



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

16 SEPTEMBER 2015

www.hansard.act.gov.au

Wednesday, 16 September 2015

Lotteries Amendment Bill 2015	3037
Business confidence.....	3039
Lease variation charge	3057
Adoption processes	3074
Questions without notice:	
Canberra Hospital—emergency codes	3080
Child care—Conder Early Learning Centre	3081
Visitor	3082
Questions without notice:	
Canberra Hospital—energy use.....	3082
Westside village—costs.....	3086
Schools—autism.....	3087
Community services—west Belconnen.....	3090
Schools—autism.....	3092
Schools—autism.....	3094
Schools—Coombs primary school	3095
Schools—autism.....	3097
Supplementary answers to questions without notice:	
Child care—Conder Early Learning Centre	3099
Adoption processes	3099
Health infrastructure program.....	3108
Inappropriate structure in a school—inquiry	3125
Adjournment:	
Melba Copland Secondary School	3146
NECA awards	3147
Work experience—Amaris Bailey.....	3148
Hearing Awareness Week	3149

Wednesday, 16 September 2015

MADAM SPEAKER (Mrs Dunne) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Lotteries Amendment Bill 2015

Mr Wall, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MR WALL (Brindabella) (10.01): I move:

That this bill be agreed to in principle.

The bill I present today is the right move to meet the expectations of the community in 2015 with respect to how widely available gambling products such as lottery tickets and instant scratches should be in our community. The basis for introducing this bill is borne out of the recent expiration of a memorandum of understanding made between the New South Wales government and Tattersall's when the New South Wales government sold their state-owned lotteries. The MOU placed a number of conditions on Tatts's ability to expand their network into various retail spaces such as supermarkets and service stations. This MOU expired at the beginning of this year and featured as a prominent issue in the last New South Wales state election.

It is important to note that whilst the MOU covered the sale of lotteries products in New South Wales it did not apply here in the ACT, and to date no restrictions are in place regarding who can be engaged to sell lottery products. Historically, though, the ACT has informally mirrored the practice of New South Wales given the small size of the market in comparison.

In recent weeks there have been a number of announcements with regard to the introductions of lotteries retail into a number of supermarket-owned service station sites within the ACT. It is anticipated that the first wave of this expansion will see up to six service stations selling lottery products within the territory—that is, more than a 10 per cent increase in the number of outlets in the first stage alone

The recent announcement has allowed for a fair amount of public debate on a number of issues, such as how widely available should forms of gambling be within our community, what the best approach is to harm minimisation, and who should be able to form a business for the purposes of selling lottery products.

The retail network for lotteries products in the ACT is currently made up of 46 outlets. They are all small business and predominantly newsagencies. However, there is also a number of dedicated lottery kiosks, a liquor store and even a small independent grocery outlet. These businesses are largely owner operated, meaning the person who owns the business is largely working in the business on a daily basis. These

businesses have for many years been the gate keeper of lotteries products within our community and have made substantial investments into their businesses and into their staff to ensure they are responsibly providing this gambling service.

Owners of outlets undergo regular extensive training at their own expense to maintain their ability to act as a lottery outlet and their staff are required to undertake refresher courses every six months. From the extensive commentary on the issue of lotteries in recent weeks it is fair to say that, in large part, the community trusts the existing network of retailers operating in this space and are keen to see the status quo maintained.

The other element that has received extensive discussion is the aspect of harm minimisation—namely, how widely should gambling products be available and for what hours should the product be available? The government has announced its intent to place a restriction on the hours of sale—namely, lottery products will not be available for sale outside of the hours of 5 am till 9 pm. However, this fails to address the issue of availability during these hours.

Currently ACT's clubs offer a self-exclusion program for people who identify themselves as having a problem with gambling. Once an individual places themselves on the self-exclusion register it becomes an offence for the person to enter the gaming premises they nominate, thus reducing the temptation to gamble. If the expansion of lotteries is allowed to occur into service stations and inevitably into supermarkets, as it has already begun to in other jurisdictions, how would an individual attempting to deal with a gambling problem be able to fill their car with petrol or but their groceries without the ever-present advertising of what next week's jackpot may be?

This bill seeks to address these issues by making a number of changes to the Lotteries Act 1964. Firstly, it introduces a definition of a "lottery operator" and a definition of a "lottery agreement"—namely, a lottery agreement means an agreement between a lottery operator and another person providing for the other person to do one or more of the following activities: sell lottery tickets; pay prizes; promote the lottery conducted by the operator; any other activity related to the lotteries conducted by the lottery operator. A lottery operator is defined as a person who conducts an approved lottery under the existing definition within the act.

The bill also seeks to define what type of individual or entity is able to enter into a lottery agreement and what the agreement must include—namely, a lottery operator may enter into a lottery agreement with a person only if the person owns and controls a small business; the agreement affects the operation of the small business; and the small business is a retail business and operates or intends to operate from a retail or commercial premises.

The lottery agreement must state the names of each party to the agreement; the address of the small business to which the agreement applies; the nature of the relationship between the parties, including the responsibilities of each party; either the period for which the agreement remains in force or that the agreement remains in force until it may be terminated; and if the agreement provides for its termination by a party to the agreement it also must include how this agreement must be ended.

The bill also includes a definition of “small business”—namely, a business wholly controlled or owned by an individual, a partnership, a corporation or a trust; is managed by either the individual, a partnership the directors or a trustee; and either employs 15 people or fewer or, if it employs more than 15 people, the total number of hours worked by all of the employees in a given week is fewer than 570 hours—that is, a basis of a full-time equivalent of 15 people. For the purposes of this bill, full line supermarkets and service stations are excluded from the definition of a small business.

In large part this legislation is not trying to reinvent the wheel but is largely modelled on legislation that has been in place in Queensland already for a number of years. I believe it strikes the right balance of recognising the interests of the existing lotteries retail network, presents a genuine harm minimisation option by limiting the spread of gambling in our community, but also recognises the rights that the lottery operator should be able to maintain some opportunity for incremental growth within the ACT market.

I am in the hands of members as to how rapidly this bill is to progress through the Assembly as there is a genuine risk of service stations entering the retail space of lotteries within the coming weeks. I am happy to meet with any members to discuss the detail of this bill and to address any issues to ensure its smooth passage. I have consulted widely on the best way to approach this issue with the peak body for newsagents, a large number of existing outlets within the ACT, and members of our community, not to mention Tattersall’s as the lottery operator in the territory. I believe this is the most appropriate way forward, and I commend this bill to the Assembly.

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

Business confidence

DR BOURKE (Ginninderra) (10.09): I move:

That this Assembly:

(1) notes that:

- (a) the Commonwealth Office of the Chief Economist has recently found that on a population-adjusted basis that the ACT is the highest performing of all Australian jurisdictions on both innovation and entrepreneurship;
- (b) the focus of the renewed business development strategy: *Confident and Business Ready* is to build on Canberra’s strengths to generate more jobs in innovation, research and education, and create a more attractive business environment;
- (c) the ACT Government has committed \$11.75 million in new funding over the next two years to deliver *Confident and Business Ready*;
- (d) the Government is cutting red tape for business through the operation of Access Canberra and regular red tape reduction legislation; and

- (e) the ACT Government has recently led business delegations to Singapore and China, and will lead one to the United States of America and Japan in October, to expand markets for local business operators; and
- (2) calls on the ACT Government to continue to:
- (a) ensure Canberra's business environment remains competitive and attractive for local, interstate and international businesses by implementing the *Confident and Business Ready* strategy; and
 - (b) work with employers, local businesses, unions and the community to continue to create and support local jobs.

I am proud of the embrace of innovation and entrepreneurship by this government, our business community, our educational institutions and by a huge range of individual Canberrans who epitomise being confident and business ready.

We often talk of the need to further diversify our economy without taking time to appreciate how much we have achieved. There is much greater diversity now in the opportunities for aspiring entrepreneurs and the fruits can be seen in, say, the range of businesses emerging across the city from funky shops and eateries, to boutique technology start-ups, to specialist service industries serving global markets from a base here in Canberra. The ACT government's new business development strategy, "Confident & business ready: building on our strengths" continues to support diversifying the Canberra economy and creating more jobs.

We have seen off the Abbott government and are emerging confidently from the cuts to commonwealth jobs and services in Canberra that the federal Liberals wore as a badge of pride. We have retained our AAA stable credit rating and our confidence is boosted by the confidence major companies like IKEA and Qantas have shown in the great future of our city. This is a clever city, a clever capital, well placed to make our own luck now and we have a supremely livable city where people want to stay to pursue their dreams.

As noted in my motion, the commonwealth government's industry department's Office of the Chief Economist's recent report *Australian geography of innovation and entrepreneurship* found that, on a population adjusted basis, the ACT is the highest performing—the highest performing, Madam Speaker—of all Australia's states and territories on both innovation and entrepreneurship.

The report also finds that the ACT has the highest rate of research and development expenditure on a population basis, the highest number of patent applications on a population basis, the highest number of trademark applications on a population basis, the highest number of business entries on a population basis and the second highest business survival rate. Importantly, these findings are not skewed by the presence of our research institutions because the data is based on the R&D tax incentive—a program for business innovation, which does not include the institutions.

Our strong showing is partly because research intensive companies are based here to sell R&D intensive services to the Australian government, particularly the Department of Defence, and partly because, with the highest intensity higher education R&D expenditure in Australia, companies want to be close to organisations such as the ANU, CSIRO, NICTA, UNSW Canberra and UC. A great example of this relationship between business and research is the co-location of EOS space systems with ANU and the Cooperative Research Centre for Space Environment Management at Mount Stromlo.

“Confident & business ready: building on our strengths” builds on the policy themes we have put in place in 2012. We will continue to grow and diversify Canberra’s economy by creating the right business environment, accelerating innovation to create wealth and jobs and supporting our business investment in future growth areas.

We are committed to creating the right business environment in Canberra. Many businesses would say that the best thing government can do to help them is to get out of the way. And I agree. That is why we have put in place a strong regulatory reform agenda and we have taken action to reduce red tape.

But government can also make a positive contribution to the overall environment facing businesses, particularly in their interactions with government. That is why we have established Access Canberra to ensure that there is no wrong door approach to dealing with the ACT government. We have also delivered on our commitment to reduce payroll tax and reduce conveyance duties. We are playing a strong role in projecting Canberra to new markets and global talent, initiatives like brand Canberra, study Canberra and Invest Canberra.

Our second goal is to accelerate innovation to create wealth and jobs. Coming out of the 2012 strategy we established the CBR Innovation Network as a partnership between the research sector, the business community and the government. The participation of the foundation members, ANU, UC, UNSW Canberra, NICTA and CSIRO, is a major nation-leading outcome for driving innovation.

As the Vice-Chancellor of the ANU, Professor Ian Young, noted, the higher education and research institutions would have difficulty achieving their commercialisation and business development goals without the multilayered engagement that the network has become so important in making happen.

We have also committed to supporting the institutions to develop key new capability areas—the national agriculture and environmental sciences precinct at Black Mountain, the sports cluster and the health cluster at UC, the space cluster at Mount Stromlo and at UNSW Canberra, the ICT and e-government cluster at NICTA and the cyber security cluster at UNSW Canberra.

But we also recognise that driving business innovation is as important as working with the institutions to maximise their economic impact on Canberra. That is why the role of the CBR Innovation Network is so important in bringing together the research sector and the business community. It is why we have committed an additional \$300,000 per year for the next two years to the network.

The success of the network since it launched, the 161 per cent increase in members of the entry 29 co-working space, the doubling in the number of GRIFFIN accelerator participants, the programs that have been run for young entrepreneurs, Indigenous businesses and ex-public servants and the launch of the KILN incubator in July—to name just a few—give us the confidence to believe that the network will make a significant difference to the growth of new companies in Canberra. Given our position as the highest performing state or territory on both innovation and entrepreneurship, the opportunity to develop an even stronger innovation ecosystem is the key to creating wealth and jobs.

The third part of the strategy is to support business investment in future growth areas. There are great opportunities opening up in a range of industries here in Canberra. One of these is the renewable energy industry. Earlier this year we released our renewable energy industry development strategy to build on our commitment of sourcing 90 per cent of our energy needs from renewable sources by 2020. We have now committed to increasing this to 100 per cent by 2025. Focusing on solar, wind and energy storage, the strategy brings together a range of existing government renewable energy initiatives and facilitates the next generation of renewable energy technologies, including the creation of a renewable energy precinct and test berth facilities.

The strategy also provides \$1.2 million for a renewable energy innovation fund to provide competitive, project-specific grants or small-scale contracts to emerging ACT-based renewable energy businesses. I believe that the strategy provides us with a strong foundation for the future growth and diversification of Canberra's economy.

I am proud to note that CIT Bruce, in my electorate of Ginninderra, Madam Speaker, is poised to be a major maintenance training facility for renewable energy industries. I talked a bit about that yesterday as a result of a visit to Taiwan and the opportunities that could come from further relationships there. I also look forward to working in partnership with the business community and the research and higher education sector to achieve our goals here in Canberra.

The ACT government has committed \$11.75 million in new funding over the next two years to deliver confident & business ready. This covers innovation, trade and investment activities, which have new funding of \$6 million over two years. This includes \$4 million in new funding for the CBR innovation development fund and \$2 million in new funding for the CBR trade and investment facilitation fund. Brand Canberra phase 2 has \$1.4 million over two years. The cooperative airline stimulus fund has \$1.6 million over two years. The cooperative marketing fund receives \$0.5 million over two years. Floriade 2015 receives \$255,000, and the special event fund gets \$2 million over two years.

The CBR innovation development fund will support a range of activities, including the CBR Innovation Network, the ICON grants program, ScreenACT, the ACT film investment fund and NICTA—until the end of June 2016. In addition, the fund has \$700,000 in 2015-16 and \$1.45 million in 2016-17 available for allocation on a competitive basis for projects and activities that contribute to the development of the innovation ecosystem. The CBR trade and investment facilitation fund supports the government's trade agenda, as well as the activities of Invest Canberra.

The government is also cutting red tape for business through the operation of Access Canberra and regular red tape reduction legislation. Regulatory reform and red tape reduction are a priority for this government. In June we introduced the Red Tape Reduction Legislation Amendment Bill 2015 and undertook to present at least one red tape reduction omnibus bill to the Assembly each year.

The bill complemented the government's program of significant regulatory reform initiatives by removing specific provisions that have been identified as redundant or as an unnecessary administrative cost to business and to government. The bill also supported the effective operation of Access Canberra, which the government has established to facilitate a single contact point for all regulatory services in the territory.

The ACT government has a longstanding commitment to remove the red tape that creates unnecessary burdens on businesses and the community. Reducing red tape can be achieved by making regulations operate more flexibly. Our latest red tape reduction bill allows for public notices to be provided online as well as in newspapers. This will give government agencies the opportunity to more effectively target audiences and will reduce information search times for business and the community. We are modernising requirements for public notices in the ACT legislation to enable notification of public notices on an ACT government website.

Through internal administrative improvements, we established Access Canberra to provide a one-stop shop to cut red tape and streamline regulatory services for individuals and businesses. The new Access Canberra shopfront at Gungahlin's Winyu House is already showing signs of success in improving the ACT's regulatory framework.

The ACT government has also spearheaded reforming legislation on the licensing of hawkers, which will be brought under the Public Unleased Land Act. As part of this reform, we are also extending permits under the Public Unleased Land Act 2013 from two to three years. We are also continuing to reduce business administration and compliance costs. With the workers compensation changes alone, we will remove 70,000—70,000, Madam Speaker—extra administrative transactions per annum. We are also reducing reporting requirements for employers in the territory by changing wage declarations for workers compensation insurance purposes from six months to 12 months as a part of the government's reforms.

As I have demonstrated, by implementing the confident & business ready strategy the ACT government continues to work to ensure Canberra's business environment remains competitive and attractive for local, interstate and international businesses. We are working with employers, local businesses, unions and the community to continue to create and support local jobs and a diversified, dynamic, innovative economy here in Canberra.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (10.23): The opposition appears reluctant to enter into the debate so I am sure we are going to—

Opposition members interjecting—

MADAM SPEAKER: Mr Barr.

MR BARR: They are so easy. The government is very pleased to continue to work to diversify our economy and I thank Dr Bourke very much for bringing this motion before the Assembly this morning. Our aim is to ensure that our city keeps growing, that we keep creating high paying and secure jobs and that we remain resilient in the face of national and international economic forces. Our 2012 business development strategy—growth, diversification and jobs—committed to three strategic imperatives: fostering the right business environment, supporting business investment and accelerating business innovation. Arising from the 212 strategy we established the CBR Innovation Network as a partnership between the research sector—the ANU, UC, NICTA, CSIRO and UNSW Canberra—and the business community and government. This is a major nation leading outcome for driving innovation.

Having delivered on all of the commitments under the 2012 strategy I recently released our new strategy, “Confident & business ready: building on our strengths”. In that strategy we reframed the strategic comparatives to build on what had already been achieved and we are now committed to three key areas: continuing to create the right business environment, accelerating innovation to create wealth and jobs and supporting business investment in future growth areas. In this task we are building on established successes.

The commonwealth government’s Chief Economist recently released a report on innovation and entrepreneurship. The report *Australian geography of innovation and entrepreneurship* substantiates the policy directions that we have developed and implemented. The report found:

On a population adjusted basis the ACT is the highest performing of all Australia’s States and Territories on both innovation and entrepreneurship.

