



**QUESTION TIME**  
OF THE  
LEGISLATIVE ASSEMBLY  
FOR THE  
AUSTRALIAN CAPITAL TERRITORY

**HANSARD**

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Tuesday, 20 February 2018

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## Ministerial arrangements

**MR BARR:** In the absence of the minister for health, Minister Fitzharris, due to her being unwell, Minister Rattenbury will take questions in the health portfolio and I will assist members in Minister Fitzharris's other portfolios of transport and city services and higher education, training and research.

## Questions without notice

### Suburban Land Agency—purchases

**MR COE:** I have a question for the Chief Minister. Chief Minister, in September of 2016, you announced that the LDA would be abolished. This announcement was in light of the scathing assessment by the Auditor-General of governance arrangements in your agency. Now, under a second Labor-Greens government, the scandals are continuing, including the purchase of multimillion dollar properties on the basis of just one valuation. Chief Minister, why did you secretly approve the purchase of properties using rules that have been subject to extensive criticism and also in the dying days of the LDA?

**MR BARR:** I did not secretly do anything. The process associated with the acquisition of that land was a thorough one, with board approval by the former Land Development Agency, a business case development assessment by Treasury and a recommendation to me as Treasurer: a perfectly appropriate process.

**MR COE:** Chief Minister, under current rules, is it legal for the government to purchase a property worth millions of dollars with just one valuation?

**MR BARR:** The government continues to pursue the acquisition of land where necessary in order to meet—

*Opposition members interjecting—*

**MR BARR:** I've got two minutes; you can listen. The government seeks to meet future land release needs and future environmental offset needs through the acquisition of land through a variety of means and processes that the Leader of the Opposition would be well aware of.

**Mr Coe:** A point of order, Madam Speaker.

**MADAM SPEAKER:** A point of order, Mr Coe.

**Mr Coe:** It is on relevance. The question was: is it legal for the government to purchase a property worth millions of dollars with just one valuation? To date, the minister has not answered that.

**MADAM SPEAKER:** I think he made reference to the processes that are available to him, but you may choose to add to that, Chief Minister. Do you have anything to add, Chief Minister?

**MR BARR:** I will let you finish your point.

**MADAM SPEAKER:** I would also refer members to 117(c)(iii), which states that questions shall not ask ministers for a legal opinion. The Chief Minister may want to consider that in his reply, should he wish to use his 44 seconds.

**MR BARR:** Indeed, yes; with respect to the observation you made, the Leader of the Opposition would appear to be seeking a legal opinion. Of course, laws do not apply retrospectively.

**MS LE COUTEUR:** Chief Minister, what was reason for buying this land? In other words, what was the government planning to do with the land?

**MR BARR:** For purposes of either residential development or environmental offset; or a combination of both.

### **Housing—affordability**

**MS LE COUTEUR:** My question is to the Chief Minister. It relates to targets for affordable community and public housing which he signed off yesterday. These show a housing target of 143 new public housing dwellings and 34 new community housing dwellings in 2017-18, out of the 4,120 dwellings to be released across urban renewal sites and new land releases. Minister, can you explain why the targets for public and community housing are so low and will not meet the real and growing need for affordable housing in our city?

**MR BARR:** I thank Ms Le Couteur for the question. Ms Le Couteur's question assumes one fiscal year in isolation of what has preceded it and what will follow. I think it is unfair of Ms Le Couteur to characterise the 2017-18 fiscal year or the future fiscal year as being the determinant of all future affordable housing opportunities that will present themselves, and the substantial history, in recent years in particular, of renewal and enhancement of public housing.

I make the broader observation that it becomes more and more challenging to find available sites, particularly when the overlay of as much as possible distribution of public and social housing around the city is factored into the equation. There still remain some suburbs where there is little or no public and community housing, and some other suburbs where the concentration of public and community housing is at a level that is inconsistent with the salt-and-pepper approach that has been adopted by this government and indeed governments before us.

So there are a range of factors that need to be considered. There will never be a level of supply that will meet available demand, given that we are an island within a greater state in a larger country. We need to be realistic also about our capacity to meet demand in that context.

**MS LE COUTEUR:** Why are there some suburbs that have zero public housing allocations, this is both in the urban renewal sites and some greenfield sites?

**Mr Barr:** Do you mean in relation to the targets for the current fiscal year?

**MS LE COUTEUR:** Yes. In the notifiable instruments some have zero.

**MR BARR:** Because they already either have an existing significant component of housing whereas the land release in this particular year does not support an additional supply. That is not to say that it will not in the future. I think it is important—and I draw Ms Le Couteur’s attention to the history of the year before, the year before that and the year before that—to look at the context of how much housing is available within each of the suburban areas. You cannot take one year in isolation.

**MS CHEYNE:** Can the Chief Minister provide further detail on the government’s motivation for modernising public housing across the city?

**MR BARR:** As I am sure members are aware, we have the oldest public housing stock in Australia. We have a public housing stock that was built for a different purpose from that currently applied. We have the best targeting of public housing in the nation in terms of allocating housing to those in the greatest need.

