is important to note that the way we are working is cooperatively with the police.

In respect of the anecdotal evidence that may be coming through on the gangs themselves, I think one of the important things for us to do in this area is not to repeat and reinforce communications that may be coming from the gangs themselves. What we are doing is having conversations regularly with ACT—(*Time expired.*)

MR COE: Attorney, what reports have you received as minister about Canberra being declared a “free for all” zone amongst bikie gangs?

MR RAMSAY: I do not recall those words being used in any of the reports that I have received.

MR HANSON: Attorney-General, what research or advice has the government received examining whether the increased bikie activity—outlaw motorcycle gang activity—is due to the lack of consorting laws in the ACT?

MR RAMSAY: I thank the shadow attorney-general for his supplementary question. We are regularly in consultation with ACT Policing. That is a key part of our work. We are hearing that, with the range of activities in the ACT, we do not see an increase in the crimes being reported. What we do see is that it is important for us to be able to respond in a range of ways to make sure that our community remains safe. We are continuing to do so, and we will continue to monitor all possible ways of ensuring that we have an effective and safe community, and an effective and safe law enforcement agency.

Crime—motor cycle gangs

MR HANSON: My question is to the Attorney-General. Attorney-General, I refer to a report that states that a number of outlaw motorcycle gangs “have been given legal advice that the ACT would be easier to operate out of rather than other states, where tough anti-bikie laws are in place”. Attorney-General, have you received your own legal advice on this matter, and does that advice confirm that the ACT is easier for outlaw motor cycle gangs to operate out of?

MR RAMSAY: Obviously I cannot comment on legal advice that any other party may have received. In relation to the question, it is not the policy of the government to comment on legal advice that has been received in relation to legal, professional privilege.

MR HANSON: Attorney-General, is it still the case that the ACT does not collect data about the number and nature of crimes or the range of offences committed by outlaw motorcycle gang members in the ACT?

MR RAMSAY: As I indicated in my previous answer, the information that we have from ACT Policing is that Taskforce Nemesis is working and is collecting very effective information. Let me repeat: 131 search warrants across Canberra, seizing firearms, weapons, cash, drugs and anabolic steroids. As of 30 October, 71 outlaw motorcycle gang members have been brought before the court charged with a total of 217 offences and 67 per cent have been found guilty.

MR WALL: Attorney, is it not the case that the movement into the ACT of outlaw motorcycle gangs is exactly what has been warned about and ignored by your government since 2009?

MR RAMSAY: There is no way that this government is ignoring or has been ignoring the—

Opposition members interjecting—

MADAM SPEAKER: Would you be interested in the minister's answer? If so, I suggest you be quiet and cease interjecting.

MR RAMSAY: The government continues to consider a range of ways. We are looking at anti-fortification laws, knowing that fortifications are structures that are designed to stop or inhibit premises being entered. The ACT does not currently have fortification laws, but we will continue to look at those and continue to see how it is that we can enforce matters.

There are a range of enforcement measures which are already available within the existing laws and which we believe can be pursued. We look forward to maintaining a safe community.

Government—inter-city relations

MS CHEYNE: My question is to the Minister for Economic Development, the Chief Minister. Chief Minister, can you please update the Assembly on Canberra's partnerships with Adelaide.

MR BARR: I thank Ms Cheyne for the question. I am pleased to advise the Assembly that the Lord Mayor of Adelaide, Martin Haese, and I have recently signed a smart city cooperation agreement. It is the first such agreement between two leading Australian smart cities, and it formalises arrangements for us to work together on a range of nation-leading reforms and smart city innovation.

I can also advise the Assembly that the Premier of South Australia and I are jointly pursuing increased aviation opportunities between Canberra and Adelaide. I met with the Chief Executive of the South Australian Tourism Commission as well as the Premier and the Treasurer of South Australia to discuss our collaboration to see more direct flights between Canberra and Adelaide, particularly to encourage other low cost carriers to enter that market.

The South Australian Treasurer, Tom Koutsantonis, and I have discussed opportunities for the states and territories to continue to lead on taxation reform, economic development and energy market reform. I note that the South Australian administration is the only other state or territory government in this country to do anything to reform inefficient taxes, in addition to the work that we are undertaking here in the territory.

MS CHEYNE: Chief Minister, how will the smart cities agreement improve service delivery for Canberrans?

MR BARR: The agreement raises the smart city profile of both Canberra and Adelaide, nationally and internationally. We are forming a range of partnerships at the national and international levels to stimulate economic activity in the two cities and to improve the efficiency of service delivery. We are already prominent smart cities with major projects that use technology to make our respective cities more livable and efficient. We have the largest free public wi-fi networks in Australia, providing access to high-speed, high-quality data for our citizens across both cities.

This agreement will see us collaborate around procurement for a range of projects to increase efficiency and buying power. It will also allow us to share knowledge to accelerate the uptake of new technologies, to reduce the risk of having to go it alone, and to create joint promotional opportunities to attract new investment to our cities. We are working together on the development of some national smart city initiatives and applications. This includes smart parking, smart bins and sensors to make our waste collection more efficient and cost effective, sensors and satellite data to help us understand fire behaviour and predict fire paths, and smart data to help us improve traffic flows and congestion.

The agreement will also see us work together to jointly bid under the federal government's smart cities and suburbs program and through the development of respective city deals for Canberra and Adelaide.

MS CODY: Chief Minister, what steps have you taken to secure additional direct flights between Canberra and Adelaide?