I think that is worth repeating. The commonwealth government’s Chief Economist, in his report *Australian geography of innovation and entrepreneurship*, found:

On a population adjusted basis the ACT is the highest performing of all Australia’s States and Territories on both innovation and entrepreneurship.

This is a very pleasing endorsement of the government’s policy direction. As Dr Bourke has outlined, and it is worth reiterating, the report found that on a population-adjusted basis the ACT has the highest rate of research and development expenditure, the highest number of patent applications, the highest number of trademark applications, the highest number of business entries and the second highest business survival rate. These are remarkable findings and really go to show what business can achieve when given the right tools and support by a territory government willing to listen and deliver.

These are, indeed, figures based on data from the R&D tax incentive, a program for business innovation which does not include R&D carried out in the higher education and research institutions. In his first few hours in office Prime Minister Turnbull has spoken about a new approach to economic development in Australia, and that is needed. Everything the ACT government has done in recent times—reducing red tape, reforming our tax system, creating competitive advantages for business—is simply a vehicle to make Canberra a city of internationally tradeable services, and that is where the future lies.

In contrast the commonwealth's current industry growth centre program has too narrow a focus on large industry. Whilst it is understandable that these industries need to adapt—

Mr Hanson: Labor parties prefer the Liberal Prime Minister.

MR BARR: You don't, Mr Hanson. You're an Abbott fan.

MADAM SPEAKER: Order!

MR BARR: Whilst it is understandable that these industries need to adapt to changed economic circumstances there also needs to be a focus on the new industries of the 21st century—industries such as the space industry which is, worldwide, worth over \$349 billion annually and in which Canberra has a comparative advantage, or industries that will power the future such as renewable energy where, again, Canberra has taken a lead.

If the new Prime Minister wants to see a 21st century economy, one that excels in innovation and entrepreneurship and one that recognises that knowledge is the key to future economic growth, then I would ask him to have a look at what we are achieving here in Canberra and the policies that have been put in place to continue the diversification and growth of Canberra's economy.

Confident & business ready commits us to focusing on economic development in our relationship with the higher education and research sectors. In this context it was very pleasing to see the QS world university rankings validating this ACT government commitment. The ANU is now rated the equal 19th best university in the world, up from 25 last year, and puts the university in a similar category to universities such as Yale, Harvard, Stanford, Oxford and Cambridge.

The University of Canberra has also risen substantially in the rankings and now occupies a space in the band between 550 and 600. This is up 100 places from its former position and puts the University of Canberra in the top five per cent of universities in the world, demonstrating that the government's approach to support our university sector is paying dividends and that Canberra truly is Australia's higher education and research capital.

I note the interjections from the opposition who again opposed and have actively opposed every element of the government's agenda to advance our higher education sector. They do it federally, and they do it—

Mr Hanson interjecting—

Dr Bourke: Madam Speaker—

MADAM SPEAKER: Order, Mr Hanson! Sit down, Mr Barr. Sit down, Dr Bourke. Mr Hanson, withdraw; on your feet and withdraw.

MR HANSON: Madam Speaker, I withdraw the word “whine”.

MADAM SPEAKER: Mr Barr, on the motion.

MR BARR: Thank you, Madam Speaker. As I was saying, the Liberal Party have actively opposed the growth of the higher education sector in this city. They have done it at a national level.

Mr Smyth interjecting—

Dr Bourke: On a point of order, Madam Speaker.

MADAM SPEAKER: Stop the clock.

Dr Bourke: Mr Smyth just called out that the Chief Minister was misleading, and that is unparliamentary.

Mr Hanson: Madam Speaker, on the point of order, I clearly heard what Mr Smyth said. He interjected, “That’s not true.” It may be inappropriate as an interjection but it was certainly not unparliamentary.

MADAM SPEAKER: There has been interjection. I think I did hear the word “mislead” somewhere. Mr Smyth, if you did use the word “mislead” I would like you to withdraw it.

Mr Smyth: Madam Speaker, I am happy to withdraw. All I simply said was, “You can’t mislead.”

MADAM SPEAKER: That is not quite the same as—

Mr Smyth: Which is not quite the same as accusing—

MADAM SPEAKER: Which is not unparliamentary. I did hear the word—

Mr Smyth: But if they are offended, I withdraw.

MADAM SPEAKER: No, you do not need to withdraw. I did hear the word “mislead”, but I did not hear the context. It is well within the parliamentary practice to remind people of the necessity to avoid misleading the parliament. On the question that the motion be agreed to, I call Mr Barr.

MR BARR: Thank you, Madam Speaker. As I was saying, our city truly is our nation's higher education and research capital. It is why we are actively supporting institutions and developing key new capability areas: the national agriculture and environmental sciences precinct at Black Mountain, the sports cluster and the health cluster at the University of Canberra, the space cluster at Mount Stromlo and at UNSW Canberra, the ICT and e-government cluster at NICTA and the cyber security cluster at UNSW Canberra. Each of these capability areas offers tremendous opportunities for the development of new industries and jobs in our 21st century knowledge economy.

Driving business innovation is as important as working with the institutions to maximise their economic impact for Canberra, and that is why the role of the CBR Innovation Network is so important at bringing together the research sector and our business community. As Dr Bourke has outlined, an additional \$300,000 per year for the next two years to the network will help it build on its great body of success since its launch, such as: the 161 per cent increase in members of the Entry 29 co-working space, the doubling in the number of the GRIFFIN Accelerator participants, the programs that have been run for young entrepreneurs, Indigenous business and ex-public servants, and the launch of the KILN incubator in July.

Given our position as the highest performing jurisdiction on both innovation and entrepreneurship, the opportunity to develop an even stronger innovation ecosystem is the key to creating wealth and jobs. Further supporting our local businesses' ability to seize new opportunities to grow is our approach to creating the right business environment. We are continuing a proactive program of red tape reduction and of regulatory reform aimed at making sure we get out of the way of business and allow them to grow wherever practical. The creation of Access Canberra is a key example of how we are making it simpler and easier to do business in Canberra through streamlined processes for compliance and regulation.

As I have said many times, this government is all about fostering a culture of finding a hundred ways to get a good business idea off the ground, not a hundred reasons to say no. We are also actively promoting opportunities that exist in our city to investors around the world, and so far that has included China, Singapore and Hong Kong, highlighting opportunities that exist in our tourism and higher education sectors. Later this year I will be taking a business delegation to the United States and Japan to reinforce our ties with those markets. All of these actions show that the ACT government is ensuring that Canberra remains a competitive and attractive business destination.

MR SMYTH (Brindabella) (10.34): This is a very interesting motion from Dr Bourke, and I actually wonder whether he read his own motion before he tabled it. Paragraph (2)(a) calls on the government to continue to:

ensure Canberra's business environment remains competitive and attractive for local, interstate and national businesses by implementing *the Confident and Busy Ready* strategy;

He wants us to remain competitive. If you look at the rates bills Canberra businesses have received over the last three or four years, they do not make us competitive, particularly in comparison to Queanbeyan across the border in the New South Wales regime.

I bring to the attention of members the rates bill for a unit at Fyshwick. In 2012 this business paid \$5,161 in rates. This year it is paying \$7,636, a 48 per cent increase. How anyone thinks the environment the government has created through their tax reform help makes our businesses competitive in comparison with New South Wales is beyond me. I will read this: 2012, \$5,161; 2013, \$6,180; 2014, \$6,743; and 2015, \$7,636, a 48 per cent increase. That is not competitive. This firm owns their building. They are not getting advantage out of the removal of the conveyancing which is always lauded as the reason for doing this. The government uses the word “progressive” but this is purely and simply a tax grab. Businesses are paying as much if not more than the residential blocks as well.

We are well on our way to tripling your rates, and business looks at the long term. Business does its sums and works out where they can be competitive. Business looks at this and asks, “What have I got for the extra taxes?” Answer: absolutely nothing. Nothing from this government, because this is a government that does not listen to business. This is the government of the glossy; this is the government of the nutmeg strategy; this is the government that does not deliver, particularly for business.

You only have to look at the call of the business community for many years for a new convention centre, something the government seems to be remarkably uninterested in. The problem for the business community is that they know a convention centre is a driver of the things Dr Bourke and Mr Barr have spoken about. It helps drive the innovation conversation. It allows the face to face, the coming together of people. It allows us to showcase the institutions we have. But you do not get this sort of effect through this government’s policies.

We know the debacle of 2006 where they wiped out business support and they had to put it back in place. We know their land release program has never met the expectation of industry. We know their planning regime stymies business activity in ACT, and we know that by looking at Mr Barr’s pet project—the pop up. The pop up was due to be opened for Floriade last year. Here we are at Floriade this year and the firm that constructed the pop up gave it back to the government because it took so long. The process was so convoluted and arduous that in the end they simply gave it back. We know the government spent almost a million dollars on it, and I would be interested for an update from the Chief Minister or from anyone opposite on the real cost of the pop up to the people of the ACT.

Pop ups by their nature take advantage of a space. They appear and they are gone reasonably quickly. This is a pop up that has taken, what, almost 18 months to construct, and it is still not functioning to its full capacity. That is not a pop up. It is the perfect example of how this government lets down business in the ACT.

It is important to distinguish between what the government did and what was done despite the government. It is interesting; I have read the report Dr Bourke quotes. It is a great report, but it is not unexpected. We have always done well in these studies. What he forgot to read, members, is the abstract on the front page, which says:

The presence of publicly funded research organisations in a region, particularly those hosting Centres of Excellence and Cooperative Research Centres, produced levels of patenting and trademarking three and a half times higher than the national average.

I will read it again:

The presence of publicly funded research organisations in a region, particularly those hosting Centres of Excellence and Cooperative Research Centres, produced levels of patenting and trademarking three and a half times higher than the national average.

The money spent in those institutions is not included, but the effect is three-and-a-half times the national average. We have things like the Invasive Animals CRC and the Plant Biosecurity CRC.

Mr Barr: Why is that a bad thing?

MR SMYTH: I am not saying it is a bad thing; I am saying it is a great thing.

MADAM SPEAKER: You are not having a conversation across the chamber.

MR SMYTH: I should not take up the Chief Minister's interjection, but it is a thing the Chief Minister forgets to acknowledge. Perhaps he did not read the abstract. It is right there on the front page. It is in the guide on how to read this document. The section on page 18 that covers this states:

The relationship with the latter was particularly pronounced and, as and for all new entries, was accentuated in the case of universities with CRCs—

we have universities—

and centres of excellence. Business entries within the *Professional Scientific and Technical Services* industry were found to increase by 250 per cent in regions where a Centre of Excellence was present and 233 per cent in a region where a Cooperative Research Centre was present.

So it is not unexpected that we have these high levels. We have two full campuses—ANU and UC—and we are very supportive of them and always have been.

Mr Barr: You can't even bring yourself to celebrate success.

MR SMYTH: Well, I am celebrating the success. I am celebrating the success, Chief Minister.

MADAM SPEAKER: Order, Mr Smyth!

MR SMYTH: Your problem is that you will not acknowledge your failings. And you fail.

MADAM SPEAKER: Order, Mr Smyth!

MR SMYTH: You fail on so many counts.

MADAM SPEAKER: Order! Mr Smyth, address the chair.

MR SMYTH: Through you, Madam Speaker, you fail in your planning; you fail in your tax, you fail in your land release; you fail to listen. Go back to the recent Sensis report. Go back to the one before last which had them rated well below the federal government at that time—well below. The people in the ACT thought the government's policies were hurting their businesses. That is what you fail to acknowledge. I think this report shows that the business spirit in Canberra lives on despite the government, and I congratulate all those entrepreneurs who had the gall, the stamina, the strength, the courage, the bravery—

Mr Barr interjecting—

MADAM SPEAKER: Order, Mr Barr!

MY SMYTH: despite their lack of confidence in this government's policies to go out and do it anyway. Dr Bourke lauded the arrival of IKEA. Well, IKEA is not creating new jobs. IKEA will see the transference of jobs out of Fyshwick where small businesses are going broke because the government gave preferential treatment to IKEA.

Mr Barr: We did not.

MR SMYTH: The government assisted IKEA.

Mr Barr: We did not.

MR SMYTH: Actually, that is not true. I heard the government ignored IKEA for about 18 months. IKEA tried several times to come to Canberra and the government would not even talk to them. The problem is you have a government that wants to take the credit but fails to acknowledge—

Mr Barr: You have got absolutely nothing. Fifteen years in opposition and you have nothing.

MR SMYTH: There we go—straight to the slur. If you cannot argue on the facts you go straight to the slur. It is the standard operating procedure of Andrew Barr.

Mr Barr interjecting—

MADAM SPEAKER: Mr Barr, come to order.

MR SMYTH: I will go back to the 1995-2001 government of Kate Carnell and the government of the day went after IT and ICT. It is why we were successful and why we were very keen to get NICTA. We got NICTA for the ACT, something the government seems to take a lot of credit for without acknowledging how it got here. You only have to look at Epicor where the ACT government of the day, in cooperation with I think it was the University of New South Wales, got the bulk of the funding and set up Epicor in the ACT, courtesy of the Howard government.

That is the basis of a lot of this activity. Obviously things happened before that. The fact we have the ANU, UC and such a huge concentration of the CSIRO and the researchers here that spinoff all the time, you would expect this, and we welcome it. We welcome that entrepreneurial spirit because we supported it consistently in our time in government, unlike those opposite who gutted their budget and said the easy hit is to knock off business support programs, and they struggled for years to recover.

The government do not listen to business, and I go back to what the motion calls on—that is, to ensure:

Canberra's business environment remains competitive and attractive for local and interstate and international business by implementing the *Confident and Business Ready* strategy;

The confident & business ready strategy was just the reimplementation, the rehash, the renewal, the rename, the relaunch, the rebadge of projects, some of which had started in the Follett government years. They were well and truly producing excellence in the Carnell years and were gutted just after this man joined the cabinet. Totally gutted! The motion calls on the government to continue to:

work with employers, local businesses, unions and the community to continue to create and support local jobs.

Listen to the entirety of the community. The Canberra Business Chamber's document shows that 54 of the leading institutions that cover most of those things listed in paragraph (2)(b) said, "Build the convention centre first." How many jobs does the light rail really create? It might draw jobs into the corridor—it might—but how many jobs does it create for the investment? You have only to go to the CIE report over the last couple of years in support of the estimates committee that says it is very unclear, and the uplift is exceedingly unclear.

It is good of the government to try and take the credit, as they always do, for the hard work of a lot of individuals. What we have is a government whose policies work against business and have done so for a very long time. We have a government that cannot put in place a real reform agenda. We have a government that did not stand up to the Rudd-Gillard-Rudd slashing of 14,473 jobs. Yes, it was exacerbated by the Abbott government adding another 2,000 on top of it, but 14,000 jobs were gutted from the ACT courtesy of your Labor colleagues federally, and all of you were mute. The only party that consistently stands up for jobs in the ACT against all newcomers, whether they are federal Liberal or federal Labor is the Canberra Liberals.

Go back through the records, go back through your statements, go and look at the debates in this place. I remember a fantastic interview with Kate Lundy. Mr Barr said that Labor cuts to the travelling program at the National Gallery were a good thing because people would have to come here to see it, and not even Kate Lundy believed that one, Chief Minister. Even Kate Lundy just said, “No, that’s not right.”

We need to make sure that the business community is listened to, and we have listened. We will get to the next debate shortly on the lease variation charge—another part of the failed Barr tax reforms. You can see it has never achieved the numbers in terms of revenue that were projected, and it has stifled development in the CBD. If you want to have a vibrant business community, if you really want to support business in the ACT, go back to the OECD report of 2002 that said to get Canberra working you really need to get Civic working. But here we are, 15 years later, and we are still talking about getting Civic working.

Mr Corbell had his future vision in 2005, none of which was delivered. Not one piece was delivered. We are talking still about city to the lake. We are talking about the city plan. We are talking about the corridor. This is a government of talk. Look at New Acton, for instance. New Acton only went ahead and achieved what it has now achieved because the proponents stuck at it. Had it happened under the ACT planning regime, it would probably never have happened.

It is important to distinguish between what the government has done and what has been done despite the government. The government will point to the success of Braddon. Most of that was done despite the government. It was about people getting in early and changing leases before the change to the lease variation charge, and good on them for doing that. They saw what it meant and they were prepared to take the punt and they did the work.

This government has not done the work. So much more can be done with our business community in the ACT. They are great men and women who put everything on the line every day of the week when they go out and start their businesses, when they back their own ideas. Yes, the Innovation Network is a good thing and the Innovation Network is doing some great work, but there were always the equivalent of innovation networks before the government funded and formalised them. And the question is still unanswered as to what programs were cut to fund it, because the funding for the Innovation Network came from existing funding.

It is important to read the report; it is important to read the abstract. The abstract basically says that we should expect the outcome we have. It is a good outcome; it backs the spirit of business and entrepreneurship, largely ignored by this government over the last 15 years.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (10.49): I thank Dr Bourke for bringing forward this motion. There are many ways in which the ACT government is promoting and supporting businesses in the territory in my portfolio areas, along with those of my colleagues. The Majura Parkway project is a \$288 million investment in

our regional transport network and is the single largest road infrastructure investment ever made in the ACT. The project was jointly funded in 2011 by the commonwealth and ACT governments and will create long-term economic, social and environmental benefits estimated at close to \$1 billion.