But the housing that was built in Canberra during the 1950s and 1960s was built to house incoming public servants whose departments were being shifted, particularly from Sydney and Melbourne, into the national capital. It was built at a time when environmental standards that we take for granted today were not at the forefront of thinking and it was built for a particular type of individual, less so for family units.

So there has been a need to both renew the public housing stock and to distribute it so that we achieve our broader goals of ensuring that public housing and community housing are distributed throughout the city and that the housing is modern, contemporary, meets current standards for environmental performance and liveability and that it is the housing that suits the needs of our existing and future tenants.

### **Planning—Civic**

**MR PARTON:** My question is to the Minister for Planning and Land Management. I refer the minister to an article in the *Canberra Times* on 13 January this year about a proposal by the Labor club to seek a change to the allowable uses on the lease for a former bank building next to the City Labor Club. The Labor club does not currently own the building. Why does the Labor club have standing to change the lease of a building it does not own?

**MR GENTLEMAN:** I think you would have to ask the Labor club about that. In regard to lease changes, of course people can apply to change the lease purpose of the area they have control over. They would have to go through that process with ACTPLA and go through the public process of lease variation change.

**MR PARTON:** Minister, what actions will you take to ensure that due process is followed in consideration of this proposal?

**MR GENTLEMAN:** With all proposals for lease variation change, there is a statutory process that the independent authority goes through, and I stand by the process that the independent authority goes through in regard to lease variation

changes or, indeed, to the whole gamut of planning in the ACT. They do a fantastic job for the territory, I believe, and they have my full support.

**MR COE:** Minister, can tenants usually seek to change the crown lease and is the Labor club taking this on because they might get a better hearing being the landlord?

**MR GENTLEMAN:** I reject the premise of Mr Coe's question in regard to any extra treatment for the Labor Club over anybody else. Indeed, I would imagine that our authorities would be very careful in the way that they deal with that particular change.

### **Council for the Australian Federation—ACT relationship**

**MR PETTERSSON:** My question is to the Chief Minister. Chief Minister, you recently attended the February COAG meeting as the incoming Chair of the Council for the Australian Federation for 2018. Could you provide the Assembly with an overview of the key deliberations at the meeting and how they will affect the ACT?

**MR BARR:** The meeting focused on health funding, early childhood education, and on progressing a range of key national reforms, including work on closing the gap. I can advise the Assembly that the meetings were largely constructive, especially when hearing from Indigenous leaders at the special gathering and in COAG about how governments can work with our Indigenous communities to close the gap. The ACT was singled out for commendation for our work to establish Reconciliation Day this year, as well as our consultation processes.

Much of COAG was spent discussing the funding necessary to maintain and strengthen our health and education systems. States and territories, Labor and Liberal, have been very clear that we are collectively facing a significant budget challenge from growing health costs. We are focused on delivering vital services for Australians, and we need to keep pace with this need. We also forcefully put the case for stronger, long-term funding arrangements for early childhood education. Proper funding for early childhood is a critical social and economic investment.

I must say that perhaps the most promising element of the day actually came outside the COAG process. There was strong support for my proposal to decouple state and territory matters from COAG to allow a range of state-specific reforms to proceed.

**MR PETTERSSON:** Chief Minister, why did the ACT, along with most other states and territories, not sign up to the commonwealth's proposed health funding agreement?

**MR BARR:** I thank Mr Pettersson. In simple terms, the offer was not good enough, and the commonwealth still owes most states and territories a significant amount of funding for health services already delivered, in our case, around \$40 million. Other states are owed hundreds of millions more. Until that outstanding debt to Canberrans is paid by the commonwealth, it will be difficult to move on to the next agreement.

The ACT, though, did not discount the health agreement proposal out of hand. We will continue to negotiate constructively and put forward a range of proposals that will help cater for the growing Canberra community and, importantly, our role in

providing high quality health care for the entire region. Surrounding New South Wales and cross-border issues are particularly pertinent for us.

We actively considered the benefits of accessing the commonwealth's rather last-minute, fairly small innovation fund proposal, but determined that when split up by jurisdiction the funding ended up being a rounding error even in our health budget. Importantly, any future funding agreement should help fund health infrastructure that benefits patients from New South Wales as well. Minister Fitzharris and I will continue negotiating with the commonwealth to reach a better agreement on long-term funding for Canberra's healthcare system.

**MS ORR:** Chief Minister, what reforms will you prioritise as chair of both the Council for the Australian Federation and Council of Capital City Lord Mayors to benefit the Canberra community?

**MR BARR:** This year chairing both the Council for the Australian Federation and the Council of Capital City Lord Mayors provides an opportunity to drive a series of reforms that improve living and working in our nation's cities. My aim is to establish a way for states and territories to move forward with our own reform agenda through the Council for the Australian Federation and through the initiative of the New South Wales Treasurer, Dominic Perrottet, for the establishment of the board of treasurers.

Rather than the commonwealth setting the agenda, which is often to the detriment of states and territories, we can and will pursue a range of reforms collectively at the state and territory level. In 2018 the Council of Capital City Lord Mayors will provide a stronger connection between local, state and commonwealth decision-makers and raise the profile of essential local and national issues, including infrastructure and public transport to reduce congestion, housing affordability, sustainability and climate adaptation, homelessness, and liveable and sustainable cities.