MR BARR: We have had very productive discussions with the Premier, the Treasurer and the Chief Executive of the South Australian Tourism Commission about aviation and tourism partnership opportunities between the ACT and South Australia. The Premier has agreed to advocate with me for new low-cost services between Canberra and Adelaide and to increase the current capacity and services with the existing airlines. I have written to the Premier to formalise our commitment to advocate for additional flights.

I note that I undertook a similar process with the Victorian Premier prior to Tigerair services between Melbourne and Canberra being established last December. This was, of course, the first time in quite a while that we had a low-cost carrier servicing Canberra and the region on a daily basis. With those services and infrastructure now operational, there is a greater opportunity to work with Tigerair but also with Jetstar to develop additional services to other cities in Australia.

The new or additional services between Canberra and Adelaide will be supported by cooperative marketing partnerships between Visit Canberra and the South Australian Tourism Commission to promote each city's tourism experiences to encourage greater visitation between South Australians and people from the ACT.

ACT Land Development Agency

MS LE COUTEUR: My question is to the Chief Minister and relates to his power to request investigations by the Public Sector Standards Commissioner into misconduct under the Public Sector Management Act. Chief Minister, why have you not used your power under the Public Sector Management Act to request that the Public Sector Standards Commissioner investigate the apparent serious misconduct by Land Development Agency officials—specifically LDA officials’ manipulation of official records—in response to a freedom of information request lodged by Mr Coe on 15 November 2016?

MR BARR: The first point to make in response to Ms Le Couteur is that no allegations of misconduct or improper behaviour have been made against any officers. The Auditor-General’s report was very clear on that. The Auditor-General found, and I quote, “transparency, accountability and rigour in processes had been lacking in certain circumstances”, but there were no allegations of misconduct or improper behaviour made against any officers.

In relation to the specific issue of the FOI document, on 15 December 2015 it was discovered that a document released in response to a freedom of information request differed from the document originally received by the LDA. The difference was two words, a change in the title of the document. This is a very serious issue and one that needs to be dealt with at the agency level.

On discovering this had occurred in December 2015, two actions were urgently commenced. There was an investigation of the matter by the senior executive responsible for business integrity risk and, of course, the original document was released to the member in accordance with the Freedom of Information Act.

Following the investigation it was determined that the document supplied by a third party was altered and an LDA official was aware of the alteration having been made but was unaware of the implications of the alteration. The investigation found that the officer should undertake counselling and FOI training, and both of these recommendations have been implemented.

The LDA board was formally advised through a report to the LDA audit and risk committee, which occurred at its meeting on 17 March 2016, being the first meeting of the committee after the incident in question.

MS LE COUTEUR: Chief Minister, why have you not used your power under the Public Sector Management Act to request the Public Sector Standards Commission investigate the LDA chief executive’s apparent misconduct under the Public Sector Management Act given that the Auditor-General’s report into certain Land Development Agency acquisitions substantiates that the LDA chief executive appears to have misled the Standing Committee on Planning, Environment, Territory and Municipal Services on 5 November 2015 when he indicated that the Glebe Park acquisitions had received board approval prior to purchase when the Auditor-General’s report indicated otherwise?

MR BARR: The government has responded to those issues formally in the response Minister Berry tabled. Of course, the chief executive of the LDA responded in the audit report. Those issues have been extensively canvassed.

MS CHEYNE: Chief Minister, can you advise what wider action the government is taking to improve the performance of the LDA and land development outcomes for Canberra?

MR BARR: The LDA has undertaken a wideranging internal review of its business systems and processes. This has been informed by the review undertaken by the former commonwealth auditor-general, Ian McPhee. Members would be aware that we are well into the process of creating two separate bodies to undertake the tasks currently performed by the LDA—I outlined this during the election campaign some months ago—to improve transparency and to ensure a focus on strong land development outcomes for Canberrans.

The new urban renewal body will have clear responsibility for the city-defining projects that include the re-invigoration of the CBD, the Northbourne Avenue corridor and the city to the lake project. This new body will establish clear development objectives and act in the long-term public interest of the territory. The authority will make sure these projects are developed effectively and engage with the community using representative consultation to give Canberra world-class, well-designed, architecturally important places to work and to play.

The new suburban development agency will focus on greenfield developments and affordable housing. Its aim will be to deliver new suburbs in a more efficient way and to give Canberrans housing choice.

Crime—motorcycle gangs

MRS JONES: My question is to the Attorney-General. Attorney, I quote from an interstate news report of 16 January this year which states:

... NSW Police sources have revealed their exasperation at how the ACT situation is hampering their battle against the bkie menace. “A lot of clubhouses have been closed down and bikies are no longer roaming in packs in NSW but it’s frustrating that they can still operate freely in Canberra,” a senior NSW officer said. “It means they can have their state and national meetings and plan their criminal activities with less fear of being arrested.”

Attorney, does the government maintain that current laws are adequate when there are reports of exasperated New South Wales police officers being hampered by our lack of laws?

MR RAMSAY: The ACT government is always looking at ways of being able to ensure the enforcement of laws and the safety of the community. I refer again to my previous answer—

Mrs Jones: Which was not an answer at all.

MR RAMSAY: I refer to my previous answer, which listed a number of ways that we are already working to increase security, and the operation of Taskforce Nemesis. We will continue to look at things. We are looking at matters such as anti-fortification laws and we are looking at a number of enforcement measures that are already available under existing laws. We do not operate on the basis of responses primarily through the New South Wales media. We are an evidence-based government and we will continue to base our decisions on evidence, not anecdote.

MRS JONES: Attorney, what plans does the government have prepared to stop state and national meetings of bikie gangs in Canberra that are illegal in New South Wales, like the one occurring at my local shops two weeks ago on Saturday?