The Majura Parkway project has been included in the ACT territory plan since the 1970s. From a national perspective, it will improve an important freight route. From a regional perspective, the project will better provide access to the Canberra Airport. It will provide a transport hub for the region and add to the capability of the main road network for both personal and freight traffic.

Construction works are currently focused on construction of the bridge over the Molonglo River and Fairbairn Avenue and the widening of Pialligo Avenue and Morshead Drive, including associated on-ramps. It is expected that the bridge will be opened to two-way traffic in early November this year, prior to the opening of the IKEA retail store. The Parkway is now open north of Fairbairn Avenue to the Federal Highway. The old Majura Road remains open as a local access road and as an alternative route to the Majura Park shopping centre.

The Majura Parkway is 11.5 kilometres of dual carriageway and will soon link seamlessly with the Monaro Highway in the vicinity of Pialligo. It is a high standard duplicated road with two lanes in each direction and a speed limit of 100 kilometres per hour. The Majura Parkway is forecast to carry around 40,000 vehicles a day, including up to 6,000 trucks, by the year 2030. The new road will play a significant role in improving the movement of freight both nationally and within our own region by easing congestion. This makes business activity more viable in the Pialligo and Majura precincts and will help the territory's economy and business community into the future.

The benefit of having a road such as the Majura Parkway is that it will improve general accessibility into the region and make doing business in Canberra more attractive to multinational companies, who will see the ACT in a more positive light. It will make the decision to invest in our region easier, as it was for IKEA. The Majura Parkway will be completed by June 2016 and will provide an excellent route for people travelling back from Sydney to the southern part of the ACT and people in the surrounding New South Wales region travelling to or through Canberra.

The ACT government is also finalising a freight strategy to ensure infrastructure investment supports future freight activities, larger freight trucks, urban development and economic growth in the ACT. Through sustained investments in new and existing infrastructure, this government continues to give a strong signal to businesses and the community that the ACT is not only a worthwhile location to live in but also an excellent place to invest.

This government has achieved over \$2.6 million of red tape savings in time and administrative effort for community organisations through changes to community sector procurement, contracting and reporting. This red tape reform is ongoing, with many exciting new initiatives to come in the new financial year, including the results of a review of the prequalification system and a new, simpler funding agreement template developed in consultation with the sector.

As of July 2015, the following red tape reforms have been implemented: amendments to audit requirements under the Associations Incorporation Act to reduce the cost of audits to incorporated associations in the ACT; reduced financial reporting requirements under service funding agreements to only once a year; extension of the maximum term of service funding agreements from three to five years, based on an assessment of appropriateness and risk; the development of a simpler recurrent grant arrangement and the transferral of 47 low risk service funding agreements that did not represent the clear purchase of services to recurrent grants; and the introduction of a single relationship manager for community organisations funded by the Community Services Directorate to reduce the number of people funded organisations have to deal with.

Underpinning community sector reform is the government's commitment to support the 2012 community sector equal remuneration order. More than \$60 million in total will be provided over the nine-year phase in the equal remuneration order by the ACT and commonwealth governments together. This funding will help to provide better conditions and pay for workers in the community sector. The ACT community sector workforce—approximately 3,800 people at last survey—is becoming more professional as terms and conditions of employment also improve. We expect to see the disability workforce double under the NDIS as funding also doubles and reaches \$340 million by 2019-20.

In addition, the ACT and commonwealth governments have provided grants and business development packages to the sector to assist them in improving their operations and sustainability. These include \$2.6 million in payments to community organisations in 2014-15 and \$3.4 million in 2015-16. Not only does the ACT government support business through the work of Roads ACT and the Community Services Directorate; there is also our planning system which has a critical role in ensuring that the ACT remains competitive and attractive to business to grow the economy.

Work in my planning portfolio is focused on progressing a number of key initiatives that aim to grow our economy and make Canberra an even greater place to live. These initiatives include implementing the ACT planning strategy and transport for Canberra, progressing Canberra's urban renewal and master plan program, building integrated transport network policies and facilitating planning approvals and cutting red tape.

The ACT planning strategy and transport for Canberra set out a planning and transport framework to guide future growth of our city. These strategies prioritise developments along the major transport corridors that connect the new town centres and major group centres. The approach being undertaken by the ACT government to integrate land use and transport planning will deliver on the government's vision for a connected, livable and prosperous city with strong communities and a growing economy.

Quality design and planning is helping to put Canberra on the world stage. As Minister for Planning, it was heartening to see Canberra awarded the gong for the world's most livable city by the OECD in October 2014. Quality design and planning

are not just what makes Canberra so livable; good design is also good business. Good design is a major driver of what makes our city a uniquely attractive tourism, education and business destination.

I recently met with over 120 community members and stakeholders in developing the statement of planning intent. There was consensus among young and old, industry, research and community groups that the government's focus on quality design and urban renewal is critical if we are to achieve our desire for a more vibrant city that is prosperous and sustainable.

Urban renewal is also about making the most of opportunity—opportunities that exist by working in close partnership with industry, for example, to deliver greater densification around those centres for community, making them more livable, more accessible, more vibrant and, importantly, viable. Prioritising urban renewal also means we need to maximise the opportunities presented by the significant government investments being made in a truly integrated transport network for our city of which investment in roads and better public transport, including light rail, are key.

The master plan program is a key initiative of the planning portfolio that supports genuine urban renewal opportunities. I am proud to advise that the master plans have been completed for Dickson, Kingston, Kambah, Erindale and Weston group centres, and Pialligo and Oaks Estate rural villages, as well as the Tuggeranong town centre and the city, through the city plan. Master plans are now being prepared for Woden and Belconnen town centres, Mawson, Curtin, Calwell and Kippax group centres and Tharwa Village.

The government's approach to facilitating planning approvals and cutting red tape is multifaceted. In the building and construction sector, we are reviewing the Building Act and the estate development planning process to make them more relevant and more streamlined. There are many ways that the ACT government is supporting and promoting businesses in the territory through my portfolios and those of my colleagues. We have an ambitious and successful plan for growth and prosperity, and I am proud to be a part of delivering this for all Canberrans.

DR BOURKE (Ginninderra) (10.59), in reply: “Confident & business ready: building on our strengths” is our new business strategy. Madam Deputy Speaker, I spent 16 years in this town in small business, owning and operating my own dental practice here in Canberra. I know that Canberra's small businesses will be heartened by this policy and the outcomes that I have already talked about, along with the Chief Minister and Mr Gentleman, following the ferocious federal Liberal government cuts that have been inflicted upon us. I hear Mr Smyth cackling at that; maybe he wants more. Maybe he is calling for more cuts because, truly, the Liberal Party, the Canberra Liberals, have forgotten about small business, the shopkeepers and the professionals who were at the core of their beginning.

What did we hear from the Canberra Liberal representative, Mr Smyth, in his diatribe this morning? Mr Smyth wants to highlight the success of our public institutions but does not want to credit the support provided by this government to them. He fails to acknowledge our red tape reduction but seems to want more red tape with bans on

bringing IKEA to Canberra. He carps about Canberra's successes in the Chief Economist's report by talking Canberra down, talking our town down, with nothing positive to say.

Let me just reiterate those successes—because I think they tell such a great story and they are worth repeating again—from the Chief Economist's report. We have the second highest business survival rate in the country, the highest number of business entries per capita, the highest number of trade mark applications per capita, the highest number of patent applications per capita and the highest rate of research and development expenditure per capita in business. We are the highest performing jurisdiction for innovation and entrepreneurship, and Mr Smyth wants to talk us down.

I am proud that as Belconnen nears its 50th birthday we can witness the great work over time to build a dynamic business environment here. It is especially true that business development and new infrastructure have taken off in Belconnen over the last 10 years. We have seen the investments in new residential accommodation there and the growth of the University of Canberra, Calvary hospital and the Bruce CIT campus. As noted earlier, I am especially proud of the high tech CIT Bruce campus in my electorate, which is well placed, thanks to the vision of this government, to be at the centre of training and innovation in the renewable energy industry.

We are bringing the industry and research sectors together in Canberra in a renewable energy precinct focusing on solar, wind energy and energy storage. This government's renewable energy industry development strategy will harness the existing programs and expertise in Canberra. It also looks to the development of the new generations of renewable energy technologies. We are on the way to creating Canberra as a centre of excellence in the renewable energy industries with the spin-offs of investment and jobs in those clever industries in our clever capital. Our city's well-educated population and the quality of our schools and post-secondary education, including CIT, the ANU and the University of Canberra, give us a great springboard to be at the centre of emerging innovations in the renewable sector and future industries.

CIT Bruce is well placed to be at the centre of vocational education in these new industries, in renewable energy, as a centre of excellence, servicing the training needs of the operators of the ACT wind farm projects and others, including potential links with Taiwan, which I talked about yesterday. CIT Bruce already has courses and facilities dedicated to training in these sustainable technologies. The aim of the CIT Bruce sustainable skills training hub building was to have a very energy efficient and ecologically sustainable building with most of the structure and technology visible for training. You can actually see it when you go in there. Most of the building plant is available for hands-on training so you can learn within the actual building itself.

We are implementing the confident & business ready strategy, and the ACT government continues to work to ensure Canberra's business environment remains competitive and attractive for future investment in this great city. Of course, we already have city to the lake in Belconnen creating a great opportunity for business to take advantage of the beauty of that area to provide lakeside dining and interactions with the environment. A great environment encourages other businesses to set up in the Belconnen CBD, as opposed perhaps to Civic. The revamping of the public

transport infrastructure, the renewed bus interchanges and development and investment in rapid bus corridors adds to the business viability of Belconnen, encouraging more urban infill there.

In Belconnen, our electorate is confident and business ready. It is a great environment to base a business, to study, to work, to live and to enjoy a great lifestyle in our most livable of town centres in this most livable city. We are implementing the confident & business ready strategy, and the ACT government continues to work to ensure Canberra's business environment remains competitive and attractive for future investments in this great city. I commend the motion to the Assembly.

Motion agreed to.

Lease variation charge

MR SMYTH (Brindabella) (11.06): I move:

That this Assembly:

(1) notes the Lease Variation Charge's (LVC):

- (a) distorting market effects on Canberra's housing sector;
- (b) negative impact on stimulating investments, redevelopments and jobs in our city;
- (c) impeding effects on encouraging adaptive reuse in our town centres and increasing housing stock in desirable locations;
- (d) continued revenue underperformance and inability to fund the Government's Urban Improvement Fund; and
- (e) unreasonable increased costs to redevelopment projects, which in turn is passed onto homebuyers;

(2) notes the Chief Minister's:

- (a) public statement on 10 September 2015 that the impacts of the LVC on our local economy are not a "high priority"; and
- (b) continued position that the LVC is a developers tax, and not a tax on housing affordability; and

(3) calls on the Government to:

- (a) reduce the LVC to 0% for four years in Civic and Canberra town centres by the 2016-2017 ACT Budget; and
- (b) provide the Assembly with a quarterly update on measures it is taking to make this happen.

When the changes to the change of use charge were introduced and we got the abomination that is now known as the lease variation charge, the then Treasurer and now Chief Minister told a number of committees that this would have no impact whatsoever on the market. In fact it was almost lauded as the perfect tax. “It would not stop people selling their blocks because they would get full value. It would not stop developers buying them. It would not stop redevelopment because it was the perfect tax and would not have any impact on the price of residential accommodation in the ACT because”, as the Chief Minister said, “it was nigh on perfect.”

The reality some years later is entirely different. This is a tax that has failed on every facet. The sales do not go through because the sellers cannot realise what they believe their properties are worth because the prices are now discounted because of the impost that is the lease variation tax. The jobs in industry and construction are not happening because the developers cannot get the support from the banks for projects that are now deemed to be unviable because of the lease variation tax. And of course that is always passed on to those who would buy the new units in particular, and we see the squeeze on housing affordability in this city because of this government’s tax.

You only have to look at “Call to action—a joint industry submission to the ACT government for regulatory and process reform in the best interests of Canberra” which was put together by the then Canberra Business Council, Consult Australia, the Master Builders Association, the Planning Institute of Australia and the Property Council of Australia. And what did they say about Mr Barr’s failed tax? This is what they say on the lease variation charge:

There is mounting evidence that the LVC has become a significant disincentive to development and redevelopment in Canberra to the detriment of investment confidence, the ACT economy and the community in general.

The charge adds significant costs to new development which are ultimately passed on to the purchaser—with negative effects on affordability. Contrary to the Territory’s policy to increase urban density, LVC focuses new development into greenfield areas or vacant sites in established areas where development is more cost-effective.

The Territory’s forecast revenue from LVC has plummeted—indicating that the volume of redevelopment has dramatically reduced. Similarly, a report prepared in 2012, *The ACT lease variation charge implications for housing affordability, development and growth in Canberra* found that in the first year following introduction of LVC the number of development applications processed in the ACT fell by 56 per cent. We believe this decline will continue unless swift action is taken.

Without reform we predict a further decline in redevelopment activity as well as an increase in disputed valuations. This is already causing projects to be delayed or abandoned putting an end to effective infill redevelopment.

And there is the problem for the government: there is an internal contradiction in their policies. They claim they want 50 per cent of new accommodation to be in redevelopment, urban infill, and then they put a tax on it. And that is distorting the market.

As my motion says, we note that the lease variation charge is distorting market effect on the Canberra housing sector and, at a time when housing affordability is a big issue, to place a tax in this way, in this manner, on housing is unfortunate and has the downside effect of forcing, as the submission says, greater emphasis on greenfield development.

Of course, greenfield development requires additional infrastructure and increases the sprawl of the city. One only needs to look at Charles Landry's book *The creative city* and the picture he uses for urban sprawl is a picture of Canberra. There is one of the world's foremost exponents on how to make city's work better and the example he cites for urban sprawl is Canberra—not a glowing endorsement, not a ringing endorsement, of what we should be.

The Canberra Liberals have announced a policy. We will have, if elected next year, a four-year moratorium on LVC in the city—the CBD, Civic—and in the town centres because we know it is not just Civic that is suffering. You only need to look at Woden to see how town centres are suffering. Tuggeranong needs to be assisted. We are seeing some activity in Belconnen, we are seeing some activity in Gungahlin, but this is not a government that understands that hierarchy and this is not a government that has the plans in place to make the hierarchy work.

What we have said is that we believe, based on what the government has earned from their failed tax, Andrew Barr's equivalent of a mining tax, it would be better if this charge went, we got the infill that we need and we got the activity and the jobs that that infill would create. You only need to look at Civic at the moment. The only crane on the horizon is on a development that was approved before the changes and the only development in the last four or five years is the Manhattan apartments which were also approved before the changes and, indeed, I am reliably informed, would not have gone ahead under the new regime because it would be unviable.

It is time for the government and the Greens to wake up to the fact that they have in place a regime that works against everything they say. Go to the results. This is a failed tax. Have no doubt about it. In the 2011-12 budget the expectation was \$22 million. The original expectation was \$22 million. They got \$8.7 million. It was meant to be \$23 million in 2012-13; they got over \$15 million. It was meant to be \$24 million in 2013-14; they got \$14 million. It was meant to be in 2014-15 \$26 million; they only got \$11 million. Remember, inside those numbers are approvals under the old system. So the figures are in fact inflated for what the lease variation charge has achieved.

It is even starker when you go to the question on notice that Mr Coe asked. It is a fascinating question: "How much has LVC brought you from Civic and the town centres?" Let us run through the answer. In Belconnen in its first year, 2011-12, zero, nothing; in 2012-13, \$55,000; in 2013-14, \$3,000; in the year to date—and this question was answered on, I think, 3 June—\$740,000. So in four years in Belconnen the lease variation charge raised \$0.798 million, \$798,000.

In the city it is even worse. In 2011-12 it raised \$45,000; in 2012-13, \$84,000; in 2013-14, \$147,000. Year to date when answered it was \$41,000. From 2011 to the year to date in June this year it raised in Civic \$318,000—not really your perfect tax. Any wonder that it is not achieving what it was purported to achieve! It is the same for Gungahlin: in 2011-12, zero; in 2012-13, \$127,000; in 2013-14, \$52,000; year to date, to June this year that is, \$367,000. In Gungahlin, the lease variation charge over the four years, raised \$546,000—just over half a million dollars.

In Tuggeranong in 2011-12 it raised \$215,000; in 2012-13, zero; in 2013-14, \$0.003 million, \$3,000; year to date, \$4,000; a total of \$222,000. In Woden, it is exactly the same story—no, wait, Woden was slightly better: in Woden in 2011-12, nothing; in 2012-13, \$69,000; in 2013-14, obviously one building went ahead for \$3,030,000; year to date to June this year, \$70,000. Woden is the outstanding town centre at \$3.106 million.

I can hear those opposite who will jump to their feet and say, “There is no demand. It is those dreadful federal Liberal cuts.” This tax came into effect before those cuts were started by the Rudd-Gillard-Rudd government and the 414,453 jobs that went under Rudd and Gillard. This tax started well before that. You can see in the first couple of years it was a disaster. It did not deliver what it said and it has, in that regard, distorted the market.