It is vital that the agendas of the Council for the Australian Federation and the Council of Capital City Lord Mayors are structured forcefully and effectively to advocate to all sides of federal politics about the need for proper investment in Australia's cities.

### **Crime—victim welfare**

**MRS JONES:** My question is to the Minister for Police and Emergency Services. At around 4.30 on 6 February workers at the Raiders Weston Club were victims of yet another violent robbery at our local clubs. That night workers at the Aldi Store in Chisolm were also victims of a robbery. Given that workers' children are now asking their parents not to go to work for fear of their safety, minister, have you yet personally visited the employees at Raiders Weston Club or the Aldi store in Chisolm to see how these employees are coping after these violent crimes?

**MR GENTLEMAN:** Directly answering Mrs Jones's question, no I have not visited individual workers at those places. As I mentioned last week, I have of course met with representatives of Clubs ACT in regard to these particular crimes and have indicated our support for the clubs and we have taken action in regard to supplying a particular officer in the crime squad to liaise with them directly to ensure that they have the particular training they need in such circumstances and also to give them

advice on hardening the club and being prepared for these sorts of criminal activities. Of course ACT Policing are investigating all these and have taken a number of actions along those lines.

**MRS JONES:** Minister, as of now, how many arrests have been made in relation to the robberies at the Raiders club or the Aldi store?

**MR GENTLEMAN:** As I understand it, there has been one arrest. There may be some more details but I do not have those details in front of me. I will take that part of the question on notice and come back to the chamber.

**MR HANSON:** Minister, will you demonstrate that you care for the safety of our workers and commit to visiting employees at Raiders Weston Club or Aldi, given that those staff have expressed concerns as to why you have not visited?

**MR GENTLEMAN:** I have had no requests from staff at either of those places to visit with them. I am not sure that it would be appropriate at a ministerial level to take that sort of action. It is important, of course, that they receive the support of government, and that is why we have taken the appropriate actions in regard to individualising a contact officer in the crime squad in the ACT. That is appropriate at a ministerial level.

### **Light rail—infrastructure damage**

**MISS C BURCH:** My question is to the Treasurer. Treasurer, on 16 February 2018 the *Canberra Times* reported that Northbourne Avenue was closed in both directions during peak hour on Thursday, 15 February after a gas leak at the intersection of Northbourne and Ipima streets, following damage by machinery during excavation work associated with the light rail project, and that WorkSafe ACT had served Canberra Metro with a prohibition notice and an improvement notice following the gas leak. Treasurer, what additional costs have been incurred as a result of damage to public infrastructure and utilities caused by works associated with the light rail project?

**MR BARR:** In relation to just that incident, or more broadly?

**Miss C Burch:** More broadly.

**MR BARR:** More broadly I will need to take on notice.

**MISS C BURCH:** Treasurer, what has the government budgeted for remediating damage to public infrastructure and utilities caused by works associated with the light rail project?

**MR BARR:** The government has not budgeted for that. Any damage to public space, properties or assets would be the responsibility of the consortium.

**MR COE:** Treasurer, what steps are you taking to prevent further cost blowouts resulting from damage to public infrastructure and utilities, and will the ACT government bear any of the expense for utilities that were not located on the

original survey documents provided to the consortium?

**MR BARR:** I reject the first part of the member's question. The language used there is typical of an opposition but it is not the truth. In relation to other matters pertaining to the member's question, the government does not bear responsibility for the particular issues that were germane to Miss Burch's first question. So, in the context of contractual arrangements between the government and the consortium around unmapped infrastructure, it would be the subject of the detailed agreements contained within the public-private partnership contract.

### **Energy—battery storage**

**MS ORR:** My question is to the Minister for Climate Change and Sustainability. Minister, can you explain how the ACT government is encouraging the uptake of solar battery storage through the next generation energy storage grants?

**MR RATTENBURY:** As a result of one of the wind auctions undertaken last term, the ACT government is funding an expansion of household batteries in the ACT. The funding under this program will provide up to 5,000 household batteries to be rolled out across the territory. This equates to around 36 megawatts of storage and certainly has the potential not only to provide individual householders with significant energy savings but also make a significant contribution to the stability of the grid and to provide backup power supply through operation programs such as virtual power plants.

The subsidy reduces the price for every system by in the order of \$4,000. It does depend for individual households on the system they are setting up and the scale of the system, but it is providing both an opportunity for households to get involved and also a platform to grow the industry here in the ACT, just as the original feed-in tariff program for solar panels was very successful in lifting the uptake of solar panels in the territory.

**MS ORR:** Minister, could you detail how this program is helping the ACT reach its target of net zero emissions by 2050?

**MR RATTENBURY:** Yes, this is part of the government's broader strategy to drive our electricity sector to zero emissions. We are well on track to achieve that. As members know, that is no longer simply a target. It is something that will be achieved in the next couple of years. That positions the ACT as a global leader but it also means that we are doing our part to address greenhouse gas emissions in a way that is both technically effective and cost efficient for residents of the ACT.