MR RAMSAY: It is good to be able to keep reinforcing the good work of Taskforce Nemesis and the increasing—

Mrs Jones interjecting—

MR RAMSAY: And the work that is being undertaken: the issuing of search warrants, the work that we are doing on anti-fortification laws and a range of other enforcement means, including matters in relation to traffic, in relation to—

Mr Hanson interjecting—

MR RAMSAY: In relation to a number of enforcement means that we will continue to work with to promote a safe and secure Canberra.

MR HANSON: Attorney-General, how many new clubhouses or new outlaw motorcycle gangs have commenced operation or opened in Canberra since being shut down in New South Wales?

MR RAMSAY: ACT Policing has identified that there are three outlaw motorcycle gangs currently operating in the ACT.

Members interjecting—

MADAM SPEAKER: If we stop the interjecting, members, the Attorney may be able to respond to the question.

MR RAMSAY: Of those three gangs, they are primarily working with the same people; there has not been an increase in the number of people. There has been some division in the actual outlaw motorcycle gangs themselves. We are continuing to work on that and we will continue to work with Taskforce Nemesis.

Light rail—salaries

MRS KIKKERT: My question is to the Minister for Transport and City Services. I refer to the reported \$740,000 15-month pay deal for the new Executive Director of Procurement and Delivery in the light rail project. What tasks will the new executive director undertake that were not undertaken by his much lower paid predecessor?

MS FITZHARRIS: I thank Mrs Kikkert for the question. Certainly the individual that Mrs Kikkert refers to has had a contract with the ACT government for some time. He has a very extensive background in transport and broader infrastructure projects right around the country, including significant responsibilities in New South Wales. He is overseeing both the delivery and the construction of stage 1 of light rail and will also be overseeing the preliminary work and future work on stage 2 of light rail from Civic to Woden.

MRS KIKKERT: What tasks will the new executive director undertake that are outside the normal public service tasks for oversight of a project?

MS FITZHARRIS: No additional tasks other than the additional role he now has in overseeing stage 2 of light rail from Civic to Woden.

Those in the chamber will know how popular light rail is around this country. Every state and territory government is investing in light rail or seeking to invest in light rail. We have seen reports recently from Hobart, and of course we see the commonwealth government investing in light rail right here in Canberra, on the Gold Coast, in Adelaide, in Perth: Western Australia, Queensland, Victoria—all investing in light rail. What that means is that for highly skilled people there is a very tight labour market.

The team leading the light rail project, both within government and within Canberra Metro, are a very highly skilled team of people drawn from local, national and international experts to deliver us a world-class infrastructure project here, which is exactly what the community wants and which is exactly what this government will deliver.

MR PETTERSSON: Could the minister please update the chamber on how light rail is progressing?

MS FITZHARRIS: I thank Mr Pettersson for the supplementary. I am very delighted to update the Assembly on how well stage 1 of light rail is progressing. As I noted yesterday as well—

Mrs Dunne: On a point of order, I ask whether or not Mr Pettersson's question is in order. Yes there was mention of light rail in Mrs Kikkert's question but it was specifically about the roles and functions of the executive director and his salary, as too was the supplementary. I ask you to rule whether Mr Pettersson's question, which is generally about the benefits of light rail, is in order given what the original and supplementary questions and the answers were about.

Mr Gentleman: Madam Speaker, on the point of order, during Minister Fitzharris's answer she went into quite a bit of detail about light rail not just across Canberra but across the nation as well.

MADAM SPEAKER: The question is in order, and I am sure the minister will talk about the progress, which will involve the activity of the public service official who was mentioned in the first question.

MS FITZHARRIS: Thank you Madam Speaker. Indeed it does. As I noted, this is a world-class infrastructure project being led by a world-class team which does, of course, involve an exceptionally experienced executive director.

The progress is extensive. The project is advancing very well. We have recently seen the delivery of some of the light rail track and we will soon see the laying of the concrete formwork for that light rail track and also later in the year the delivery, of course, of the first light rail vehicles as well.

We are already seeing extensive employment from across the Canberra region. This project is employing hundreds of people as we speak. New works projects have been going out regularly, employing local firms, employing local workers and, importantly, providing training for many local young people.

Education—Shaddock review recommendation

MR WALL: My question is to the minister for education and training. Minister, as part of its response to the schools for all report into students with challenging behaviour, the ACT government agreed to issue new guidelines on the appropriate use of withdrawal spaces, seclusion and physical restraint. These guidelines stipulate that withdrawal spaces should not be locked and students must not be prevented from leaving. Minister, are you aware of any ACT schools that are not adhering to these guidelines for any reason?

MS BERRY: No, I am not aware of any schools.

MR WALL: Minister, are some students at a Canberra primary school segregated from other students in a gated outside enclosure and forced to wear clothing that clearly identifies and highlights them as being different from other students?

MS BERRY: Can I suggest that if Mr Wall is aware of any schools where this might be occurring, that he get in touch with my office and then I can investigate.

Mrs Jones: What's the answer to the question?

MS BERRY: This is the first time that I have heard of that situation, if there is a situation like that occurring.

MRS KIKKERT: Minister, how do you avoid students being stigmatised when they are separated and possibly forced to wear clothing that deliberately identifies them as being different?

MS BERRY: I invite members, if they are aware of a situation where this is occurring, to please get in touch with my office so that I can investigate it.

Sport—government initiatives

MS CODY: Can the Minister for Sport and Recreation update the Assembly on key projects in the Sport and Recreation portfolio, particularly the delivery of the government's election commitments?