What we have to do is look to the future. What we have to do is work out how we get the density that we all agree should be in particularly Civic and the town centres. How do we make that happen? Clearly the impediment, according to the Business Council, Consult Australia, the Master Builders, the Planning Institute, the Property Council, is the distorting lease variation tax. It is time that we had action on this and that is what the Canberra Liberals have done.

We note the Chief Minister’s comments. The Chief Minister did not think it was a high priority. It is funny that, on the day that 300 people sat in the theatre at the convention centre—Mr Rattenbury was there, nobody from the Labor Party was there; Mr Rattenbury but not the Labor Party—saying, “We need to do something because Civic is dying,” Mr Barr’s comment is: “I don’t think it is a high priority at the moment.” Three hundred people versus the Chief Minister! Three hundred people in a room saying, “We need to do something in Civic,” and the Chief Minister saying, “I don’t think it is a high priority at the moment to give a tax cut to wealthy international and interstate property owners. In large part it would create a distortion within the market in Canberra”

It has created a distortion within the market. It has in effect in Civic and the town centres destroyed the market. I wonder who the interstate property owners are. Who is the big developer in the ACT that owns interstate property? Who would that be? That would be Foundation 73. I am sure Mr Hanson will have more to say about that. We will hear his comments.

The Chief Minister, through you Madam Deputy Speaker, misses the point completely. It is his lease variation charge, his tax, that is causing the market distortion. No

redevelopments in Civic have happened since his LVC was introduced, except for a couple that were approved under the old regime. Second, it is not a tax break to international and interstate property owners; it is to help local businesses and Canberra families. We just had a motion on supporting local businesses. Local businesses are saying to us, and we have heard them, that you are not listening. The lease variation charge needs to go. It is to help Canberra families. This cost is passed on.

That there is some sort of benign developer out there who will absorb the exorbitant lease variation charge and not pass it on is insane to even contemplate. It would send businesses broke if they were forced to not pass this on. That is how business operates. If there is a charge that the government levies, it is passed on; it is included in the tax.

I think it is terrible how the Chief Minister tries to blur the issue by drawing the line between the haves and the have nots, the standard response of the Labor Party. What about all this talk of attracting foreign investment to the ACT? Now he makes the foreign investors the bad guys when it suits his narrative. It is interesting, is it not? “I don’t think it is a high priority at the moment to give a tax cut to wealthy, international and interstate property owners.”

Some time ago he flogged the local business community for not stepping up to the plate and investing. So he was off overseas to find the money to fund the future of the ACT. Now, apparently, if you get foreign investment and you want to assist, it is a bad thing. “I don’t think it is a high priority at the moment to give a tax cut to wealthy international and interstate property owners. In large part it will create a distortion within the market.” First you play the haves and have nots line, then you attack foreign investment. Mr Barr, through you Madam Deputy Speaker, is disingenuous in all of this.

This is Andrew Barr’s failed mining tax. He is taking on a Wayne Swan persona where he has promised a tax that was perfect in all outcomes, that was going to deliver benefits for everybody and that, in fact, has delivered nothing for any of us. The problem is that as long as this tax remains in place in this form it will stifle the redevelopment of Civic. It will stifle and is stifling and will continue to stifle the infill that we all know that we need. It is seriously affecting the town centres. You can see from the numbers that I read out that the town centres are suffering dramatically as a consequence of this failed tax.

It is time. Perhaps if they listened to Dr Bourke’s motion about supporting business they would realise that this tax has failed, support the moratorium, vote for the motion, reduce the LVC to zero per cent for four years in Civic and the town centres and get the industry going and get the town going again after they have brought on it this crushing tax that has stifled redevelopment in Civic and the town centres.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (11.21): I move:

Omit all words after “notes” (first occurring), substitute:

- “(a) the Federal Liberal Government’s decision to slash 8000 jobs from the Canberra economy, and that this decision has caused an increase in office vacancy rates;
 - (b) that the Government leases Territory land to the private sector for a particular purpose, and that that purpose determines its value;
 - (c) that changing the purpose of a lease can deliver windfall gains for property owners, and a portion of these gains should be retained for the community;
 - (d) that the community’s portion of these windfall gains should be retained by the Government through the Lease Variation Charge (LVC) to fund the delivery of community services;
 - (e) the Government has a scheme of LVC remissions in place, which recognise contributions made to the community through developments, including for:
 - (i) adaptable housing;
 - (ii) childcare;
 - (iii) environmental remediation; and
 - (iv) high environmental ratings;
 - (f) that housing affordability has improved since 2012; and
 - (g) the ACT Liberals’ policy to provide a tax break to certain property developers is the wrong priority for the ACT; and
- (2) calls on the Government to continue to ensure that a portion of windfall gains from changes to leases are retained for the community’s benefit.”.

I begin my response by quoting from the *Canberra Times* which, in response to this policy announcement from the Liberal Party, made a very clear statement:

To pretend, however, that betterment charges led to “massive missed opportunities in the CBD and in town centres”, and that axing them will stimulate broad economic growth insults taxpayers’ intelligence.

I know those opposite work on the basis that no-one will apply any scrutiny to their random policy announcements. It is not very often we get to come into this place and talk about a Liberal Party policy, but when they finally change gear from relentless negativity, from introducing sovereign risk into the territory, when they finally get around to showing us what their policy priorities will be, they announce a tax cut for a small handful of property developers.

They huff and puff about the LVC as if it is some sort of outrageous intervention that property owners should make a contribution to the community when they are granted a windfall gain by the government; that when someone is granted an unearned

windfall gain by a lease variation, none of that should be shared with the community. That is the Liberal Party's position. None of that windfall gain should be shared; none whatsoever. You would think the longest serving shadow treasurer in Australia's history would know that a form of lease variation charge has been in place in the territory since the early 1970s. Why? Because it is good policy.

The basics of the lease variation charge are: the territory levies the lease variation charge when the development rights contained in a lease change and deliver increased value. The principle underlying the lease variation charge is a sound economic principle. Increases in the value of a block of land from changes to lease conditions are granted by the government. That is the change. The government says what was worth a certain value is now worth significantly more because your lease has been varied. It is only fair that the community who, through the government, grants this increase in value of land shares some of that benefit of an increase in value.

The efficiency of the lease variation charge as a revenue source has been tested time and time again by independent economic analysis. The 2010 report and the review of the change of use charge system in the ACT by Macroeconomics noted that the LVC taxes unearned windfall gains generated by ACT government planning decisions. The report noted:

Because this value is 'gifted' to the leaseholder, rather than earned, it is socially efficient and equitable that the government retains a significant proportion of that windfall and uses it for the benefit of the community.

That is the crux of the issue—when the government, through a planning variation or a lease variation, grants an unearned windfall gain, the community should retain some of that value. Presumably the Liberal Party still believes in part in that principle because their policy proposition is not to abolish the LVC altogether. If Mr Smyth truly believed the rubbish he has just spouted in his contribution, he would abolish the whole thing.

Mr Hanson interjecting—

MR BARR: He would commit to abolishing the entire tax rather than providing a four-year holiday in certain locations thereby distorting the market. If you have got the courage of your convictions, argue for the complete abolition of LVC, not a partial one.

Mr Hanson: Is that what you want us to do?

MADAM DEPUTY SPEAKER: Mr Hanson!

MR BARR: Come on, yes. If you truly believe all windfall gains from lease variations should go to developers and none should go to the community, get up and say that. Let us have that debate, because the lease variation charge is how we capture for the community a share of the increased value from public investments in infrastructure and urban density. LVC is one of the ways we provide the revenue necessary to fund the critical infrastructure and services all Canberrans need, and that is something that those opposite do not understand.

The lease variation charge is an efficient tax because it isolates and taxes the additional value of a lease due solely to a government decision—due solely to a government decision. It has no impact on production and consumption decisions because the windfall gain is generated by a change in the lease that the government grants. In very clear and simple terms for the Leader of the Opposition, who needs things explained in clear and simple terms, if the government sold a block of land for commercial use and the lease conditions of that land are later varied to reflect higher value uses, LVC captures that higher value.

Mr Hanson interjecting—

MADAM DEPUTY SPEAKER: Mr Barr, sit down. Stop the clock, please. Mr Hanson, I have asked you to stop interjecting. Next time you will be warned. Mr Barr.

MR BARR: Thank you, Madam Deputy Speaker. Let me repeat: if the government sells a block of a land and the lease conditions on that land are later varied to reflect a higher value residential use, the LVC captures this higher value which was not contained in the sale price the government received. As well as providing part of the increased value to the community this ensures fairness with other developers who may not have been interested in purchasing the land when its lease specified a lower value range of purposes but may have been interested if the original lease was for that higher value use. The LVC delivers neutrality between sales of blocks for one use and the latter is converted to a higher value use than the sales of blocks which originally contain the higher value.

The lease variation charge is only one factor of many that a developer would consider before deciding to proceed with a development. Other factors include level of prevailing interest rates, confidence within the economy, prevailing economic conditions, the remaining useful life of any existing buildings, availability of labour, decisions of the commonwealth government, tenant interest—demand in the marketplace, residential presales targets, and a range of other considerations. Major drivers of cost include, of course, the purchase of the land in the first place, construction costs, and the goods and services tax on the sale of a new building. All of these are much more significant than any LVC that may be payable.

The lease variation charge is an important revenue source for the territory—\$70 million or thereabouts in the next four years. If it were reduced to zero for four years, as Mr Smyth is proposing, the forgone revenue would need to be raised somewhere else. This is the bit that shows the priorities: the tax cut the Liberals are offering, which will be delivered to a very narrow subset of property owners and developers, will be paid for by the residents of Canberra. Those opposite want to pay for this by increasing taxes somewhere else or cutting services. That is Liberal Party mantra—do not tax those who have the capacity to pay when you can hit everyone else and cut services.

We know the demand for commercial space at the moment is low and that vacancy rates are higher in some C and D grade buildings in Civic than was the case when

public service staffing was at record highs. But the simple fact is that the Liberal Party's love of cuts, especially cuts to the public sector in this city, means at the moment that there is less demand for space for workers. That is not about the LVC; that is about the Liberal Party's job cuts. That is what that is about—job cuts by the Liberals. That is their reason for being—to cut jobs. That is why they exist. That is how they get their jollies in politics—to cut jobs. They love it, and that is exactly the approach we have seen, and the implications of that are flowing through the territory economy.

It is a simple point that the policies of those opposite will not change. They will continue to be a party that advocates public sector job cuts. They will continue to be a party that advocates giving a small section of Canberra property owners a tax break paid for by everyone else. But that will not fix the underlying problem—that is, a lack of demand for commercial office space at this point in time by the Liberals cutting jobs in our economy.

The government recognises that when developments deliver things for the community, this should be recognised in the proportion of the LVC captured through the unearned windfall gain that comes from a lease variation and that that should be put back into the community. That can come in many different forms, and we have supported various LVC remissions to incorporate high standards of urban design, support adaptable housing in projects, and improve environmental performance of buildings. That is the sort of targeted remission that gets an outcome for the community, and we are certainly looking at and have implemented a range of options to support those public benefits.

The other thing we have committed to and we continue to do budget to budget is allocate the proceeds of the lease variation charge into urban improvement projects right across the city. The question for the Leader of the Opposition is this: when he cuts this tax and hands that money back to developers, does he think there is going to be an immediate reduction in the prices of all housing in the city because the developers, out of the goodness of their hearts, are not going to keep any of that tax cut by way of increased profit? Does he think they will pass it on to consumers? Of course they will! There will be no profiteering, no super profits! That will not happen!

Mr Smyth interjecting—

MADAM DEPUTY SPEAKER: Mr Smyth, you will have your turn.

MR BARR: The unearned windfall gain that is generated by the lease variation has to go to the developer. None of that can be shared with the community. That is the Liberal Party's position. Then they are left with a revenue hole, and there has been very little explanation as to how that hole will be filled. But it will need to be filled or services will need to be cut. Then there is the impact on the range of urban renewal projects and urban improvement projects being funded out of the lease variation charge right across this city in every part of Canberra. In every part of Canberra, there are urban improvement projects funded by the lease variation charge, because it is fair and is an equitable return on the windfall gain for that money to go back into the community by way of urban improvement projects. That is fair and that is reasonable.

The Liberal Party position is that 100 per cent of the windfall gain should go to the developer; the government's position is that it should be shared. The fact that the Liberal Party now believes the community deserves none of the lease variation charge revenue, that none of the windfall gain should be shared, demonstrates where their priorities lie—not with the community at all, not with urban improvement, not with outcomes for each suburb in this city, not with outcomes for suburban and urban improvement. With the lease variation charge cut to zero, all of the unearned windfall gain will go to the developer.

That is not fair; it is a bad policy outcome and it should be opposed. That is why the amendment I have moved today calls on the government to continue to ensure that a portion of windfall gains from changes to leases are retained for the community's benefit. Yes, this is a threshold issue. We will stand strongly in support of some of the windfall gains, the unearned gains that come from a lease variation, being shared with the community. I am very happy to go to an election on that policy difference. Bring it on!

MR RATTENBURY (Molonglo) (11.37): As we anticipated yesterday, we are having a more detailed discussion about the lease variation charge. When I spoke yesterday afternoon I said that the Greens support mechanisms for developer contributions such as the lease variation charge. We have always supported the principle of the LVC, and we have negotiated special remissions that were to be created as instruments for the Planning and Development Act. I will come back to those in a moment, because there are specific policy objectives there.

The very principle of the LVC is quite an important one. The Greens believe that it is appropriate that when a significant financial gain is made from a change in a lease purpose clause the community derives some benefit from that. That is a principle we have stood by in this debate about the lease variation charge. We consider it appropriate that when there is a substantial change in the value of a property because something different can be done with it and the value goes up, the benefit should be shared. The community should derive some of that benefit.

Of course, the person who takes the risks on the project should also get some of that benefit. I have no dispute with that. They are entitled to make a reasonable return. But we need to make sure that where there is a change in value and a new value created, the community gets a share of it. There are consequences for these changes and if a change is going to impact on the community then there should be a sharing of the benefits.

As I said, the Greens canvassed a range of special remissions that had a policy purpose and, I guess, recognised that certain outcomes deliver community benefit. Our rationale is that if that community benefit is coming by another means then that is reflected in the benefit that is put forward. For example, some of the specific remissions are related to social housing and the provision of child care. With environmental remediation—for example, a former petrol station site where there is obviously a cost to cleaning up the site and it is a community benefit to have that site remediated—it is appropriate to consider a remission on the lease variation charge.

We also put in place remissions for high environmental ratings for buildings, so above five green stars, or a 6½-star NatHERS rating. Again, there is a public policy interest here that is reflective of government priority and reflective of the fact that if we can build more energy efficient buildings this is a good outcome for us as a whole. Again, it is appropriate, and there is a cost potentially attached to that, that a remission from LVC be put in place. There are remissions for adaptive reuse of offices to residential. There are a range of remissions that reflect either community benefit or policy objectives that the government has put in place for the benefit of the community as a whole.

There is also a remission for contribution to public art projects. All of these things speak to the principle I have been talking about. Some are particularly relevant to builders and development, especially those around environmental efficiency and location. A possible example of an exemption would be if someone builds an eight-star energy efficiency rated building in close proximity to a bus interchange or a public transport corridor. That would qualify for a significant discount. That reflects the policy settings that government has and ensures that there is an opportunity for the developers to make a new project, to get a profit, to get a return from that, whilst at the same time seeking to deliver the policy objectives and good community outcomes the government is seeking.

I recognise that there has been concern expressed from people in the property sector about the charges, but I believe we need to balance the competing factors with a solution that continues to make infill an attractive commercial option and redevelopment in our town centres, whilst at the same time ensuring that the community gets the fair return that I have spoken about. We believe that the right policy balance has been struck in having a range of those remissions in place.

That said, I continue to discuss these issues with people on an ongoing basis. I am always open to those further discussions. In 2014 the former Chief Minister announced a package of initiatives designed to provide confidence and economic stimulus for the ACT building and construction industry. Changes to the lease variation charge system included all codified LVC fee and remission schedules being frozen at the current rate and remission level for the next two years. For non-codified variations, the remission rate was increased from 25 to 50 per cent for two years. A further 25 per cent remission is available for developers who incorporate high standards of sustainable design and adaptable housing into their projects. Again, those policy objectives are being built in and are providing potentially further discounts.

The new remissions apply to all eligible cases assessed after the date of announcement up until 6 March 2016. I think that is a very interesting issue in the sense that Mr Smyth has come in today and made the case that there is only one crane on the skyline in the city because of the LVC. Yet for the last two years or 18 months, since that announcement was made, there have been significant remissions in place and we have not seen projects coming on stream. I actually think there is a very serious debate to be had about why those drivers, those remissions, have not provided an attraction. If Mr Smyth reckons his policy is so right, why have those remissions in that period of time not brought forward the projects?

I think it has a lot more to do with the fact that we have a significant lack of demand in the ACT for a range of reasons. It is a matter of fact that commonwealth cuts have meant that there is less demand for office space. We have seen what I think is called “project tetris”, where the commonwealth government are attempting to fit more people into their existing buildings to generate greater efficiency in their property portfolio. That is a worthwhile objective at one level. We want to get good value for money from the federal government in terms of making sure they are not paying for empty office space, but there can be no doubt a project like that has had an impact on demand for buildings.