The battery storage program assists that because more residents are being encouraged to take up solar production on their roofs. Also, as I mentioned earlier, providing that additional storage capacity improves the reliability of the grid. Certainly, with the forecast temperature increases in the ACT under climate change scenarios, some of those summer peaks that are the key threat to our electricity grid can be ameliorated through the creation of more storage opportunities in the territory.

**MS CHEYNE:** Can the minister explain what other measures the ACT government is

undertaking to support the rollout of distributed battery storage in the ACT?

**MR RATTENBURY:** Obviously the rollout of the battery program has been the key measure, and the engagement of local companies, I think, is particularly beneficial. There are a number of operators who are well-known local companies and who have either expanded their repertoire, so to speak, to take this on or it was already work they were doing, and that is ensuring the development of the expertise locally.

We have also seen spin-offs of that through companies like Reposit Power who operate out of Fyshwick and who are rapidly growing as a successful Canberra exporter through their ability to work with householders who have batteries to create virtual power plants to maximise the return for individual householders but also to provide those network-wide services that are connecting those batteries up collectively that can result from the networking of those individual facilities.

These are all important developments that drive both local environmental and economic benefits but also add to Canberra's growing reputation as a centre of excellence when it comes to renewable energy and energy technologies.

### **Light rail—WorkSafe ACT notices**

**MR MILLIGAN:** My question is to the Minister for Workplace Safety and Industrial Relations. Minister, on 16 February 2018 the *Canberra Times* reported that WorkSafe ACT had served Canberra Metro with a prohibition notice and an improvement notice, following a gas leak at the site of light rail works on Thursday, 15 February 2018. Minister, how many prohibition or improvement notices have been issued by WorkSafe ACT in relation to works associated with the light rail project?

**MS STEPHEN-SMITH:** I thank Mr Milligan for his question. Those kinds of operational issues in relation to WorkSafe are the responsibility of the Minister for Regulatory Services. However, I am happy to take the detail of the question on notice and to confirm that, yes, a prohibition notice was issued to prohibit any excavation on the Canberra Metro light rail project following that incident last week. We have been expressing concern about a number of incidents on the Canberra Metro site, and WorkSafe has our full support in ensuring the safety of workers on the light rail site. In that context I would emphasise that in the 2017-18 budget the government funded an additional three inspectors specifically for the light rail project, demonstrating our support for work health and safety on this very important and very complex infrastructure project.

**MR MILLIGAN:** Minister, what penalties have been imposed on contractors relating to prohibition or improvement notices issued by WorkSafe ACT?

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

**MR WALL:** Minister, what steps have you or your directorate taken to ensure that the consortium and the contractors on the light rail project are adhering to work health and safety legislation and ensuring community safety during the construction process?

**MS STEPHEN-SMITH:** I thank Mr Wall for his supplementary question. I receive

regular briefings, as do Minister Ramsay and, I am sure, Minister Fitzharris, in relation to this matter. It is a subject of ongoing conversation with WorkSafe.

As I said in answer to the first question, the government has allocated funding for an additional three WorkSafe inspectors to cover this project. Funding has been allocated over three years, in line with the expected level of construction, commissioning and initial start-up activities. All three inspectors have now commenced, with specific training in light rail construction and operations underway. While the additional inspectors are an integral part of WorkSafe ACT, they will be focused on ensuring compliance with work health and safety laws for phase 1 of light rail activity. These activities will be managed in line with a comprehensive regulatory strategy and program.

As I mentioned earlier, light rail construction involves specialised work activity which has not been undertaken in the ACT before. Safety is absolutely critical, and inspectors will be on the ground working closely with tradespeople, contractors, engineers, specialist officers, Canberra Metro and Transport Canberra and City Services. We understand the importance of this project to the city's future public transport agenda. Its uniqueness as a construction project for Canberra requires a productive approach to regulatory oversight of work health and safety. The resourcing allocation over three years reflects this importance in the transition from construction activity into commissioning and initial start-up of the light rail project.

### **Government—ex gratia payments**

**MR WALL:** My question is to the Treasurer. Treasurer, late last year it was reported that over 200 school contract cleaners would receive an ex gratia payment from the government of over \$1,000 each for being left out of work due to a change in the way cleaning contracts are awarded. At the same time, locally owned green waste collection businesses were also being left out of work, without compensation, due to the rollout of the government's green bin scheme. In the interest of fairness, will you and your cabinet colleagues reconsider appropriate compensation to the existing green waste collection industry businesses that have been, and are going to be, left out of work as the green bin scheme is rolled out across territory?

**MR BARR:** Yes, the government is considering a range of options, but it is unlikely to be direct financial compensation.

**MR WALL:** Treasurer, are different criteria used to determine the eligibility for compensation payments or ex gratia payments for an organisation or industry that is not unionised or union affiliated, as opposed to those that are heavily unionised, such as the cleaning industry?

**MR BARR:** No.

**MR COE:** Treasurer, what policy documents guide the government with regard to when ex gratia payments are made? Does representation from a union play any role in that document?