MS BERRY: I thank Ms Cody for that question. The government's sport and recreation investments, particularly in local infrastructure, are a foundation for our work in support of active living, and I have been pleased to pick up where we left off in this portfolio. On our election commitments, funding has been made available for the government's commitment of \$75,000 towards consultation around a new ice sports facility. Preliminary meetings have been held and I look forward to seeing the project move ahead in coming months.

The government has also begun to roll out our ambitious program of activities to grow the profile, participation and equity of women's and girls' sport. I want to say how good it is to see the number of local sporting bodies also wanting to take a leadership role in this work.

Key capital works are also continuing to build and enhance our sporting asset base. They currently include the development of the Melrose synthetic football pitch, the redevelopment of the Phillip Oval and the further upgrade of the Narrabundah Ballpark.

Finishing touches to works at Melrose High School are being made in readiness for the opening of this facility next month. Works are on track at Phillip Oval, and finally, the Narrabundah Ballpark community engagement was undertaken last year and design work is well underway.

MS CODY: Minister, how are these investments supporting Canberrans to be active and to participate in sport and recreation?

MS BERRY: This is a timely question given the recent release of the new Ausplay results that affirmed the ACT as Australia's most active state or territory. This new data tells us that Canberrans are using our open spaces and sporting facilities with just over 85 per cent of Canberrans aged 15 years or over participating in sport or physical activity at least once a week and just over 66 per cent participating at least three times a week.

These results reflect the benefits of sustained investment into sport and recreation. Sporting participation does not occur without places to play, whether that is in open playing fields or more specific sporting infrastructure.

The Ausplay data also confirms the need for our ongoing commitment to gender equity in sport, particularly in closing the participation gap for girls, which is as high as 10 per cent for ages 15 to 17 and seven per cent for ages 18 to 24. The government's investment into women's sport stems from a strong commitment to keep making positive change—from school girls right through to elite teams and Olympians.

A love of being active in sport and recreation starts in our youngest years, which is why the government is also delivering Natureplay Canberra as an important program to get kids active outdoors, connecting with nature, exploring and having fun. This program is a great example of a small investment having a big impact in shaping future active lifestyles within our community.

MR PETTERSSON: Minister, what role has the sports community played in these projects?

MS BERRY: I thank Mr Pettersson for the supplementary. The success of sport and active recreation in the territory has always been based on people and organisations working together: partnerships between parents and children, coaches, clubs and state and national sport and recreation bodies. These important partnerships are also key strategic approaches to growing participation. The role of the sports community in these projects begins with talking, expressing needs and doing vital groundwork. Often it means community organising and fundraising, skills many clubs have down to a fine art.

This government listens to our community, and the projects we support are a strong signal of our commitment to working with people across many sport and recreation activities happening every day in Canberra. More and more, our local clubs and peak sporting organisations are embracing the opportunities of partnering with government on the ways we can achieve results together that neither party could achieve on its own.

A great example of this currently is the redevelopment of Phillip Oval. From the very beginning cricket and AFL have been working closely with Active Canberra around financing and design to ensure the facility will best meet the future needs of the sports community and high performance usage for both women and men. This completed project will be an exceptional venue for all levels of sport.

ACT Health—reporting accuracy

MRS DUNNE: My question is to the Minister for Health. Minister, yesterday in question time, you said ongoing problems with the accuracy and integrity of ACT health data were “one of the key elements to discuss in my incoming government verbal briefing”. You said:

I wanted to ensure that the 2015-16 quarterly performance reports were made available as soon as possible, with assurances of course that the data was accurate. This was then done on 9 November.

You tabled the Health Directorate annual report on 13 December 2016. On 14 February 2017, in the Assembly, you said:

... at the time of tabling I did have assurances on the data provided in the 2015-16 annual report.

Minister, did you receive written advice of that assurance, and will you table that advice?

MS FITZHARRIS: I thank Mrs Dunne for the question. I do not recall if I received specific written advice on the 2015-16 annual report. I will check that. But certainly it was published, as all annual reports are, by the directorate, by the director-general. I will check the records on your question.

MRS DUNNE: Minister, in the review process leading up to the assurances that were given to you on the 9 November release of the quarterly reports, were any inconsistencies discovered in the published data in the 2015-16 annual report or any previous annual reports?

MS FITZHARRIS: No, not to my knowledge for the 2015-16 annual report. And no, not to my knowledge on any previous annual reports. But I will check the records again on that question also.

MS LEE: Minister, what has transpired since 9 November 2016 that now leads you to the conclusion that there are inconsistencies between recorded and reported health data?

MS FITZHARRIS: As I indicated in my statement and in questions previously this week, the work that was undertaken in 2016 was specifically to look at the quarterly performance report because it was through one of those reports that the first set of inaccuracies was found. The work that was undertaken in 2016, with advice from PwC, was specifically into the quarterly report. Therefore, I was aware, and I subsequently also spoke with the Health Directorate about looking more broadly at data processes, not just those required to produce the quarterly report.

In the process of looking more broadly at data processes, this is when further issues were discovered and brought to my attention when I returned from leave last Monday, and subsequently informed my decision to ask for a system-wide review. I would like to note that ACT Health have been working extremely hard, treating this as a high priority. I thank all the staff in ACT Health who have been working exceptionally hard both through the production of the quarterly reports throughout the process of a review from PwC, the annual report and, subsequent to that, on other data matters. I expect that they will have a very busy year. They will have my support and I thank them very much for the efforts they have made to date.