There are a range of factors there and I do not think the analysis stacks up. We have seen those remissions in place and people have not taken them up. Projects are not going ahead. It is not that the LVC appears to be the barrier. It actually appears that there are other factors in play. I am not convinced that Mr Smyth’s analysis is right. I do not think that the policy that the Liberal Party has announced is going to make a difference—aside from the fact that I do not think it is good policy because it takes away all of that community benefit arising from the gain in value—and certainly the stimulus measures that have been put in place in the last couple of years do not seem to have had an effect.

I will not be supporting Mr Smyth’s motion today. I will be supporting the amendment put forward by Mr Barr, which outlines some of the remissions that are available. I acknowledge paragraph (1)(g) in Mr Barr’s amendment. It is the point I have made today, which is I believe that to simply give a significant tax break here is not appropriate. It short-changes the community and means that all of the gains from a change in the lease variation purpose go to one party when, in fact, the community should derive some of those benefits as well.

MR HANSON (Molonglo—Leader of the Opposition) (11.45): I would like to start by thanking Mr Smyth for bringing this important motion before the Assembly today and for his determined commitment to revitalise our CBD and town centres. Mr Smyth is a champion of business in this town. He understands economics. He understands what it is going to take to actually get business back doing what business does best and helping to build our great city and our great town centres. That is a philosophy and a view shared amongst my colleagues.

Mr Smyth has outlined our rationale for this policy well, but I would like to reinforce what he said. We are doing this because our CBD and our town centres are dying. We attended the forum last week where that view was shared by many. After 14 years of Labor, after 14 years of bad policy and neglect from Labor, we have a situation where, in essence, there is an emergency meeting called by the community to say, “Something is very bad with the state of the CBD. We need urgent action. We need a response. We need a champion. We need to fix what is going on in Civic.” Equally, the same applies to the town centres, and not one member of the Labor Party bothered to attend.

Mr Barr was at the lunch, I understand. I am sure sparkling water was on offer for him. But not a single member of the Labor Party bothered to attend an emergency meeting

to try and fix the CBD. That is really disappointing, because there were some really good, innovative ideas presented. Some of them echoed what the Liberal Party had been saying. In fact, a renowned architect's principal idea of what we need to do echoed some of the ideas that Mr Coe has put forward about bringing traffic back into the CBD.

The failure of the LVC is profound in the town centres and the CBD. As Mr Smyth says, it is the mining tax. Not only has it failed to provide the revenue; it has also deterred business from taking the risk, from making the investment, to build in our town centres and in our CBD. It is actually a tax that fails on two fronts. Firstly, it does not provide the revenue that it should and, secondly, it is stopping economic activity. It is stopping the building in our city.

This is where we on this side understand economics and those on the other side do not. Their view and Mr Barr's view—from his mentor, Ted Quinlan—is: tax them till they bleed but not until they die. Our view is: let's make sure that we actually get business out there working, building and creating the jobs. Not only is that economic activity good for our urban space and densification of the CBD and the town centres, which is improving our built environment, but also it will create more revenue coming into the coffers through the economic activity, the jobs, the payroll tax, the stamp duty, the rates and the other activity that would come from increased retail and hospitality in the CBD and town centres. This mob opposite do not understand it. They are entrenched. How do you—

MADAM DEPUTY SPEAKER: Mr Hanson, resume your seat. Stop the clock, please. I have asked you before to not refer to the government as a “mob”. Refer to them as the government, or “those opposite” if you like.

MR HANSON: Those opposite, Madam Deputy Speaker, are entrenched in the class warfare that originates from the CFMEU. You could hear it in the rhetoric. It is really disturbing, the sort of “You and your developer mates”. The point is that these people, as I said yesterday, are the people that take the risk. They are the people that actually employ the CFMEU members, ironically. So although you hate them—although Mr Barr, Mr Gentleman and Mr Rattenbury hate these developers, it seems—they are actually the people taking the risk. They are the people that employ your CFMEU mates. The irony is just flabbergasting. We want densification, we want renewal and we want to see life come back into our CBD and our town centres. It is clear, Madam Deputy Speaker—and it is not just me saying it; there were 300 people in that forum—that it is not working.

The policies under the current Labor-Greens coalition are failing. Go walk around Garema Place; go down there in the evenings. Go down to Tuggeranong. Go up to Belconnen. Go to Woden and have a look. The policies are failing. It has been 14 years of Labor government that has led to a point where the planning regime and the tax regime have got the community getting together without government and saying, “We need to fix this.”

The Liberals have come up with an idea, and it is not a silver bullet. There is much more that needs to be done. There is much more that we will announce before the election, but it is a good step and it has been applauded broadly across the community,

who understand that if we want to get business going back into Civic and back into the town centres and investing and building our city, they need the incentive to do so. They will be deterred by a punitive tax regime and they will go interstate. I am glad that it has been recognised as good policy by the Property Council, amongst others.

In terms of the amendment by Mr Barr, let me again refute the myth about the federal public service job cuts. Eighty-five per cent or more of the jobs that were cut were cut by the federal Labor government, by Kevin Rudd when he took a meat axe—in his words—to the federal public service. That was confirmed by the Secretary to the Department of Finance. You might want to spread that myth; maybe you will get some traction with it. I do fear, Mr Barr, that you are on yesterday's script.

MADAM DEPTY SPEAKER: Through me, Mr Hanson.

MR HANSON: Through you, Madam Deputy Speaker, Mr Barr is continuing to rail against the federal Liberal government. Clearly he has not seen today's Roy Morgan poll. He is still in here. I notice Mr Barr has worn his bluest of blue ties; so perhaps he is one of those, according to the polls, who come and go. It is illustrative that there are more Labor voters who support the Liberal Prime Minister than Labor voters who support the Labor opposition leader. Mr Barr comes in here with his fear and loathing and class warfare and tries to smear and cause fear with his mistruths about the federal public service job cuts, but I wonder whether his blue tie is one of his signals that he is indeed one of those that support the Liberal Prime Minister more than his own opposition leader. Given that it is Bill Shorten, who can blame him?

I wonder whether Mr Rattenbury, equally, is one of the 57 per cent of Greens who prefer the Liberal Prime Minister to the Labor leader. It is interesting. I think that Mr Barr not only needs to have a more truthful script about the origins of those job cuts but also he needs to reconsider that comparing the Canberra Liberals with the federal Liberals every time the Canberra Liberals come up with something might not be working anymore for him. He does not seem to have a critique of the Canberra Liberals. He has been manifestly unable to pin us down for the last three years with a critique. His only lines have been, "Federal public service job cuts. The federal Liberals; no-one likes them." That does not seem to be working for you, Mr Barr, because, firstly, it is not true and, secondly, there are more Labor members now supporting the Liberal Prime Minister than the federal opposition leader. Madam Deputy Speaker, I have digressed.

Mr Rattenbury: You certainly have.

MR HANSON: Mr Rattenbury does not like that. Oh no, he does not like it at all. Let us have more planning that will bring densification and activity to the CBD, because we have seen planning under Mr Barr. I invite you, Madam Deputy Speaker, to go down to the pop up. Go to the container village and see what Mr Barr's planning regime looks like. Rather than getting the developers and the builders to create in our town centres and the CBD, go down see what the container village looks like. Put your big top hat on, your mad hatter's hat on, and go down, as Mr Barr did, and look at the container village. That is what planning looks like under Mr Barr. Unfortunately, we are not seeing activity happening in the CBD and the town centres under this punitive and unworkable tax regime.

MR SMYTH (Brindabella) (11.56): Thank you, members, for your interesting input today. It would appear from those opposite that we are all going to get a benefit from something that is not happening. Seventy-five per cent of zero is zero. It might feel good to say that we are going to get 75 per cent of the improved value, but when there has been no improved value you have got nothing. What we hear from Mr Barr in the absence of facts and truth is his standard tactic of misleading and using scare tactics—this is all for the property developers and for foreign investment. It is not; this is for ordinary families who would like to live in Civic. This is about making sure people can afford to live in our town centres. We hear from those opposite that they want greater density, so why would you then put in place a policy that militates against it?

We have the Greens representative from the government who is always talking about protecting the environment. This policy damages the environment. This policy forces additional greenfield development because it stops development where it should be—in the town centres and particularly in Civic. They are not building anything. You only need to look at the data to know this happened before the Rudd-Gillard-Rudd job cuts of 14,473 public servants, and the policy did not work then. A large amount of the moneys collected in the first couple of years would be holdovers from the old system where buildings were approved under the change of use charge.

Those opposite forget that if we can get the stimulus going, if we can have more people living in Civic, you get more rates, you might get more land tax and there might be other charges that will cover the core services. But you are not going to get that when it is not happening. I am sure Mr Barr would like to call it utopia; others might call it a fool's paradise. To have a tax that collects nothing makes you look more and more like Wayne Swan every day. The mining tax was going to bring back the surplus. It was not going to affect investment; it was not going to affect the industry; it was not going to affect anything. We hear lines from Mr Barr on this tax. "No, it's the perfect tax. It doesn't deter. It doesn't have an effect. It doesn't change the cost of anything." I am not sure what you were taught in economics, but when a charge is put on, the charge is normally passed on.

Let us look at what would have happened, for instance, at the Manhattan site. A number of analyses have been done, and I will go through one. The property at the Manhattan site which overlooks Glebe Park was a C grade office building of 4,000 square metres. It had a year to run with the ATO and the price was about \$21 million, including almost \$3 million of rental. Parties looked at it for two things—knock down and rebuild as residential or refurbish as office accommodation. If you wanted to refurbish it, it would have cost at least \$16 million if you could have got a tenant, but there was no change of use charge payable at the time. Remember, this was before the lease variation charge. Total demolition—build a new office building hoping to get a tenant, change of use charge payable. Total demolition—build residential apartments, with approximately 340 units, change of use charge payable.

The market determined the value would be about \$19 million to \$21 million depending on the use. A developer with an interest in residential secured the property and the payments were made as follows: the change of use charge, approved value of

\$21.5 million, less the cost of demolition, so \$19.5 million. The value was \$19 million, so change of use charge was paid at 50 per cent of the added value—half of half a million dollars, so \$250,000. The government got \$250,000 through the change of use charge because it was actually viable to go ahead.

Under the new system the LVC is calculated differently with the rate of the vacant land, excluding improvements, being in the vicinity of \$8 million to \$9 million. Based on the rating, value and sales of other office sites at the time, it would probably be about \$8 million. The LVC would have seen 75 per cent of the \$19.5 million approved value, less the \$8.5 million for the existing land value, amount to a payment of \$8,250,000. That is significantly higher than the \$250,000 paid under the change of use charge.

Had you got that, well done to you. But the reality would have been that you would not have got it because it was not viable as a residential development at that stage. So based on that method, the improved residential value of the site, instead of being the \$20 million that was expected, would have had to be purchased at \$11 million to compensate for the \$8.25 million of the lease variation charge. Nobody who owns a building worth \$20 million is going to discount it by \$8 million to give the ACT government the windfall because you have to share the increase in value. It does not happen. This is la-la land stuff.

If it had not gone ahead, what would have happened? You might have got a refurbishment under which no change of use charge would have been paid and no lease variation charge would have been paid; so you would have lost out. Let us face it: if the refurbishment had occurred and no residential had occurred, what would you have lost? You would have lost the stamp duty on 340 units—call it \$8.5 million. You would have lost the change of use charge—\$250,000; some GST was payable, about \$14 million. And you would have lost the increase in rating over the next 10 years—about \$250,000 per annum, so \$2.5 million—and they are the moneys you can use for paying for other improvements, Mr Barr.

You would also have lost the stamp duties on the resale of units for the first five years, because there is turnover—call that \$1.7 million. So the loss of this not going ahead would have been \$27 million. But we want our \$8.25 million, and if we cannot have that, we will forgo the \$27 million. That is the economics of those opposite who fail to understand what the experts are telling them.

The other problem for the ACT is that we have limited land supply. This is the land-based government that runs a land-based economy and a land-based budget. Everything is about the next block of land, not about the long-term value of the land and what different economic uses might contribute to an economy long term. Andrew Barr is only as good as his next land sale so he can prop up his budget, just like Wayne Swan. If you have that attitude you cannot see the long-term future of the territory.

The Greens talk constantly about sustainability, but they are happy to give the government the sugar hit that the lease variation charge seems to give them if and when they get it, and they are not getting it a great deal under the current

arrangements. The \$27 million outlined in the things that I have just spoken about excludes the construction cost, which would have been about \$80 million. The rule of thumb for construction used to be 30 jobs per \$1 million, so 80 times 30, that is 240 construction jobs.

There is then the knock-on effect to local businesses, whether it is the removalists that cart people there and back, the furniture sales, the curtain packages, the carpets, and the additional things that people buy when they move into a new home. That is the problem—it is well and good to say, “We deserve 75 per cent of the windfall gain.” If there is no windfall gain, 75 per cent of zero is zero, and that is what you are getting in the main—in the town centres and in Civic where there are whole years where you get nothing from the lease variation charge. Under your own policy, which sees 50 per cent development in these places, these town centres should be thriving centres—but they are not.

Look at Northbourne Avenue. The government says that they are going to get a windfall from the light rail, all that development is coming to Northbourne Avenue. The lease variation charge, the lease variation tax, makes just about all of them unviable. Pick a block up Northbourne Avenue around 5,000 or 6,000 square metres. If you wanted to redevelop that and build some units, one example I have seen is that you forgo a \$5 million or \$6 million windfall.

If the properties are worth \$9 million to \$10 million as office buildings and you have to secure payments of \$5.8 million, that means the total site cost is \$15 million to \$16 million. If the residential value is only \$10 million it is not viable and it does not occur. This is a distortive tax. Standard pat lines from the Chief Minister are not going to change it. The amendment should go down. (*Time expired.*)

Question put:

That **Mr Barr’s** amendment to **Mr Smyth’s** motion be agreed to.

The Assembly voted—

Ayes 9

Noes 8

Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

Adoption processes

MS LAWDER (Brindabella) (12.09): I move:

That this Assembly:

(1) notes:

- (a) the ACT Government's current blitz on criminal cases in the ACT court system has resulted in a backlog of civil cases. Due to the backlog of civil cases a number of children and families in the ACT have been advised they have a long wait for adoptions to be finalised;
- (b) members of the Canberra community are concerned about the length of time it takes to adopt a child in the ACT. In 2013-2014 there were only 17 adoptions in the ACT; 10 intercountry adoptions and only seven local adoptions; and
- (c) the ACT Government objectives of the Out of Home Care Strategy is costing approximately \$39 million over 2015-2016 to 2018-2019 of taxpayer's money, yet fails to provide the emotional stability and permanency that these children need; and

(2) calls on the ACT Government to:

- (a) recognise the benefits to children, families and the Canberra community in making the adoption processes faster and streamlined;
- (b) take immediate action to reduce the backlog of civil cases in the ACT court system and report back to the Assembly in November 2015 in relation to how it will achieve this; and
- (c) prioritise faster processing of adoptions in the ACT court system and report back to the Assembly in November 2015 on the number of children waiting for an adoption order to be made in the ACT and the average waiting time for an adoption order to be made in the ACT.

I am pleased to move this motion today because constituents have been raising their concerns with me about the lengthy local adoption process. I think it is an issue that the ACT government could take action on almost immediately to try to address the length of time adoption does take. A child's birth family is vitally important. However, we all recognise that there are many situations where it is not in the child's best interest to live with and be cared for by their birth family and unfortunately this is the reality for many children and young people in the ACT.

I acknowledge that from 2015-16 to 2018-19 the ACT government is investing approximately \$39 million in a new out of home care strategy called a step up for our kids. And one of the objectives of the out of home care strategy is to promote significant increases in permanency including adoptions. I have spoken before about this strategy and commended the government for their work in this area and I reiterate

that today. Nevertheless, the fact remains that in 2013-14 there were 17 adoptions in the ACT and of these only seven were local adoptions. The others were overseas adoptions.

There has been some recent work in the federal parliament by my federal colleague Senator Seselja about adoption and also there have been some recent media articles that have shown that members of the Canberra community are concerned about the length of time it takes to adopt a child in the ACT. For example, on 22 August the Canberra mother of the year backed calls for easier adoptions. I will read a few excerpts from the article of only a few weeks ago. It starts off by saying:

A Canberra mother who spent six years waiting for approval to adopt two local children has backed calls from Senator Zed Seselja to aim for a more efficient NSW model of adoption.

The article goes on:

The leading benefit for the children—cared for by the McNamaras from ages four years and 14 months—was the legal identity they wanted.

There was a recent major Senate committee report on out of home care and again I acknowledge that the ACT's new strategy will address some of the issues that were identified already in that report. There have been some legal changes also made that are upcoming again in our own Assembly that will also help to streamline processes from the perspective of the ACT government directorate that is responsible.

I quote again from this article:

... while some carers, who had the consent of the birth parents, could have adoption applications granted within six to eight months, the more excessive time frames occurred because systems and case workers across Australia were not geared towards considering adoptions due to mistakes in the past.

The ACT's rate of adoption was more than double the national average, at 8.3 per 100,000 children. Again, it is a good thing that we are above the national average but there is certainly more that we can do.