**MR BARR:** No, representations from unions do not play a role in any document.

Representations are routinely made by a whole range of individuals, be they people who are directly affected advocating on behalf of themselves, members in this place advocating on behalf of individuals or organisations and, indeed, organisations outside of politics or those who are individually affected. The government will look at this issue, as we do with others, and respond accordingly.

**Mr Coe:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Point of order, Mr Coe?

**Mr Coe:** Yes, on relevance. The first part of the question was with regard to what policy documents guide the government on ex gratia payments and he has not yet answered that. I ask that he be directly relevant.

**MADAM SPEAKER:** Chief Minister, do you have further information for the Leader of the Opposition?

**MR BARR:** I have certainly tabled in this place policy criteria in relation to act of grace payments. I will see if I can source a document and table it when appropriate. It will not be this week, though.

### **Children and young people—care and protection**

**MRS KIKKERT:** My question is to the Minister for Disability, Children and Youth. Minister, in an ABC radio interview near the end of last year Human Rights Commissioner, Helen Watchirs, repeated the Glanfield review's finding that many care and protection decisions are not reviewable on their merits, as they are in other jurisdictions, and then said, "The fact that they're not reviewable makes those decisions much less easy to defend." Since August last year what specific steps have been taken to make sure that more care and protection decisions are reviewable on their merits, as recommended by Mr Glanfield?

**MS STEPHEN-SMITH:** I thank Mrs Kikkert for her question. I do provide regular updates to the Assembly, as does the Deputy Chief Minister, in relation to implementation of Glanfield inquiry recommendations. I have not got any particular further updates since the last one I provided to the Assembly but work between the Justice and Community Safety Directorate and the Community Services Directorate in relation to that recommendation is ongoing.

**MRS KIKKERT:** Government representatives have been working on this issue since December 2016. When can we expect improvements to finally be implemented?

**MS STEPHEN-SMITH:** As I say, that work is ongoing. It is a matter of priority, but there are a number of issues being worked through in relation to both that matter and information sharing in response to recommendations from Glanfield and other inquiries. That work is actually quite detailed and complex and will be completed as soon as possible, given the detail and complexity of the work.

**MS LAWDER:** Minister, why does the ACT government not share Mr Glanfield's and Dr Watchir's concerns that many of the most important care and protection

decisions are not reviewable on their merits, as they are in other jurisdictions?

**MS STEPHEN-SMITH:** I thank Ms Lawder for her supplementary question but point out to her that work is actually underway in relation to reviewing this specific matter, so I reject the premise of the question that we disagree that it should be looked into.

### **Royal Commission into Institutional Responses to Child Sexual Abuse— government response**

**MS CHEYNE:** My question is to the Attorney-General. Can the attorney please update the Assembly on the government's process for responding to the royal commission's report?

**MR RAMSAY:** I thank Ms Cheyne for the question. Certainly, the government is committed to taking strong and swift action on the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse. We are certainly committed to providing a response to the royal commission's final report within six months. That means that by the end of this financial year the government will publicly explain what the recommendations mean for the ACT, and commit to specific action.

Law reform work, consultation across portfolios and engagement with community groups is already underway. The royal commission's recommendations cross private institutions, government services, the criminal law and the courts. They are comprehensive, and this government is committed to a whole-of-government and comprehensive plan of action.

This government has already introduced criminal law reforms to implement some of the recommendations of the royal commission. Ensuring that what the royal commission has learned about how we prevent, respond to and then provide redress for abuse is an absolute, top priority for the government this year.

**MADAM SPEAKER:** Mr Coe and Mr Wall, your conversation makes it difficult for me and others to hear when a minister is on their feet.

**MS CHEYNE:** Can the minister provide the Assembly with an update on work to implement the royal commission's recommendations about redress for survivors of child sexual abuse?

**MR RAMSAY:** I thank Ms Cheyne for the supplementary question. The ACT is currently engaging with the commonwealth and with the states and territories to advocate for a scheme that lives up to the royal commission's recommendations. That means substantial, meaningful support to help survivors put their lives back together. It also means requiring institutions to take responsibility and unreservedly apologising for the failings that allowed the abuse to occur. We have been and will keep working to make the redress scheme inclusive and one that measures up to the work of the royal commission.

I note that recently churches, psychiatrists and legal professionals have made submissions to the Senate inquiry into the commonwealth's legislation to establish the

scheme. They vocally supported recognising that survivors with criminal records are also survivors. I wholeheartedly support their view that there should not be two classes of survivor under the scheme. I will keep representing that view in helping design it. The ACT will keep working to ensure that the scheme measures up and that the territory is ready to participate in it and has all the necessary support in place.

**MS CODY:** Minister, can you provide information about how the government has already implemented changes in line with the royal commission's findings to support survivors of abuse?

**MR RAMSAY:** I thank Ms Cody for the supplementary question. The ACT government has engaged throughout the process of the royal commission and has implemented the changes that the commission has suggested already.

Canberra has been a leader in adopting new legislation to ensure fairness for survivors of assault in the court processes. The ACT introduced the use of pre-recorded interviews for child witnesses to a sexual offence in 2008. In May 2017, the use of pre-recorded witness interviews as evidence in chief was expanded to all sexual offences.