ACT Health—mental health data

MS LEE: My question is to the Minister for Mental Health. In her statement to the Assembly on 14 February, Minister Fitzharris stated that the ACT government had failed to provide data relating to mental health in order to be included in the Productivity Commission's ROGS report. When were you first briefed about possible problems with the accuracy and integrity of data relating to mental health?

MR RATTENBURY: I cannot think of the specific date, but it has been some time in the last couple of weeks.

MS LEE: Did the incoming minister's brief advise you that there were potential problems with the data relating to mental health?

MR RATTENBURY: No, it did not.

MRS DUNNE: Minister, how has inaccurate data affected decision-making related to clinical care for people with mental illness?

MR RATTENBURY: I do not believe it has in specific cases, in that individual cases will be dealt with by clinicians based on individual circumstances. System-wide, which is perhaps more where Mrs Dunne's question is going, it is a matter that will need to be reviewed in light of the discovery of the problems with the data.

Environment—Barrar Hill habitat restoration project

MR PETTERSSON: My question is to the Minister for the Environment and Heritage. Minister, can you outline to the Assembly the work undertaken for the Barrar Hill habitat restoration project?

MR GENTLEMAN: I thank Mr Pettersson for the question. I am pleased to inform the Assembly that the innovative habitat restoration project at Barrar Hill has now been completed. Barrar Hill has a long history of impact since European settlement. It was degraded by livestock grazing and had also been a pine plantation. Work has been taking place since 2014 to restore the area's rocky grasslands and recreate woodland habitat for threatened species like the pink-tailed worm-lizard and woodland birds such as the crimson rosella, magpies, raptors, tawny frogmouths and the Australian kestrel.

A particular highlight of the project has been the recent installation of vertical habitat structures including five man-made utility poles and five large relocated mature trees, some up to 160 years old, which were deemed unsafe to remain standing in the urban area but which have now been given a renewed lease of life. In delicate operations involving crane trucks and semitrailers, trees were skilfully removed intact and then resurrected on site where they were placed into concrete lined sleeves where they will now provide habitat for species in coming decades.

Old trees provide unique habitat features that animals and insects can rely on such as hollows and peeling bark. Further work was done to enrich resurrected structures by attaching carved hollows and artificial bark to attract a variety of wildlife.

Within hours of the structures being installed woodland birds such as raptors and parrots were perching and inspecting hollows. Within days we had native bats roosting in specialised bat boxes. The immediacy of the wildlife response has been really fantastic, highlighting the demand for mature tree resources in otherwise highly degraded landscapes.

MR PETTERSSON: Minister, how has the community contributed to the Barrar Hill restoration project?

MR GENTLEMAN: The Barrar Hill restoration project in the soon-to-be-declared Molonglo River reserve near Coombs has been a great example of what can be achieved when the ACT government works with local community and educational institutions. ACT Parks and Conservation Service, the Land Development Agency and Greening Australia have run community planting days in the Barrar Hill area, and it is estimated the community has helped plant 550 native trees and shrubs so far.

A number of community organisations with a focus on conservation have supported this project and have given their time generously. Conservation volunteers always bring a level of enthusiasm but also expertise to projects such as this.

In addition to the efforts of community organisations, this project has a research component. The ACT Parks and Conservation Service is working with the Australian National University on a research project at Barrer Hill to inform how modified areas in the ACT and further afield can be restored with vertical habitat structures, including translocated trees and manmade utility poles. This research being conducted in collaboration with the Fenner School of Environment and Society at ANU will provide valuable data on the ability to restore vertical habitat structures in other modified areas.

MS ORR: Minister, can you provide more detail to the Assembly on how the ACT government partners with the community on important restoration projects like Barrer Hill?

MR GENTLEMAN: I thank Ms Orr for her supplementary. As I just mentioned, the contribution by volunteers and community conservation groups is invaluable to the continued nature conservation work in the ACT and the region. As with the Barrer Hill project, community support from volunteers can make a real difference in protecting the environment. Volunteering for the environment is not only a great way to make a difference but also a great way to learn about the region, get outdoors, stay fit and meet new people.

There are several well-established volunteer groups that assist the ACT government in conservation projects. They include, of course, the Ginninderra, Molonglo and southern ACT catchment groups, Greening Australia and Parkcare. We need assistance to conserve and protect our natural environment, build knowledge of our region's plants and animals and support and encourage more sustainable behaviour in our communities. Some of the more common activities that community groups help with are planting trees, shrubs and grasses, identifying and recording wildlife such as frogs and platypus, monitoring water quality in our streams, removing woody weeds and collecting seeds.

A final example is the important restoration work at the lower Cotter catchment, which has been well supported by the community and volunteers, coordinated by Greening Australia. They have planted over 300,000 seedlings over 2,000 hectares. So I want to thank the community for their ongoing contribution.

Aboriginals and Torres Strait Islanders—Boomanulla Oval

MR MILLIGAN: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, the Boomanulla Oval was closed in November of 2014, with the corporation going into liquidation. It has been a sporting and cultural centre for Canberra's Aboriginal and Torres Strait Islander community for the past 30 years, and is much missed as a venue for their events. Minister, what progress has been made to restore Boomanulla Oval?

MS STEPHEN-SMITH: This matter does not sit directly within my portfolio. I did receive an update a while ago, but I do not have the information with me so I will have to take that question on notice.

MR MILLIGAN: Minister, previously the Boomanulla Oval was managed by Winnunga. Since then the Boomanulla Oval has been closed for the past couple of years. There was an expression of interest that was put out to take over the Boomanulla Oval again.