What I want to focus on here, and it is the thrust of my motion today, is that once the Community Services Directorate has made arrangements that result in an application for an adoption order, that application then must go before a judge in the ACT court system to make a decision on whether to make an adoption order or not. And what we have heard from constituents is that the ACT government's current blitz on criminal cases in the ACT court system has resulted in a backlog of civil cases, including applications for adoption orders.

As a result of this blitz on criminal cases, a number of children and families in the ACT are waiting for adoption orders to be made. I have been contacted by some of those constituents going through the local adoption process. In one case a constituent has been notified by the Community Services Directorate that their paperwork for an application for an adoption order is ready to go into the ACT court system. I quote directly from an email I received from this constituent:

Where we currently are is that the paperwork is ready to progress to the court officer to seek a date for the adoption. I have been informed by many that there are delays in this process at the moment and I can expect to wait around 2½ years as “other criminal cases take precedent” and adoption is not considered a priority by the courts. This is not consistent with the Government’s recently released strategy that is seeking surety and permanency for children is a priority.

This is alarming—2½ years for an application for an adoption order to be made by a judge is too long to wait. Everyday Canberra families’ lives are disrupted and impacted upon by these unnecessary delays. We have heard from the minister about the importance of early intervention with children to get the best possible long-term outcomes for those children, and I agree with the minister on that point. This delay in the adoption process is impacting upon that and it may well impact upon the best possible results for those children.

It is all very well to invest the \$39 million into the new out of home care strategy that aims to promote significant increases in permanency, including adoptions. However, if, as has been reported, applications for local adoptions are still taking 2½ years or more from when they enter the ACT court system to be finalised and an adoption order to be made, to me, the strategy is not meeting its objective. The Community Services Directorate have done everything they possibly can but where the bottleneck is occurring is in the court system.

This is not a criticism of the Community Services Directorate. It is not a criticism of a step up for our kids strategy. What it is saying is that there are many families out there who are willing and absolutely desperate to adopt these children and give them the best possible life that they can. This will benefit those children, those families and the broader Canberra community. Why are we not facilitating that? Why are we making these families wait?

I have also been informed that the government pays \$600 per child per fortnight to a family caring for a child while they wait for an adoption order to be made. On top of this \$600 per fortnight per child the government also pays the child’s school fees, medical expenses including any operations as well as after-school care fees et cetera. Again, it is absolutely imperative that they do that but there is another cost to the ACT community. Once an adoption order is finalised that family will willingly take financial responsibility for those children. By stringing this out another 2½ years we are imposing a financial burden on the rest of the ACT community as well as impacting on the lives of those children and those families themselves. This all adds up.

It comes back to the way that the court system works. The government surely can see that there is a need to streamline the processes, apply a bit of rigour to what is going on in the court system, whether it is, again, an additional judge. 1 July next year is too long to wait. It is too long for these children and these families who are waiting for adoption orders.

In a letter that the Chief Minister wrote to a constituent just this month he said:

It is not possible to supply you with an average timeframe for an adoption process to be finalised, as the Directorate does not keep records of this data.

I find this quite concerning, because if the directorate does not keep records of the average time frame for an adoption order to be finalised how will the government ever know whether the new strategy is making it quicker or better or more efficient? Surely when you have a strategy that aims to make something better you need to have something to compare it against; otherwise the whole strategy is a bit pointless. So it is very concerning that the Chief Minister has said that this kind of information is not collected.

How will the government ever know whether the out of home strategy, a step up for our kids, is meeting its objective of “easier, quicker opportunities to secure permanency including adoption” if no data is kept on the length of time it takes for an adoption process to be finalised? The Chief Minister went on to say in that letter to a constituent:

Processes can make the journey from becoming a carer, to becoming an adoptive parent, a lengthy one for reasons not necessarily associated with timeframes for obtaining the adoption order itself.

Mr Assistant Speaker, I put it to you that part of that lengthy process is the government’s criminal blitz that is causing a backlog of civil cases including adoption applications. One constituent asked the office of the Minister for Children and Young People, Mr Gentleman, to provide information about the number of families in the ACT who are currently waiting for an adoption to be finalised and the average waiting time for an adoption to be finalised. I have been told that neither Minister Gentleman nor the Community Services Directorate has provided this information to that constituent.

We often hear the government say how open it is, how transparent it is and how it consults with people. This does not appear to be borne out in this particular case. Why is the government not prepared to provide information about the number of families in the ACT who are currently awaiting adoption to be finalised? I know that I can sometimes get that information but when constituents ask for that information what is the purpose, what is the benefit, in not providing that information to constituents? Those people, the very people who are most concerned about this process, are the people who are waiting for adoptions.

The motion today calls on the ACT government to recognise the benefits to children, families and the Canberra community in making adoption processes faster and streamlined. I believe the minister already knows that and acknowledges that. It calls on the ACT government to reduce the backlog of civil cases in the ACT court system and report back to the Assembly in November this year in relation to how it will achieve this. It also calls on the ACT government to prioritise faster processing of adoptions in the ACT court system and report back to the Assembly in November this year on the number of children waiting for an adoption order to be made in the ACT and the average waiting time for an adoption order to be made in the ACT.

I think this is a matter that can touch the hearts of all of us. These are families who have taken in children who are in need of a loving and supportive family, and they are providing that to those children. We should be doing whatever we can to facilitate those adoption orders to be made.

I reiterate, this is not a criticism of a step up for our kids strategy. I have had briefings. I have had discussions with the minister and his office. I am very supportive of a step up for our kids and I am looking forward to it rolling out further and further. What we are saying here is that whilst you are doing everything you can in this area, the bottleneck is occurring in the court area. That is what the thrust of this motion is today and I commend the motion to the Assembly.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (12.23): I thank Ms Lawder for moving this motion today and I am pleased to speak to this motion and advise the Assembly about the important work that the Supreme Court has been undertaking with the support of the government to improve its performance. My colleague Mr Gentleman, as the responsible portfolio minister for adoptions in the ACT, will be speaking further about the steps the government is taking across a range of areas in relation to this important matter.

I would like to address the immediate substance of the issues Ms Lawder is raising in relation to the performance of our courts. I have to inform the Assembly that the assertions that Ms Lawder is making in her motion are simply incorrect. It is not true to say that there is a backlog of civil cases in our courts and that this is responsible for families experiencing long waits for adoptions to be finalised. I understand that families may find the adoption process a long one from the time it is commenced to when it is finalised through the courts. However, most of this time is involved with the process prior to the matter being lodged with the court. The court only becomes involved at the end of the process.

I have received advice about this issue from the Supreme Court. It is worth reminding members that the Chief Justice is responsible for the management and listing of matters in the court, not the government. But that said, the court has advised that in 2014-15 the average time from lodgement to listing for adoption matters was seven weeks and then from listing to finalisation was an average of four weeks. The fact that the court process is so prompt underpins the importance of the work that precedes the filing of an application in court and speaks to its thoroughness.

These facts do not support Ms Lawder's call on the government to take immediate action to reduce the backlog of civil cases in the ACT court system and report back to the Assembly in November this year because there is no civil backlog impacting on adoption matters, nor is there a blitz on criminal matters in the Supreme Court, as Ms Lawder asserts. There are periods of intensive listing of criminal matters but this is business as usual for the court nowadays.

So it is not clear to me where Ms Lawder is getting her information from. But there is no evidence to support a call to prioritise faster processing of adoptions in the ACT

court system. As I have stated earlier, adoptions take an average of 11 weeks from lodgement to final hearing. That is not a slow process and it underlines, unfortunately I think, a misunderstanding about the process of adoption when it comes to our courts.

The period for hearing adoption matters will be extended where there are disputed matters requiring court management. But I am advised by the court that disputed matters are rare, possibly because of the amount of time that is taken up-front before an application is made to the court and also because many of the matters in the court tend to relate to local adoptions rather than to overseas ones.

So my colleague Mr Gentleman will talk further about the important work that happens before an adoption matter is brought to the Supreme Court but I take the opportunity today to assure Ms Lawder of the government's ongoing commitment to improving the operation and performance of our courts. Working with the courts to improve service delivery is a priority for the government and I am pleased to say we have had considerable success.

The Supreme Court's performance in relation to backlog and waiting times has improved very significantly in the last five years. Let me highlight particularly the area of civil matters. The number of civil matters pending for more than 24 months, that is, effectively long-wait matters, reduced from 381 in 2010-11 to just 83 in 2013-14. Procedural and administrative improvements, government support and legislative reform have all assisted in streamlining our court's processes and have all contributed to this success.

I particularly highlight the funding provided by the government for acting judicial officers which has contributed to a significant reduction in the backlog of pending cases. And as members would be aware, the government announced in the most recent budget funds to appoint a fifth resident judge of the court to commence on 1 July next year.

But let me reiterate that it is simply not true to assert that a backlog of civil cases in our courts is responsible for long waits in the critical adoption process. The average time is 11 weeks. Let me outline that this has been a pretty consistent figure since 2012-13. In 2012-13 lodgement to listing average time was nine weeks and listing to finalisation was six weeks. In 2013-14 lodging to listing average time was eight weeks and listing to finalisation was six weeks. In 2014-15 lodging to listing average time was seven weeks and listing to finalisation average time was four weeks. In this financial year lodging to listing average time was seven weeks and listing to finalisation is yet to be determined as those matters are not yet finalised and there have only been two matters filed to date.

I think it is quite clear that our courts are dealing with these applications in a timely manner and that the government's investment in a range of measures to improve the effective functioning of our court system has contributed in this regard. I will leave the other matters on this very important matter to my colleague Minister Gentleman, but I think we need to be clear that it is wrong to assert that there is delay in the courts. The evidence speaks to the contrary.

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

Sitting suspended from 12.30 to 2.30 pm.

Questions without notice
Canberra Hospital—emergency codes

MR HANSON: Madam Speaker, my question is to the Minister for Health. On 9 September this year the *Canberra Times* reported that the Canberra Hospital was on code yellow, which is an internal emergency. According to the paper, an emergency control centre was established. As you would be aware, the emergency codes for the Canberra Hospital are code blue, medical emergency; code purple, bomb threat; code red, fire; code black, personal threat; code orange, evacuation; code yellow, internal emergency; and code brown, external emergency. Minister, can you explain what was the cause of the code yellow emergency at Canberra Hospital on 9 September 2015?

MR CORBELL: I thank Mr Hanson for his question. Madam Speaker, if I recall correctly, the circumstances in relation to 9 September related to a malfunction in an electrical safety switchboard at the Canberra Hospital which was overheating and was causing potential disruption to electrical supply to significant parts of the hospital. Fortunately, through a range of technical interventions by electricians from ActewAGL and others, the circumstances were remedied without any significant disruption to the operations of the hospital.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Minister, do you receive reports, either daily or on occurrence, of information or declarations of any of the seven emergency codes at the Canberra Hospital?

MR CORBELL: I do receive notifications in relation to a number of these matters, yes.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, in the past six months how many of the seven emergency codes have been declared and in each case how many incidents occurred inside each code?

MR CORBELL: I would have to take the question on notice.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what are you doing to ensure that the hospital is ready for all code emergencies?

MR CORBELL: The Health Directorate has a comprehensive exercising regime in relation to all of its emergency modes. Those were tested mostly recently in a desktop exercise overseen by the Chief Health Officer earlier this month.

Child care—Conder Early Learning Centre

MS LAWDER: Madam Speaker, my question is to the Minister for Education and Training. Minister, as you know, there was a traumatic incident at Conder Early Learning Centre in July where three children were hospitalised after accessing and consuming sleeping tablets at the centre. The centre was issued with a compliance notice on 24 August 2015. Minister, when did you, your directorate or children's education and care assurance, a section of your directorate, first learn that three children had accessed and consumed sleeping tablets at the centre?

MS BURCH: If I can quickly get the date here, I will provide it. If not, I am more than happy to come back with the timing of it. As Ms Lawder has indicated, the regulation unit has made a full investigation of the incident involving those three young ones. A notice has been put on the website around the noncompliance.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, did the children's education and care assurance section review and/or reassess the Conder Early Learning Centre to determine whether and at what rating level it met the national quality standard and the requirements of the national regulations between June 2014 and June 2015, and if so, when?

MS BURCH: It is my understanding that when the unit went in to investigate the incident of the medication there was also in the public domain other comments about non-compliance with the national standards. It is my understanding that they were thoroughly investigated. The findings and the issues of non-compliance are now a matter of public record and they are on the website.

Ms Lawder: On a point of order, Madam Speaker.

MADAM SPEAKER: Point of order, Ms Lawder.

Ms Lawder: Thank you. The question was about review between June 2014 and June 2015, which was actually prior to this particular incident. Would you like me to repeat the question?

MS BURCH: No. I am happy to answer it.

MADAM SPEAKER: It was quite clear and that is what my notes say. If you could be directly relevant—

MS BURCH: And when they went in to consider, they would have considered all of the commentary that was public about non-compliance and it was found not to have substance. The unit regularly goes across all of our services—north, south, east and west of this city—to make sure that our services are compliant at all times.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, did the children's education and care assurance section conduct any announced or unannounced visits of the Conder Early Learning Centre between December 2014 and June 2015 and, if so, how many?

MS BURCH: With that level of detail I would have to take it on notice and come back.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, have you, the children's education and care assurance section or your directorate been notified of any other instances of the Conder Early Learning Centre not meeting the quality areas under the national quality standard and/or breaching policies and procedures? If so, when and what are these instances?

MS BURCH: As mentioned, anything that was in the public domain following that incident was looked at as part of all their considerations. There were two matters of noncompliance and that has been notified. Going back to Ms Lawder's earlier comment around the timing, it is my advice—it has just come to me—that on 24 July the assurance unit was notified by the provider that there had been an incident on 23 July, and also on the morning of the 24th the unit received a phone call from parents. So it seems the following day from the incident is when we became aware of it and instigated actions and investigations.

Visitor

MADAM SPEAKER: Before I call the next question, I would like to acknowledge the presence in the chamber of Ms Amaris Bailey, who is a year 12 student at Gungahlin College and who has been doing work experience in the office of Ms Meegan Fitzharris over the last five weeks. Welcome to your Assembly!

Questions without notice Canberra Hospital—energy use

DR BOURKE: My question is to the Minister for Health. Minister, can you tell the Assembly about the \$3.3 million of funding from the carbon-neutral ACT government fund to increase energy efficiency at the Canberra Hospital that you recently announced?

MADAM SPEAKER: Mr Corbell as the Minister for Health or as the Minister for the Environment?

MR CORBELL: You could probably cover it in either, Madam Speaker. I thank Dr Bourke for his question. Last month I was very pleased to announce that the government will spend approximately \$3.3 million to increase energy efficiency and reduce electricity bills at the Canberra Hospital. The funds for this project have been allocated from the carbon-neutral ACT government fund, which, of course, the government set up a number of years ago to provide assistance to ACT government agencies to reduce their electricity consumption, to reduce their greenhouse gas emissions, to achieve savings in their budgets and to allow them to spend more money in other parts of their portfolios rather than on paying for electricity.

The Canberra Hospital delivers a critical 24-hour service to our community, and it is the government's single largest user of energy, with 25 per cent of ACT government energy use coming from the hospital campus alone. This \$3.3 million loan to the Health Directorate will be used for an energy efficiency upgrade throughout the hospital. The project aims to replace as many existing lights as appropriate with clinically suitable light emitting diode—or LED—lighting. Once installed, this is estimated to save on electricity use by up to 2.5 gigawatt hours every year.

To further reduce greenhouse gas emissions associated with the operation of the hospital and to further reduce the hospital's electricity bills, the loan will also be used to fund the installation of a 500-kilowatt photovoltaic—or PV—solar system on hospital buildings. Once installed, this system is expected to reduce the hospital's energy consumption by a further 721,000 kilowatt hours each and every year.

It is expected that through this combined lighting and PV project we will see electricity use at the hospital reduce by 12 per cent. It will save the hospital \$490,000 each and every year in electricity bills, and once the loan is repaid through the carbon-neutral fund, the savings ongoing are accrued directly to the hospital budget to be able to be spent on more productive things than higher electricity bills.

This is a very exciting project. It demonstrates how this government is using a smart loan facility for its own agencies to drive efficiency in the use of energy, particularly electricity in our hospital buildings, to reduce the government's carbon footprint and also see more of our budget used in worthwhile service delivery and less on high electricity bills due to inefficient lighting and electricity technology. This is a very important decision. It is one of the single largest loans the government has made under the carbon-neutral government fund to date, but it demonstrates the real effectiveness and efficiency of investing in energy efficiency and how that frees up departmental budgets to spend money in other areas of important service delivery for our community and drive down the government's greenhouse gas emissions.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, can you tell us more about the carbon-neutral ACT government fund and how it is assisting the government not only to improve the energy efficiency of government operations but also to save money?

MR CORBELL: I thank Dr Bourke for his supplementary. The budget in 2012-13 provided funding of approximately \$5 million to establish the carbon-neutral government fund. In addition, from each year from 2012-13 onwards the government chose to redirect a portion of the funds previously allocated for the purchase of the Greenpower product for ACT government electricity contracts to the fund to allow for improvements in energy efficiency across government buildings, because of course the greenest source of electricity that you can use is the electricity you do not use. Reducing electricity use is, of course, the most efficient choice for our community and for government operations.