Our civil laws relating to compensation for historical sex abuse were brought into line with the royal commission's findings in two stages. From May 2017, there is now no time limit on suing for personal injury compensation in relation to child sexual abuse. The ACT will continue to work hard to ensure that the court processes stay oriented around supporting survivors and securing a just outcome for them.

### **Taxation—payroll tax waivers**

**MS LAWDER:** My question is to the Treasurer. Treasurer, the recent tax expenditure statement reports five payroll tax waivers in 2015-16 totalling \$2,164,000. Treasurer, which entities were the beneficiaries of these waivers?

**MR BARR:** For the privacy of taxpayers, those entities were not disclosed. There are, of course, some that I think have already been on the public record in relation to the fact that their performance agreements with government do include a payroll tax waiver. Without naming them, I would suggest that local football teams would be amongst those.

**MS LAWDER:** Treasurer, did the waivers place any conditions on the recipients, including about investment or job creation, in order to receive the waiver?

**MR BARR:** Yes, generally speaking there are a variety of different requirements in order to receive a waiver. The two that the Deputy Leader of the Opposition has mentioned are among those. In relation to sporting teams, that can also be a requirement to play all of their games in Canberra. That is certainly the case for the Raiders and the Brumbies.

**MR COE:** Treasurer, what is the value of payroll tax waivers for this financial year, and have any entities outside sporting teams received waivers in successive years, that is, the same organisation at least two years in a row?

**MR BARR:** The value will be reported on in the tax expenditure statement. That is the whole point of having such a statement. So that will be reported on at the end of this current financial year. There will be circumstances where there will be a multiyear agreement with a business or entity in relation to payroll waivers.

### **Taxation—payroll tax waivers**

**MS LEE:** My question is to the Treasurer. Treasurer, the recent tax expenditure statement reports that payroll tax waivers in the 2015-16 period totalling \$2,164,000 were “to facilitate investment and job creation in the Territory”. Treasurer, what are the estimated amounts of investment and numbers of jobs that would have been forgone without these payroll tax waivers?

**MR BARR:** Given that I cannot reveal for privacy reasons other than what is already publicly available in terms of, for example, the contract register, I can talk about the sporting teams. Their performance agreements are published and they do clearly employ people and bring activity to our city.

As part of a package that is offered particularly to the Raiders and the Brumbies, who would be the biggest beneficiaries, they receive both cash payments and payroll tax waivers. Clearly they employ players and officials, and the activity associated with their events in the city contributes to the territory economy. That is the practical example that I can provide the member today.

**MS LEE:** Treasurer, what information has Treasury provided to you on the impact of the payroll tax regime on investment and job creation in the territory?

**MR BARR:** The fact that we have the highest tax free threshold in the nation means that around 23,000 to 24,000 of the 27,000, or thereabouts, businesses in the territory do not pay any payroll tax at all. So that is clearly a benefit for those small and medium enterprises.

In fact, given the intersection of our threshold and our rate, it means that most businesses that operate in the ACT, with the exception of large national and multinational companies—most, not all; but most businesses in that category—are comparatively much better off locating in the territory than they would be if they were across the border in New South Wales.

**MR COE:** Treasurer, what are the assessment criteria that you and your directorate use to assess whether to grant waivers or not?

**MR BARR:** There is a process that involves a recommendation from both the economic development area and the treasury to provide a brief and advice to me as Treasurer, to exercise my responsibilities under the Financial Management Act in this regard.

**Mr Coe:** A point of order.

**MADAM SPEAKER:** Yes, Mr Coe; a point of order.

**Mr Coe:** It is on relevance. I asked about the assessment criteria. The Treasurer has spoken about the process but not the assessment criteria that his directorate uses. I ask that he be directly relevant.

**Mr Barr:** I have concluded my answer, Madam Speaker.

**MADAM SPEAKER:** Thank you. The answer has been concluded.

### **Crime—motorcycle gangs**

**MR HANSON:** My question is to the minister for police. Minister, since other jurisdictions passed anti-bikie laws, specifically anti-consorting laws, Canberra has attracted bikie gangs that were not previously active in Canberra. Confidential files published in the *Canberra Times* recently reported “Multiple other incidents with Finks OMCG”—outlaw motorcycle gang—“members attempting to enter licensed premises in Canberra city over this weekend.” The report said:

Other incidents included a man being slashed with a machete during a three-man robbery in March, and a public five-on-one bashing in Fyshwick ...

It was stated that “the male was being kicked and punched repeatedly, though he did not fight back”. Minister, do you have any information that yet another bikie gang is moving in to operate in Canberra?

**MR GENTLEMAN:** I thank Mr Hanson for the question. I should say first off that Canberra is a safe city, but we are not immune from this sort of criminal activity that we have seen occurring over the past number of years. The history of it is, of course, that we had one criminal motorcycle gang in the ACT that operated, which was the Rebels. Then, a couple of years ago, we had another criminal gang come in and patch over the Rebels. That was the Comancheros and Nomads. There is inter-gang rivalry between the two motorcycle gangs.