MADAM SPEAKER: Mr Milligan, that is a preamble. Please go to your supplementary question.

MR MILLIGAN: Minister, why has a process not been developed in the past couple of years to restore Boomanulla Oval?

MADAM SPEAKER: The Minister for Aboriginal and Torres Strait Islander Affairs.

MS BERRY: Madam Speaker, Boomanulla Oval falls into my portfolio responsibilities. Yes, it has been a long process working with the community on how we can restore Boomanulla Oval. The expressions of interest happened early last year and Active Canberra has been working with Winnunga to work out the best way forward for Boomanulla Oval. It is taking some time, but we want to make sure that we get it right, that the community gets the best benefit out of that oval and, importantly, that it remains as an area of cultural significance to the Aboriginal and Torres Strait Islander community in the ACT.

MR DOSZPOT: Minister, can you give us an indication of when our community will once again be able to enjoy the use of the Boomanulla Oval?

MS BERRY: Thank you for the question. I really cannot give an indication or a time frame at this stage. There is quite a lot of remedial work that would have to happen at the oval before it could be of any use. However, we are having conversations with Winnunga about how we can best restore that oval and what other uses it might have to benefit the Aboriginal and Torres Strait Islander community.

Asbestos—worker safety

MR DOSZPOT: My question is to the Minister for Workplace Safety and Industrial Relations. Minister, why were no air quality monitoring results received by the asbestos team after February 2016 for any of the sites examined by the Auditor-General?

MS STEPHEN-SMITH: I thank Mr Doszpot for his question. I was going to respond to some questions I took on notice yesterday. Yesterday I took on notice three questions regarding air quality monitoring in the demolition of loose-fill asbestos contaminated houses. I am advised that air quality monitoring has been conducted for all demolitions that took place in 2016. As to the specifics of whether or not and to whom those reports were provided, I will look into that.

MR DOSZPOT: Minister, will you also guarantee that there will be air monitoring for all future demolitions?

MS STEPHEN-SMITH: Mr Wall yesterday also asked a supplementary question as to whether the staged approach to demolition means that air quality monitoring can and should be undertaken on all sites. I am advised that the answer to that question is yes, so I assume that will be the practice.

MR WALL: Minister, how can you be certain that the demolitions where it seems, according to the Auditor-General's report, no air monitoring had been conducted, were in fact safe?

MS STEPHEN-SMITH: The government has welcomed the findings of the Auditor-General's report and the review, and we know that it is important to have clearly documented frameworks, policies and procedures around the regulation of Mr Fluffy demolitions. WorkSafe and other agencies continue to make improvements on that front. In fact, the report confirms that many of the improvements that are already underway are on the right track.

It is important to understand, however, that this audit did focus mainly on administrative practices. While these administrative practices are important, safety outcomes are WorkSafe's key focus, and they will always be the priority.

As members may be aware, the government is preparing a full response that will address all the recommendations outlined in the report, but the community can retain a high level of confidence about the safety of the program and WorkSafe's role in the regulation of these activities. Experienced inspectors are on these sites every day and attendance is based on a risk-based approach.

Environmental Defenders Office—funding

MS ORR: My question is to the Attorney-General. Minister, what has the ACT government done to respond to the commonwealth's decision to cut funding to the Environmental Defenders Office from 2014?

MR RAMSAY: I thank the member for her question and also for her clear interest in and the importance she places on the environment and planning. The ACT Labor government is certainly getting down to business supporting community legal centres. Support for legal assistance helps us to create a justice system that is accessible, transparent and timely.

The federal government cut funding to the ACT Environmental Defenders Office in 2014. This cut threatened the ability of the EDO to provide advice and advocacy on the environment to the community. The \$140,000 in funding that we announced for 2016-17 will keep the EDO's doors open.

The EDO here in the ACT has an exemplary history. In fact, the ACT's newest judge, His Honour David Mossop, once managed the EDO here, and early in his career he was a solicitor for the New South Wales EDO.

The EDO works in collaboration with Legal Aid ACT to offer legal assistance focused on the environment. A key function of the EDO is to provide advice to the government about how its laws impact on the environment. For example, the EDO made a submission to the commonwealth parliament's 2014 inquiry into the development of northern Australia to promote a focus on ecologically sustainable development. The EDO has also made submissions on major reviews of the ACT's environment protection legislation.

The EDO has services to address neighbourhood legal problems. For example, if someone has problems with a noisy neighbour, the EDO's fact sheets are a fantastic starting point. For people who need representation for a tribunal or a court matter involving the environment, the EDO is well placed to support them as well.

MS ORR: Minister, are the cuts to the EDO related to the commonwealth's decision to cut funding for other community legal centres in the ACT?

MR RAMSAY: Yes indeed. These cuts are part of the commonwealth's decision to cut funding more broadly for legal assistance. Community legal centres are particularly hit hard by the commonwealth's decision under the national partnership agreement on legal assistance services. Across the country the commonwealth is cutting funding for community legal centres by \$12.1 million in 2017-18.

Commonwealth funding for community legal centres in the ACT dropped from \$1.122 million in 2015-16 to \$1.072 million in 2016-17. It will drop again to \$807,000 in 2017-18. The remaining two years of the NPA will see a further \$532,000 reduction from the 2015-16 funding level, making the total reduction in funding \$897,000 over four years.

Canberra Community Law estimates that 200 disadvantaged people will have to face court without legal advice as a direct result of the commonwealth cuts from July this year. Here is just one case study, of course with name changed, from the CCL annual report:

[Stacey], an Aboriginal mother of three young children, got behind on her rent while attending to a family crisis out of state. [Stacey] ended up homeless as a result. With help from Canberra Community Law, she was able to negotiate an agreement with Housing ACT to resolve the matter and get housing.