The fund operates as a revolving loan facility for projects at existing non-residential sites and energy-using assets. The fund has been used for a broad range of measures—in fact, there have been 18 government projects funded to date—with a total of \$6.5 million worth of loans. Six of these projects were established in 2014-15. \$2.4 million worth of loans have already been repaid and those funds have subsequently been able to be lent for further projects in other parts of government. In 2014-15, the 18 projects that have been supported through the fund's operation have made a saving of over 7,400 tonnes of greenhouse gas emissions. Large-scale LED lighting projects have been installed in more than 90 government buildings and schools, achieving an estimated cost saving of \$1.3 million each year. (*Time expired.*)

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, can you outline how the government is supporting households to increase energy efficiency, reduce emissions and save money?

MADAM SPEAKER: Before I call the minister, I point out that the initial question was to the Minister for Health. It is quite clear that these questions cover the minister's portfolio responsibility, but not as Minister for Health. The first question may have, but the supplementary questions do not. I would ask members to be more attentive to this. The question is clearly in order and it is clearly appropriately directed, but members should be more careful about these things.

MR CORBELL: I thank Ms Porter for her question because the issue of energy efficiency is very important for Canberrans. That is why this government has legislated for the energy efficiency improvement scheme and why we introduced that legislation in January 2013, which puts requirements on ACT electricity retailers to provide energy-saving services to their customers. Here in the ACT that predominantly means, for residential customers at least, ActewAGL.

Mr Hanson: On a point of order, Madam Speaker, regarding your earlier ruling on talking about energy efficiency and households as the Minister for Health. I am a little confused, under the administrative arrangements, how it is that we have a situation where it is in order for the Minister for Health, when answering a question on health, to talk about energy efficiency in households.

MADAM SPEAKER: On the point of order—

Dr Bourke interjecting—

MADAM SPEAKER: I do not need assistance, Dr Bourke. When the first question was asked, I called Mr Corbell as the Minister for Health and Minister for the Environment because it was clear that the question, although Mr Corbell as the Minister for Health may have had an interest in it, was about an environment program. I picked up early in the piece that the question was not entirely appropriately directed. The questions are directed to the right person. When Dr Bourke asked the first question it probably should have been directed to the Minister for the Environment. I called Mr Corbell as the Minister for the Environment.

Mr Hanson: Well played, Madam Speaker.

MADAM SPEAKER: Absolutely; that is why I am here.

MR CORBELL: Thank you, Madam Speaker. It is a pity Mr Hanson was not paying attention to your earlier ruling. Over 550,000 energy-saving items have now been installed in households across the ACT. In fact, over 50,000 Canberra households are now receiving the benefits of the energy efficiency improvement scheme. Around 29 per cent of those households are low income households. *(Time expired.)*

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, can you tell us more about how the government is also assisting businesses in Canberra to reduce their energy use and save money on their utility bills?

MR CORBELL: I thank Ms Fitzharris for her supplementary. Yes, we are assisting households, we are assisting government agencies and we are also assisting businesses to be more energy efficient—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson!

MR CORBELL: and to help them cut their electricity, water and other bills. A total of 338 businesses participated in the government's ACTSmart business, energy and water program up to the end of the last financial, with 159 of them claiming a rebate under the scheme. On average, those businesses achieved a saving off their electricity bill of \$2½ thousand a year.

I would have thought that the party of small business might have been interested in a scheme that saves small businesses, on average, \$2½ thousand each and every year off their energy bill. Clearly they have got no idea. Many of these upgrades have been achieved through energy efficient lighting.

Mr Hanson interjecting—

MADAM SPEAKER: Order! Mr Hanson, come to order.

MR CORBELL: Indeed, some businesses have cut their electricity bills by over 80 per cent thanks to this Labor government program. The estimated lifetime savings from the upgrades since the program commenced are 16,000 kilowatt hours—

Opposition members interjecting—

MADAM SPEAKER: Order, members!

MR CORBELL: which is the equivalent—

Mr Coe interjecting—

MADAM SPEAKER: Mr Coe!

MR CORBELL: of the energy bills of over 2,300 homes—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, I warn you.

MR CORBELL: It is just extraordinary that those opposite would seek to criticise a scheme that has been taken up by hundreds and hundreds of Canberra small businesses, saving them thousands and thousands of dollars each and every year in their electricity bills. But that is the government's record. *(Time expired.)*

Westside village—costs

MR COE: Madam Speaker, my question is to the Minister for Economic Development. What will be the recurrent cost of operating Westside village?

MR BARR: I will need to take that question on notice.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, have you been briefed on the takeover of Westside village, and why did the LDA sign up the Stromlo Stomping Grounds to deliver this project without a proper tender process?

MR BARR: Yes, and it was an unsolicited proposal.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, how long will Westside village be in operation before the temporary structure is dismantled?

MR BARR: That will depend on the sequence of land release in West Basin.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, what is the average cost per square metre for leasing commercial space in the government-owned facility and why didn't this project follow the government's guidelines for unsolicited proposals?

MR BARR: I will need to take the first question on notice. And it was an unsolicited proposal that came to government before, as I understand it, the guidelines were formalised.

Schools—autism

MR DOSZPOT: My question is to the Minister for Education and Training. In response to an FOI request I lodged there is evidence of a quote on 24 February 2015 relating to the cage in a Canberra school. Why was this event excluded from the time line in your published report?

MS BURCH: The time line was from the date of construction. The quote—you are right, it is on the public record through FOI—was dated in February. It is not unusual to have a quote in one month with the work completed some time later. It is as simple as that.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, when did the school first plan for a cage to be built, given a quote was developed weeks before it was constructed?

MS BURCH: Let us be clear that the independent investigation found that the person responsible was one person responsible for the thinking, the planning, around this structure. That is the finding of the independent investigation. There was a quote in February. It was constructed, put in place in the school where it should not have been on 10 March.

Mr Hanson: On a point of order, Madam Speaker.

MADAM SPEAKER: Stop the clock.

Mr Hanson: The question is very much about the time line, not who is responsible. The question is about when the school first decided, or when planning first occurred, for the structure to be built and not who was responsible. I would ask the minister to explain that time line.

MADAM SPEAKER: In accordance with standing order 118(a), I would ask the minister to be concise and directly relevant to the subject matter, which was: when did the school first plan for the structure, which is what I wrote down.

MS BURCH: The principal made the decision to plan for the structure, and clearly it was some time before 10 March because that was when the structure was put in place and, by the timing of the quote, someone would assume that about the time of the quote she started that process. I do not understand—

MADAM SPEAKER: Sit down, Minister Burch. You are clearly not going to answer the question. Under standing orders I am going to sit you down.

Ms Burch: Madam Speaker, I think—

MADAM SPEAKER: Sorry, no, I have sat you down. A supplementary question, Ms Lawder.

MS LAWDER: Minister, did the request for a quote include information about the intended use of the structure?

MS BURCH: I am not aware of any instructions from the principal for putting this structure into place. As I have said since this has come to my attention, this structure had no place in our school. So any thinking that the directorate or anybody had anything to do with this outside the principal is simply—

Mr Hanson: On a point of order—

MADAM SPEAKER: A point of order; can you stop the clock?

Mr Hanson: The question is very clear—

Opposition members interjecting—

MADAM SPEAKER: Order! I would like to hear the point of order.

Mr Hanson: and it relates to whether the quote itself contained information about the intended use of a structure. If the minister does not have that quote available or that information available, maybe she could seek it. But it is a very clear question as to whether the quote itself had the intended use of the structure in the detail of the quote. It is a simple question.

MADAM SPEAKER: That is basically what my notes say the question was about. I will, again, remind the minister that, under standing order 118(a), she is required to be concise and directly relevant. As the Speaker, I may direct the member to terminate the answer if, in my opinion, the provisions of the standing orders are being breached.

Mr Corbell: On that point of order, on your ruling, Madam Speaker—just to seek your clarification—will it be your practice to warn a minister only once before sitting them down? The reason I ask is that members on the other side are repeatedly warned without consequence in relation to their conduct during question time, but when it comes to a minister, it would appear that one warning is sufficient. I just want to understand what the rules of the game are going to be, Madam Speaker. Are you going to act arbitrarily or are you going to allow a minister, who has two minutes, to elaborate on her answer and to seek to address it in what is a contested and difficult matter?

MADAM SPEAKER: I made the ruling on the last occasion and asked Minister Burch to sit down because she had been asked to be directly relevant to the question. The standing orders do not say that I have to give people three warnings or not. It was quite clear that the minister was not going to come to the question, which was: when did the school first plan for the structure? Again, that was the previous answer.

On this occasion the question was: did the quote for the purchase of the structure have anything in it that related to what the structure was going to be used for? The minister has had some time to answer the question. On this occasion I was drawing to the

minister's attention the provisions of the standing orders so she would be mindful of the provisions of the standing orders. If the minister persists in not answering what seemed to be fairly straightforward questions—if she does not have the information—she can take them on notice.

These were straightforward questions: when was the planning first started; did the quote contain particular information? If she does not know, say, "I don't know; I'll find out," but to pivot to another response, which is clearly not the subject of the question—I cannot let it go on and on. And it has happened yesterday and today.

Mr Corbell: On indulgence, Madam Speaker—

MADAM SPEAKER: On indulgence. I am being very indulgent.

Mr Corbell: Thank you, Madam Speaker, you are. There is an issue of application of consistency that this side wishes to raise with you, and that is that members opposite are repeatedly, on numerous and frequent occasions, warned about their conduct in this place or drawn to order by you, Madam Speaker. This is the first time that you have exercised this particular standing order that allows you to require a minister to sit down and you did so having raised it once with the minister during her answer at a time when she was not even halfway through her allotted time to answer the question. I would simply make the request to you, Madam Speaker, that if you are to exercise that prerogative, you do so in a manner that is consistent with the latitude that you grant to those on the other side of this place.

MADAM SPEAKER: I hear what you say, Mr Corbell, and I would hope that there would be very few occasions when I would have to sit a minister down. I think you would have noticed from nearly three years of operation in this chair that today, I think, is the first time I have done it.

The supplementary question that Ms Lawder asked—and Minister Burch was part-way through and the clock has been stopped—was, roughly: was there any information in the quote that indicated what the structure was being used for? Minister Burch.

MS BURCH: As I said, this was a decision and thinking of one person, the principal. It is my understanding that the reference on the quote made reference to a safe room.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, who requested the quote—the principal, a classroom teacher, a special needs teacher or some other member of the school community?

MS BURCH: It is my understanding that it was the principal or under direction of the principal.

Mr Coe interjecting—

MADAM SPEAKER: Order, Mr Coe!

Mr Coe interjecting—

MADAM SPEAKER: Order, Mr Coe!

Community services—west Belconnen

MS PORTER: My question is to the Minister for Community Services. Minister, you recently launched the commitment to community under the better services initiative. Can you inform the Assembly what this initiative means for the west Belconnen community and the potential for its future application across our city.

MS BERRY: I thank Ms Porter for the question. Ms Porter has a long record, probably a lifelong record, of service to Canberra's community service network, and I thank her for her interest in this initiative. I have spoken in the Assembly before about this community-driven initiative led by service providers in west Belconnen to improve the way that they operate and work together. Under the local services network, the commitment to community has been developed by local services, businesses and residents to guide the network and reach out to new participants.

On that note, I was very pleased to hear this week that at the launch that I attended along with Dr Chris Bourke and Mr Rattenbury there was a local busker who was also interested. He has since joined up to be part of the network as part of our youth working group.

There has been a long tradition in Canberra of local people contributing to the social fabric of their communities—in Belconnen and across the city. The commitment to community puts the call out to local community and service providers for feedback around what is working well and what can be done differently. It also provides a platform for local businesses and residents to make their own commitment to the local community and share their experiences with working groups which are in place.

We have already seen early signs of success, with local business leaders coming on board to provide employment and training for local young people, which is a key priority for the community. We have also seen services rally around the needs of our children, with planning underway to hold a kids carnival that will bring together important children's services, supports and childhood development advice in a fun and engaging way.

For older people, there is a commitment to ensure visibility and accessibility. Making sure information is clear on services, transport and community events is important for a community where older people want to be. These tangible activities are vital steps in an innovative project which is designed to respond to the specific needs of a local community and to ensure that our services are designed to meet their needs in the best possible way.

The west Belconnen local services network is proving that working with communities is the way of the future and that collectively we can do so much more together than we can on our own. In these early stages, we can see the potential to establish future

sites in years ahead. I look forward to further discussions with the community around these possibilities. What we know about this initial site is that while supporting community-driven action can take time, it is possible. We all have great pride in our communities and it is great to see this being translated into a collective response for those people who are doing it tough.

MADAM SPEAKER: Supplementary question, Ms Porter.

MS PORTER: Minister, how important are local champions to the success of the local services network?

MS BERRY: Local champions are at the heart of the local services network in west Belconnen. We have had fantastic leadership from local service providers like UnitingCare Kippax and the Belconnen Community Services right from the beginning. We have also seen an increase in the number of partner organisations by 30 since the network commenced. Network partners are committed to achieving real and sustained change, leading the way for others to come on board as well.

I have been heartened to hear from local business partners that not only are they contributing through the formal channels of the network but they are also benefitting from what the network has created. Samantha Kourtis, who owns the Charnwood Capital Chemist, was telling me just the other day that through her participation she has been able to put young people in touch with services they did not know about before.

I will share one of the quotes from a local resident who has volunteered to be part of the network:

It is easy to say “that’s not my problem” about issues in our community and then complain that things don’t work. I got involved with the Employment Pathways for Young People Working Group because I care about my community. Young people are our future and my voice counts—every voice counts and needs to be heard.

We continue to be impressed by the willingness of people to give their time and their skills to this network. The collaborative nature of the project and the contribution of local champions are some of its greatest strengths.

MADAM SPEAKER: Supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, are community service organisations in other parts of Canberra expressing interest in the local services network and better services initiatives?

MS BERRY: Yes, they are, and it has been really good to see that interest in these innovative approaches is growing in other parts of the ACT. Recently, Woden Community Service held a roundtable on the need for coordinated services, highlighting the importance of understanding local community needs in order to deliver locally relevant services. Some of these needs were also discussed at the community services roundtable held by the cabinet at Woden library two weeks ago.

The Council on the Ageing have also expressed interest in the approach, requesting a briefing on the local services network, as they seek to improve community wellbeing for older people in Ainslie and Weston. The willingness of people who work on the ground to engage with this model gives me added confidence in the value of structuring services where we can around the needs and wishes of local people.

Elsewhere in our better services program, strengthening families is attracting interest among other human services keen to engage with this family-centred approach to case management; for example, the capital health network, working around integrated responses for families affected by mental illness, and the National Disability Insurance Agency to help families overcome any barriers to getting the supports they need under the NDIS. Further afield, the Tasmanian Department of Health and Human Services recently visited the ACT to learn from these approaches and continue to work on adapting our work into their own communities.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what evidence is emerging about the project through the government's evaluation process?

MS BERRY: The better services initiatives are being evaluated to show how they are making a difference to people's lives. The government is working with the University of Canberra on an extensive evaluation framework so that as these initiatives go forward they are backed up by a strong evidence base.

Early evidence from the local services network in west Belconnen is showing remarkable levels of commitment from service providers including government, non-government and business. This commitment is reflected in positive working relationships and the goodwill to support each other and ensure that existing services are working in an integrated way. The commitment to community is an example of this, where the whole community has come together to identify the priorities and to work together to create local solutions.

This commitment has been in some of the comments from some of our network partners. Here is a quote from one of them:

Collaboration between services is not new in West Belconnen ... We have always been involved at the ground level and working with our connections ... however we might not have been very successful in the past ...

The government believe we can capitalise on this local leadership and we will achieve more successful collaborative practices to benefit all of those who rely on local community services.

Schools—autism

MR WALL: My question is to the minister for education. Minister, since a cage was removed from an ACT primary school, where was it taken and where is it now?

MS BURCH: It was dismantled and left on the school campus for some time. Then it was removed from the school campus. It has been dismantled and disposed of.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, why has the structure not been preserved as evidence in the event the matter warrants further inquiry?

MS BURCH: Because it was considered that the investigation has now been concluded. All matters that needed to be indentified were identified and the appropriate actions put in place.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, where did the funding come from to pay for the construction of the cage-like structure?

Dr Bourke: A point of order, Madam Speaker, on the question of relevance to the initial question. A supplementary is meant to be relevant to the initial question, which was about the disposal of the inappropriate withdrawal structure. Mr Doszpot is going back to some completely different matter.

MADAM SPEAKER: I am sorry, I am not going to take that as a point of order. There were two questions about the structure at the school—one about where it was, one about why it was demolished or dismantled, and a third one. They are all clearly about the same topic, which is about the structure at the school. Mr Doszpot, can you repeat the question, please?

MR DOSZPOT: The question is: minister, from where did the funding come to pay for the construction of the cage-like structure?

MS BURCH: As has been made public, there was a cost of over \$5,000 that was paid out of school funds under the authority of the principal. That is where the funds came from. In response to Mr Wall's question—I want to be clear—I understood it to be dismantled and removed, as in disposed of, but it has been dismantled, removed and it is now stored; so just to be clear.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, are there any departmental guidelines on the use of these types of structures or withdrawal spaces in a school environment?