I have had advice that there has been some notification of Finks in the ACT but at this time my understanding is that it is a low number, and whether or not they actually reside in the ACT I am not sure as yet. I will take Mr Hanson’s question on notice and get some more information from ACT police.

**MR HANSON:** Minister, what is the current status of the bikie war in Canberra, particularly between the rival gangs?

**MR GENTLEMAN:** I do not have interactions with the particular outlaw motorcycle gangs. The advice given to me by ACT Policing is that they are investigating. They have taken a number of actions. As you have heard, some 86 warrants have been issued for 262 offences of criminal outlaw motorcycle gangs. I give my total support to ACT Policing, and so does the government. We have invested \$6.4 million in Taskforce Nemesis and a further \$8 million in other budgets for criminal gang activity. ACT police are acting on it, and they have my full confidence.

**MR PARTON:** Minister, will you undertake to fully inform the public if another

bikie gang, whether it be the Finks or another gang, attempts to move to Canberra? Will you fully inform the public of that?

**MR GENTLEMAN:** As I said I do not have interactions with outlaw motorcycle gang members, so I am unaware of whether or not they have an intention to move to Canberra. Of course, ACT police do keep me up to date. Certainly, if there are other members coming to Canberra, we will inform the Canberra public.

### **Mental health—acute care capacity**

**MRS DUNNE:** My question is to the Minister for Mental Health. I refer to the Productivity Commission's *Report on Government Services 2018* on mental health services. Minister, this report shows that the number of mental health acute care beds per 100,000 people between 2005-06 and 2015-16 has fallen by 17.6 per cent. It also shows that the patient days per 1,000 people for admitted patients in acute care has increased by more than a third, but that staffing per 100,000 people had increased by only 16 per cent and remains well below the national average. Minister, why has the ACT Greens-Labor government allowed a decline in acute mental healthcare services over the past decade?

**MR RATTENBURY:** I reject the premise of Mrs Dunne's question. The government has invested extensively in mental health services in recent years such as the provision of new and additional services, as well as the addition of new beds such as the Dhulwa mental health facility.

Mrs Dunne has mashed a series of figures together. When I read the transcript later I will be happy to provide some more information on the detail for each of those. There are reasons behind each of those sets of data. The way Mrs Dunne has represented them I do not believe provides a full account of the status of the mental health system in the ACT.

We are working with a range of community service providers as well. The ACT is a leading jurisdiction for the provision of community mental health services. Here in the territory, 20 per cent of our funding goes to the community health sector compared to seven per cent nationally. We have a very different approach here. We work with community partners, and that is one of the factors that goes to some of the figures that Mrs Dunne has just cited.

**MRS DUNNE:** Minister, why are residents with acute mental health problems, particularly adolescents, having to seek care interstate?

**MR RATTENBURY:** There are reasons sometimes why that happens. It can be a reason of speciality, that, being a relatively small centre, we do not have the specialist care that is needed. It can be parental choice or it can be that people feel they cannot get the services they need here in the ACT. They are all factors. The government has been clear that it intends to build a child and adolescent mental health inpatient unit in the ACT, and that work is currently being planned.

But I do not think the characterisation again that Mrs Dunne has put forward is a fair one. Mrs Dunne and I have had an exchange of words about a case that she raised last

year. I think that case highlighted the complexities for individuals. There are some limits to service offerings in the ACT. The government has acknowledged that. We are working on that through our commitment to building a new facility.

But I have also been very frank in saying that, with the increasing number of young people identifying with mental health concerns, we need to evolve our service provision. I think we need to be clear though that not every young person needs an acute inpatient response. In many cases that will not be the best response. In many cases it is actually better to have the young person remain at home where they can receive outreach services. In some cases it is beneficial to work with the whole family, not just the young person involved. The complexity of these cases and the variety of these cases speak to the need for a range of different solutions.

**MS LEE:** Minister, when will the ACT Greens-Labor government provide the acute care resources that are needed to treat those in our community who are most at risk?

**MR RATTENBURY:** The government has invested heavily in this space. We now have the Dhulwa mental health unit, which was opened in November 2016, which provides forensic mental health care for the most acute patients in our system. That facility has provided a very important addition to the ACT's mental health system. We, of course, have the adult mental health unit at Canberra Hospital. That is a quite modern facility, and one that is meeting needs. We also now have the short-stay mental health unit at the emergency department. There is a series of acute inpatient facilities across the spectrum of needs in the ACT. As I said in my previous answer, acute services are not always the right answer for all individuals. We should be careful not to assume that an inpatient facility is the right answer for all mental health needs.

### **Public housing—renewal program**

**MS CODY:** My question is to the Minister for Housing and Suburban Development. Could you please provide the Assembly with an update on the public housing renewal program?

**MS BERRY:** I thank Ms Cody for the question and, yes, I am always happy to update the Assembly on how we are supporting people in the ACT who might not be able to get into homes of their own so easily. The government has made great progress on delivering 1,288 new housing properties, replacing homes that no longer suit the needs of our community. The ACT government has invested more than \$600 million into the program, and I am happy to say that we are past the halfway point in delivering those 1,288 homes on time, to be completed in 2019. Members will be aware that the development applications for Holder, Wright and Chapman have now been approved. Once completed, this will see 62 new homes available for tenants now and well into the future. Overall the program is on track and delivering new housing for public housing tenants across the ACT.