This is who the commonwealth cuts are targeting, people with the greatest need and at the most risk of serious consequences when they cannot get help. This open disregard for our city's most vulnerable people is a demonstration of weak and poor values. The ACT will keep working to support CLCs and to keep up the pressure on the commonwealth to meet its obligations to those in need.

MR STEEL: Minister, was the commonwealth decision to cut funding for community legal centres based on any evidence at all about the impacts on the community?

MR RAMSAY: I thank Mr Steel for his supplementary. There is indeed plenty of evidence about the impact of these cuts, but it certainly does not seem that the commonwealth government has paid any attention to it. These cuts will increase costs on the community, they will target the most disadvantaged people in our society and they will limit access to justice. On this topic, let me quote the commonwealth's Productivity Commission. The 2014 *Access to justice* report stated:

Disadvantaged Australians are more susceptible to, and less equipped to deal with, legal disputes. Governments have a role in assisting these individuals. Numerous studies show that efficient government funded legal assistance services generate net benefits to the community.

Let me repeat and emphasise that: there are net benefits to the community from investing in legal centres. When people show up to court without legal advice, the process often takes longer, with poorer outcomes that can result in further legal problems. Every dollar that we invest in community legal centres results in savings to the community as a whole and, more importantly, in better service to the disadvantaged.

The decision of the commonwealth government ignores the evidence and damages our community. The ACT Labor government's goal is to have a justice system that is accessible, transparent and timely. Community legal centre funding is one of the most efficient, most fair ways to ensure that our legal system serves those who are disadvantaged. A justice system is not accessible if it only works for people with the financial resources to hire a lawyer.

Asbestos—removal

MR PARTON: My question is to the Minister for Workplace Safety and Industrial Relations in regard to loose-fill asbestos. Has WorkSafe ACT tested neighbouring properties after demolition of Mr Fluffy sites to see if those neighbouring properties had been contaminated by traces of asbestos?

MS STEPHEN-SMITH: As I have said, air quality monitoring has been undertaken on 100 per cent of the demolition projects, but I would have to take the specifics of the question on notice.

MR PARTON: From the perspective of the minister, what level of confidence can neighbours of Mr Fluffy properties or purchasers of the properties have that all asbestos has been removed from neighbouring properties?

MS STEPHEN-SMITH: I think the ACT community as a whole and purchasers of neighbouring properties can have a high level of confidence given the processes that WorkSafe has in place to monitor the demolition of all Mr Fluffy properties and the fact that air quality monitoring, as I am advised, does take place and that WorkSafe inspectors, experienced inspectors, are on sites across the city every day. Attendance is based on a risk-based approach.

To put the extent of those words in perspective, to date over 530 Mr Fluffy houses have been demolished, which is more than 200,000 hours of demolition and remediation work. In this time, there have been no major injuries sustained on sites or safety concerns affecting the broader community, which would include neighbouring properties. Again, I will go and look into the specifics, but I am assured that WorkSafe is taking this matter very seriously.

MR COE: Minister, what levels of confidence do you have in the asbestos removal program, in particular the earth sampling, given the concerns of the Auditor-General, especially as clarified in the corrigendum issued a week or so after the Auditor-General published her report?

MS STEPHEN-SMITH: As I said earlier, we welcome the review findings of the Auditor-General. We are preparing our response to the recommendations outlined in the report. I am assured that WorkSafe is conducting its work in a way that is focused on safety. Safety is the key priority. We understand that some issues have been raised around the administrative practices and the documented frameworks and policies. Improvements are being undertaken in relation to this. The government is preparing a full response to the recommendations which will be released in due course.

Tuggeranong—cemetery facilities

MS LAWDER: My question is to the minister for planning. In 2008 the ACT government set aside a site on Mugga Lane for a new cemetery. In 2013 the ACT Public Cemeteries Authority Chief Executive was quoted in the *Canberra Times* as saying that a multi-million dollar cemetery and crematorium would be operating in the city's south by 2017, yet in Monday's *Canberra Times* there was a report stating that "the government was reluctant to state whether plans had been scrapped". Minister, has the government scrapped plans for a new cemetery and/or crematorium in Tuggeranong?

MR GENTLEMAN: I thank Ms Lawder for her question. Whilst I am not the minister with responsibility for cemeteries, Planning and Land Management is my portfolio. We have looked at the opportunity for a new cemetery on the south side. Those investigations continue. However, in the meantime, before providing certainty on a cemetery site for the south side, we are looking for other opportunities across the ACT to take up that role, if you like. It is important, particularly for the people of Tuggeranong and those living on the south side, to have an opportunity for end-of-life options in that form, and we will continue to work along that process.

MS LAWDER: Thank you to the non-minister for cemeteries. Minister, when will Tuggeranong have a cemetery and crematorium?

MR GENTLEMAN: It is a matter of timing, looking at the availability of the land and, of course, looking at the other options. We have announced that we are expanding the Woden Cemetery. There is an opportunity there for some take-up before we provide a cemetery for Tuggeranong. It is a concept we have discussed with the community, and we intend to do that further down the line.

Ms Lawder: On a point of order, Madam Speaker, the question quite clearly asked when. I did not hear a particular time frame in the minister's response.

MADAM SPEAKER: The minister has time to respond to your question. Minister.

MR GENTLEMAN: Yes, I said further down the line.