**MS CODY:** Minister, how has the public housing renewal program changed the lives of some of the ACT public housing tenants?

**MS BERRY:** I have been very lucky to have been able to welcome new public

housing tenants to their new homes and hand over the keys. The quality and efficiency of these new homes are more than they have ever experienced and are definitely making a difference to the lives of public housing tenants in the ACT.

Last week, I informed members about the photography exhibition that is upstairs in the Assembly building. I was happy to be able to welcome public housing tenants into the place to have a look at the exhibition photos of themselves, telling stories of their lives in their older homes but also, importantly, in their new homes and how happy they are to be in these newer homes. I had public housing tenants from the champions group come to visit the exhibition yesterday. They encouraged me to continue to talk up public housing and public housing tenants and what a difference these new homes are making to their lives.

**MR STEEL:** Minister, what are some of the barriers and challenges in renewing our public housing stock in Canberra?

**MS BERRY:** This has been a challenging program, but it is something that the ACT government is incredibly proud to have been delivering on, with 11 per cent of stock renewal, in addition to the regular Housing ACT replacement program. It has provided some challenges in ensuring that there are places available, that there is land available to build on and that we are meeting the needs of our tenants in ensuring that the housing is built where they want to live. An important part of this program has been that tenants have been able to talk with Housing ACT representatives and, through the linked group, to identify where in Canberra best suits their needs, whether that is with family, being closer to education or sporting facilities, or being closer to shopping centres—

**Mr Parton:** Or on Northbourne Avenue, maybe.

**MS BERRY:** Including along Northbourne Avenue as well, along that corridor, and making sure that people have housing to meet their needs.

*Mr Parton interjecting—*

**MS BERRY:** While some of the projects have been met with resistance, and by some members opposite, extensive consultations have taken place. At the end of the day, this has been about supporting public housing tenants into new homes so that they can best be integrated into our community. Of course, those opposite would rather that they were out of sight and out of mind, rather than in their own suburbs.

### **ACT Emergency Services Agency—interstate assistance**

**MR STEEL:** My question is to the Minister for Police and Emergency Services. Minister, what assistance has the ACT Emergency Services Agency provided to our neighbours in New South Wales during the 2017-18 bushfire season?

**MR GENTLEMAN:** I thank Mr Steel for his interest in Canberrans' safety right across the ACT. The ACT of course has a regional approach to bushfire support and response. This means that we are pleased to assist across the border when and where we can. These opportunities recognise our well-trained and resourced rural fire

service volunteers and our parks and conservation officers.

The ACT Emergency Services Agency and the New South Wales Rural Fire Service have a memorandum of understanding that promotes and supports cross-border assistance. Under the MOU, 115 ACT RFS volunteers and staff and 18 parks and conservation personnel were deployed to New South Wales to help manage three separate fires between 19 January and 4 February this year. This included deploying to two fires at Nerriga Road, Braidwood, to Long Gully Road, Barnaby, and to Wollemi national park in Singleton.

A senior ACTRFS manager also joined the New South Wales RFS state strategic planning unit which determined the distribution of state-wide resources during the height of the bushfire season. This provided a valuable networking and learning experience. On behalf of the ACT government and this Assembly I would like to extend my thanks to the ACT personnel for their commitment to protecting the ACT and New South Wales from the threat of bushfires.

**MR STEEL:** Minister, how does the ACT Emergency Services Agency ensure that the ACT has enough firefighting resources available while also assisting New South Wales?

**MR GENTLEMAN:** It is a very important question so that the Canberra community can feel safe. The provision of assistance to interstate agencies is provided after careful consideration of predicted fire weather for the ACT, regional fire activity, and the availability of resources for the requested deployment period. Prior to agreeing to any deployments, we ensure that the ACT is adequately resourced should a local emergency incident occur while we are providing assistance in another jurisdiction.

**MR PETTERSSON:** Minister, how has our firefighting capability benefited from assisting other jurisdictions?

**MR GENTLEMAN:** I thank Mr Pettersson for his supplementary question. The ACT regularly provides assistance to other jurisdictions in times of emergency, whether close to home in New South Wales or as far away as last year's deployments to Canada to assist in fighting forest and wild fires.

Providing this assistance recognises the great relationships between emergency services and provides excellent practical learning and development experience for ACT volunteers and staff. Deploying interstate and overseas gives our firefighters experience in different environments and develops their personal and professional abilities. These experienced firefighters are then able to pass on those skills and abilities to their colleagues here in the ACT.

I am pleased that the ACT Emergency Services Agency continues to maintain such strong, mutually beneficial relationships with other jurisdictions, particularly our close neighbours in New South Wales. Our willingness to provide assistance to other jurisdictions will, I am sure, be reciprocated should the need ever arise for the ACT to call on their assistance during an emergency incident.

**MR BARR:** Madam Speaker, I ask that all further questions be placed on the notice

paper.