MS LE COUTEUR: Minister, can I just clarify. Are you still talking about the Mugga Lane site? You have knocked back a variety of opportunities. I should possibly declare that I was previously a member—

MADAM SPEAKER: No preamble, Ms Le Couteur.

MS LE COUTEUR: Are you still committed to the Mugga Lane site? It was not clear from your answer.

MR GENTLEMAN: At this stage we have looked at the Mugga Lane site. We are also looking at other opportunities on the south side.

Multicultural affairs—diversity and acceptance

MR STEEL: My question is to the Minister for Multicultural Affairs. Minister, what is the government doing to welcome refugees into the Canberra community as part of our commitment as a refugee welcome zone?

MS STEPHEN-SMITH: I thank Mr Steel for the question. As we discussed yesterday in this place, Canberra has a strong record when it comes to social inclusion overall. In particular, we are proudly welcoming of refugees and asylum seekers, and our city leads the way in embracing and supporting those vulnerable members in our community who need help and assistance.

As members would be aware, the ACT was the first state or territory to be declared a refugee welcome zone. In making this declaration, we made a commitment to welcome refugees into our community, to uphold the human rights of refugees, to demonstrate compassion for refugees and to enhance cultural and religious diversity in our community. Indeed, I met with the Refugee Council of Australia this morning to discuss what more we can do to give practical effect to our commitment as a refugee welcome zone.

The government, we recognise, has an important role in including, educating and supporting asylum seekers who settle here to become truly part of our community. That is why last year the former minister, Minister Berry, wrote to the commonwealth seeking to have the ACT included in the safe haven enterprise visa scheme. Without the security of being in a so-called SHEV zone, refugees in Canberra, even those who had been here for a number of years, may have been required to move interstate, away from their communities, friends and support networks.

At the last election Labor made a further commitment to support refugees and asylum seekers looking for employment in the ACT, committing \$1.2 million for a jobs package to address the relatively high unemployment levels of refugees and asylum

seekers compared to the rest of the population. On top of individual support and job matching services, we will also work to foster relationships between the ACT business community, government and refugee settlement service providers.

The ACT government has also made changes to the criteria for Australian apprenticeships and skilled capital programs to enable more refugees and asylum seekers in the ACT to access subsidised training. This is on top of our popular and well-regarded work experience and support program.

MR STEEL: Minister, what steps are being taken to ensure that Canberra continues to set an example for the rest of the country in how culturally and linguistically diverse communities can flourish and engage?

MS STEPHEN-SMITH: I thank Mr Steel for the supplementary question. The ACT has, as I said, a long and proud history of welcoming not only refugees and asylum seekers but also migrants from across the globe of all backgrounds, faiths, colours and creeds. Here we proudly put back up the pictures of Muslim girls waving Australian flags to celebrate our national day and theirs. Here we build communities, not walls. And, as a result, our city is a true multicultural success story. Our people come from nearly 200 nations and hundreds of languages are spoken in our homes.

The government's commitment to creating and maintaining an inclusive community that captures this cultural and linguistic diversity is set out in the ACT multicultural framework. This framework was developed following an extensive community consultation process with community leaders, peak community organisations and the Canberra community.

To assist with the implementation of the multicultural framework, the ACT government will be establishing a new ACT multicultural advisory council. This new advisory council will provide advice on how we can ensure Canberra continues to pave the way as Australia's multicultural leader by addressing issues that affect culturally and linguistically diverse communities and how we can strengthen Canberra as a welcoming multicultural community. A key task of the council will be to plan for a multicultural summit in 2018.

Expressions of interest for the council will open on 28 February. I encourage all members to draw this to the attention of culturally and linguistically diverse constituents who have an interest in representing their communities. We have many people here in the ACT with a wealth of experience in supporting multiculturalism and helping communities grow. It is essential for us to draw on their knowledge as we continue to set an example for the rest of the country in how culturally and linguistically diverse communities can flourish.

MS CHEYNE: Minister, as part of this commitment, how can we all enhance and celebrate the cultural and religious diversity in the community?

MS STEPHEN-SMITH: I thank Ms Cheyne for her supplementary question. Obviously, with the marquees going up outside, we can see one way that we are going to be doing that this weekend. Indeed, since becoming minister only a few months ago, I have had the opportunity to participate in a number of events organised by

community groups at the grassroots level to engage not only their own members but Canberrans more broadly in celebrating very important cultural events. Just recently, as we were reminded earlier this week in a truly tripartisan MPI debate, there have been numerous celebrations of Lunar New Year, for example.

These celebrations will continue, along with so much else, at the National Multicultural Festival this weekend. This year's festival will see additional accessibility measures in place so that even more Canberrans can participate safely and comfortably. These include a sanctuary for all ages and abilities in Petrie Plaza, near the merry-go-round. There will also be a specific children's sanctuary located across the way at the Canberra Museum and Gallery.

In relation to the footprint, a significant effort has been made to relocate stalls to reduce the congestion experienced last year in some areas. Over the last few months, as mentioned yesterday, the footprint has also been reviewed in consultation with disability peak organisations to ensure better accessibility for people with a disability.

As I have said, the ACT is a multicultural success story, and this weekend we expect more than 280,000 people to flock to Civic to experience a kaleidoscope of music, dance and other performances across seven stages. With hundreds of local, national and international acts and some 400 stalls, there is something for everyone across the three days.

I would like to thank in advance the 4½ thousand volunteers, representing Canberra's multicultural communities, who will showcase their respective cultural traditions and heritage through performances and food from across the globe. The festival is a strong sign of our community's commitment to multiculturalism, and it is something we can all be proud of.

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