MS BURCH: To the use of withdrawal spaces, they have a place in all our schools. But let us be clear: this structure had no place in any school at any time—for 17 days or 17 seconds. What the director-general also announced last week was the new position, the director of families and students. They will have a very clear priority to go through to tighten up and refresh any policies and protocols around the use of safe places, withdrawal places, across all our schools.

But let me be very clear: whilst it may have been described and why the intent may have been right, the execution and the structure had no place and was completely inappropriate. So we need to be very clear that the two things are not the same.

Schools—autism

MRS JONES: My question is to the minister for education. Regarding the cage structure incident, what education expertise did the investigator from Shared Services have? Further to this, was the investigator from Shared Services an employee of the ACT government and how was he or she chosen?

MS BURCH: The lead investigator was an independent investigator through Shared Services and the investigation was carried out under the public service teaching enterprise agreement. They also had reference to the Public Service Management Act and to expectations around professional standards. So there was a very clear framework about how this investigation was considered and the lens which it went through.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Was the investigator an employee of the government and why is the review described as independent if it is not independent?

MS BURCH: The independent investigator was from Shared Services; it is a part of government. It is called independent because it is absolutely at arm's length from the directorate of which the person is an employee and certainly at arm's length from a minister's office. And through the Public Service Management Act, through the teachers enterprise agreement, through the other filters such as the ACT's school leadership strategy and the teachers professional code of practice—all of those elements—that was the lens through which this investigation was handled and worked through.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, who was the delegate referred to in the time line of events published in the report?

MS BURCH: It is not my practice to release names or provide names of the individuals, the investigators or the delegate. But the name of the delegate is on public record through the *Canberra Times*.

MADAM SPEAKER: A supplementary question.

MR DOSZPOT: Minister, what further investigations were requested by the delegate, as published in the report time line?

MS BURCH: It is my understanding that when the investigation report was provided to the delegate, as is proper and right, if there were further questions or further information that he needed to come to his decision, he sought them. That is what he did, which is the right and proper way to go about a review such as this.

Mr Doszpot: On a point of order, Madam Speaker.

MADAM SPEAKER: Mr Doszpot.

Mr Doszpot: The question was: what further investigations were requested by the delegate, as published in the report time line?

MADAM SPEAKER: And you are saying?

Mr Doszpot: The minister said “a report by the delegate”.

MADAM SPEAKER: What is the point of order?

Mr Doszpot: There is a point of relevance. The minister said it can be done. We are asking what was the further investigation requested?

MADAM SPEAKER: Do you have anything further to add, minister?

MS BURCH: No.

Schools—Coombs primary school

MS FITZHARRIS: My question is to the minister for education. Minister, can you provide an update on the construction of the new school in Coombs? Is it still on time and on budget?

MS BURCH: I would be very pleased to update the Assembly on the progress of the new school at Coombs. The construction of the new school at Coombs is progressing well, with the project on track and within budget, and preparation is well underway for the school to commence operations at the beginning of the 2016 school year.

As I have previously updated the Assembly, the new school at Coombs is the first school in the new Molonglo valley development and will cater for about 130 preschool students and 590 kindergarten through to year 6 primary school students. The new school at Coombs will cater for students from the suburbs of Coombs and Wright, the first suburbs being developed as part of that new district.

I had the pleasure of visiting the site on 25 August to announce the appointment of the school’s inaugural principal. I am pleased to say that Ms Kate McMahon has been announced as the principal of the school, and it was good to see firsthand the progress of the construction since the visit earlier, in May this year.

Ms McMahon commenced in her new role immediately, and from 21 September will be temporarily located in the early childhood learning unit at the school until the administration building is completed. Parents and carers intending to enrol their children at the school will be able to visit Ms McMahon next week on the school site and see what a new classroom building will look like.

The new school at Coombs comprises seven buildings including four buildings providing learning spaces for students, a multi-purpose resource centre, school administration building and a larger school gymnasium-canteen building as well as outdoor learning and play areas. Out of school care facilities will also be available.

In terms of progress, the school's buildings are almost complete, with the internal fitout just about done. The four buildings providing learning spaces for preschool through to year 6 students have been completed, with the commissioning of the building systems underway.

The administration and multi-purpose resource buildings are in the final stages of fitout before the defect inspections take place. The external works are progressing on schedule, with car parking areas, landscape work and external hard paving progressively being completed across the site.

Construction funding of \$47.25 million was provided by the government in the 2013 year and we have already savings of \$1.9 million on the project, which were declared in the recent budget. The work continues to track well and the likelihood of further construction savings is, indeed, in sight. I look forward to the first day of the 2016 school year when the new school in Coombs will welcome its very first students.

MADAM SPEAKER: Supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how does the appointment of a principal assist in the school's development and planning?

MS BURCH: I thank Ms Fitzharris for her interest in the Coombs school. The appointment of the principal at the school in Coombs is, indeed, a big step for the establishment of the 87th public school in Canberra. The principal has already been out and about in the community getting to know the local families, developing relationships with community groups and paving the way for a school culture which is welcoming, innovative and family focused. The principal is also working to ensure that the community are aware of the vision and direction of the school and that foundation students and their families have the opportunity to be involved in setting the scene for the years to come. This is an opportunity that does not come around very often.

The school will be an important part of the lives of the children of the Molonglo valley and a vital community hub for local residents. Information sessions and events are being planned to allow the community to meet new staff and to get to know the site. These activities are an opportunity to showcase what the Canberra school system has to offer, with the principal and staff spreading the word about the progress yet to come and enrolments to grow.

It will be all systems go from day one of term one of 2016. The principal certainly has hit the ground running and has been working with the directorate on building a school for the future, with world-class ICT, building and furniture design that contribute to learning, and experienced and qualified staff—all the things that make a school feel like a place of learning and new ideas. They will serve the local students well.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, has the school been given a name and, if so, what is its significance?

MS BURCH: I thank Dr Bourke for his interest. I am pleased to announce that the new school in Coombs will be named Charles Weston school in honour of Thomas Charles George Weston MBE who was commonly known as Charles Weston. He was born in England and trained as a horticulturalist before moving to Australia in 1896. Charles Weston was prominent in the development of Canberra. He was the officer in charge of afforestation from 1913 to 1926. During his time in the role he carried out extensive scientific breeding trials to increase the number of species that might grow in Canberra. Weston was responsible for the establishment of the first plantation forest on Mount Stromlo and for the planting of nearly 1.2 million trees across Canberra.

The school is located in Molonglo, adjacent to Mount Stromlo and not far from our National Arboretum. The name Charles Weston school is important as it distinguishes the school from Captain George Weston after whom Weston Creek is named. Professor John Langford is delighted to support the naming of the school in honour of his great-grandfather. I look forward to the opening of the school in 2016.

MADAM SPEAKER: Supplementary question, Ms Porter.

MS PORTER: Minister, why is it important that the ACT government continue to plan for future school development in the growth areas of Canberra?

MS BURCH: The government has a strong track record of ensuring that all students have access to quality public education, particularly in Canberra's new residential growth areas. The Education and Training Directorate works to meet the challenge of providing school infrastructure for new residential areas throughout, through the implementation of its school infrastructure program. The directorate's school infrastructure program includes planning for future school development in the new areas and also includes projecting future growth areas enrolments and ensuring that there is suitable land allocated for new schools.

In delivering this program, the directorate consults with a range of other directorates, including planning and Chief Minister, Treasury and Economic Development to ensure that there is sufficient educational infrastructure to support our growing city. The future focus school infrastructure program also allows the government to meet the challenges associated with education infrastructure in the growth areas and to maintain high quality schools in our existing suburbs.

Schools—autism

MR SMYTH: My question is to the Minister for Education and Training. Minister, what directorate staff, including NSET staff, made visits to the primary school at which a cage was constructed between 20 February and 27 March this year?

MADAM SPEAKER: I am sorry, Mr Smyth; I think you are suffering from the same problem that I am. I did not hear most of what you had to say.

MR SMYTH: I am terribly sorry, Madam Speaker. My question to the minister is: what directorate staff, including NSET staff, made visits to the primary school at which a cage was constructed between 20 February and 27 March this year?

MS BURCH: As I would expect, there would have been staff visiting the school. It is a regular routine process that staff across the NSET visit our schools. But to this point, as I have said and as the director-general has said, any actions that need to come about as a consequence of staff that have possibly been aware of this inappropriate structure and did not respond as we would have expected or may have not acted as we would have expected—the director-general is taking action, again, under the same arrangements as the original investigation, relevant to the EBA.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Minister, how are NSET staff deployed to schools?

MS BURCH: There is a mix of responding to requests and referrals from schools and they also have an education and mentoring role as well. So they routinely visit schools and provide the support schools need in managing difficult behaviours.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, have you sought records of those who visited the school during the period in question, 20 February and 27 March?

MS BURCH: Any records that need to be sought need to be sought through a process of an independent review, I would say, Madam Speaker. I do not think it is right and proper for a minister to be absolutely involved in any investigation of staff involved in this matter. The director-general is very clear of the responsibility that she has to make sure that any staff in the school or out of the school that may not have responded as they ought will be dealt with.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how can you be certain that no-one in the directorate knew about the cage?

MS BURCH: Again, what is on public record and what I have said and what the director-general says is that there appears there were some officers that may have been aware of this, but they will be dealt with through the director-general. She has made it very clear that that will happen.

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

Supplementary answers to questions without notice

Child care—Conder Early Learning Centre

MS BURCH: I was asked about compliance visits to Conder Early Learning Centre School, which is the monitoring of compliance against the national law and regulations. There was an unannounced visit in November of 2014, an announced visit in May 2014 and an announced visit in May 2015. Assessment and rating visits happen every three years, and that last visit was in June 2013.

Adoption processes

Debate resumed.

MR GENTLEMAN (Brindabella—Minister for Planning, Minister for Roads and Parking, Minister for Workplace Safety and Industrial Relations, Minister for Children and Young People and Minister for Ageing) (3.26): I thank Ms Lawder for drawing our attention to adoption, and I thank her and her office for the constructive ongoing dialogue on matters relating to a step up for our kids. I also acknowledge recent media interest around adoption matters. However, I have tabled an amendment to this motion to better reflect the adoption situation and policy direction in the ACT, and I now move that amendment:

Omit all words after “notes”, substitute:

- “(a) in 2013-14, the adoption rate in the ACT was 8.3 per 100 000 children, compared to the Australian national rate of 3.9 per 100 000 children; and
 - (b) *A Step up For Our Kids* seeks to provide long-term care and stability for children under two years old after a period of 12 months on care and protection orders, and by allowing an application for enduring parental responsibility after a continuous period of 12 months in care or a total of 12 months in a two year period; and
- (2) calls on the ACT Government to recognise the benefits for children, young people and families in making sure that adoption processes give careful consideration to the circumstances of each child, that each adoption is in the best interest of a child and accommodates the need to appropriately work through issues around birth parents’ consent to adoption, and works with prospective adoptive parents in a collaborative manner.”.

Members will be aware that at the start of this year we launched a step up for our kids. This has at its heart a core aim to provide permanency and long-term stability for children and young people in out of home care who are unable to live with their parents. That is why we will shortly be bringing legislation to the Assembly to reduce the amount of time a child must be in stable foster care placement before being considered for adoption or enduring parental responsibility.

Adoption is a life-defining moment in a child's life, as it is for the adoptive family and birth family as well. Adoption effectively breaks a young person's biological ties with their birth parents and changes their surname forever. Working through the process to ensure adoption is in the best interests of a child and sustainable in the long term takes time and a number of important factors need to be considered in that adoption process, including the individual circumstances of each child or young person such as the length of time they have spent in a stable placement, the quality of the relationships that have developed in the placement, the capacity of the adoptive parents and whether contact with the birth family is established.

Where dispensation with the birth parents' consent is required, this causes additional legal work and extends the time frames for completion of the adoption process. Understandably, where a birth parent is not in agreement or indeed may not be available to provide consent, very careful consideration has to be given. Consistent with the lessons learned by the 2012 Senate inquiry report into forced adoption practices, dispensing with parental consent is only recommended in limited and specific circumstances prescribed by the Adoption Act 1993 and is not endorsed without due consideration of the rights and interests of all parties.

All these complex matters need to be given full consideration and resolved prior to making a submission in court. A comprehensive level of work needs to be conducted so the matters can be settled quickly through the court process and reduce the risk that the adoption order will be contested when the matter is brought before the court for consideration.

All these factors are individual to the specific circumstances of each child subject to an adoption application. This necessarily means it is not possible to provide a precise time frame for finalisation of individual adoption and enduring parental responsibility from the point at which adoption or enduring parental responsibility is first considered. It is, however, possible to say that in recent years the rate of adoption in the ACT has been well above the national average. From directorate analysis of national data in 2013-14, the adoption rate for local and known adopters in the ACT was 8.3 per 100,000 children, compared to the Australian national rate of 3.9 for 100,000 children.

Where adoption is in the best interests of the child, the ACT government is stepping up to achieve this outcome for the child and will always seek to work collaboratively with prospective adoptive parents, whilst at the same time acknowledging some of the very difficult and complex issues that need to be addressed and worked through during the application process.

This government is committed to improving children's access to timely, stable and permanent care arrangements. That is why our new out of home care strategy—a step up for our kids: one step makes a lifetime of difference—transforms the way we support vulnerable children, young people and families. Under a step up for our kids this government is introducing legislation in this sitting period to facilitate improved permanency outcomes. Permanency allows children and young people in care to feel secure and allows children, young people and carers to enjoy autonomy as a family unit.

Early consideration of permanency supports the best possible developmental outcomes for all children and young people, but particularly for the very young. Adoption and all permanent care options are one of the most important moments in the child and family's lives. It is a decision that requires careful consideration, and we need to get it right from the start.

In order to set up a loving, permanent life for a child we need to ensure adoptive parents and parents with enduring parental responsibility orders do not end up with a lifetime of conflict and legal uncertainty. This government is stepping up for children and young people by ensuring that we are investing in a range of new services to give children the most safe and stable lives possible and truly putting their needs at the centre.

I conclude by thanking all those in the ACT community who care and take on responsibility for some of Canberra's most vulnerable children and young people. Whether you are a foster carer or an adoptive parent, I thank you for the valuable contribution you make to the lives of our children and young people.

MRS DUNNE (Ginninderra) (3.33): I congratulate Ms Lawder for bringing forward this extremely important issue today and one that has been occupying my mind, as well as Ms Lawder's, for some time as we have been speaking with constituents who have been confronted with the very difficult circumstances of having to wait an unduly long time for the finalisation of something which has been agreed by all. I am speaking from the knowledge I have of families in this circumstance.

One of the families I know in this circumstance has had permanent orders on behalf of children for some time. The family moved through the process of going from permanent orders to adoption. The children were sat down by the Department of Community Services who told them the adoption had been agreed to. They are quite young and it was explained to them what this would mean. One of the things they were told was when one of the children started school next year that child would go to school with his adoptive family name. That is not going to happen unless there is a radical turn-around in the system. It is now September and that child is going to commence school in February next year. The likelihood of that child going to school with his adoptive family name and not having to change his name later in the year is diminishing every day that this is delayed.

I am not convinced by the Attorney-General standing here and saying there are no delays in the civil courts. Ask any barrister or solicitor who has matters in the courts and they will tell you what the delays are. Ask any prosecutor. They know they have priority in the Supreme Court on all matters. The blitz is about getting rid of the backlog of criminal cases in the Supreme Court. The Law Society has spoken to me and Mr Hanson about this on a number of occasions over the past few years and months.

The clear consequence of that is a backlog in civil cases, and adoption cases are civil cases. Nothing the Attorney-General said before lunch gives any comfort to families. The advice they are receiving through the Department of Community Services is that the delays are caused in the courts and they are not lodging the papers because they know they will be delayed. This is the problem.

I reinforce the comments Ms Lawder made this morning; this is not a criticism of the step up for our kids program; this is not a criticism of the hard workers in the Department of Community Services who are trying to place these children in the best possible circumstances and working in their best interest. Those hardworking public servants are almost as frustrated as the families themselves. Ms Lawder needs to be congratulated for speaking out for the families and for the people who want to see children in appropriate, long-term circumstances.

As Ms Lawder said this morning, it makes economic sense. We are going to spend \$37 million on the step up for our kids program. We are spending \$600 a fortnight per child on children who are in situations where families would love not to be receiving that money; they would love to take over that responsibility. That \$600 per child per fortnight is a minimum, because there are medical expenses, school fees and after-school childcare fees. When a family adopts a child they take on all those expenses. When they take on all those expenses, that money is freed up for other children in need. In addition to everything else, it is false economy for this government to sit there and say there is not a problem.

I was reminded this morning when listening to Mr Corbell of a previous minister who said, "There are no problems in the administration of my department," and stuck their fingers in their ears saying, "La, la, la, la, la." There was not very much difference. There is a problem. It is not a problem in the Department of Community Services; it is a problem in the courts. It is costing this government and this territory and ACT taxpayers' money, and it is causing grief to families and, more especially, it is causing grief to children.

MR RATTENBURY (Molonglo) (3.38): I thank Ms Lawder for bringing this motion forward today because this is indeed an important topic. I believe that the motion does come from a place of concern and care for people who are in the process of adopting and who are having difficulties with the process that they are going through. I appreciate it is likely that those people are very frustrated and concerned for the welfare of their children and that they want certainty in their lives and for the processes and the bureaucracy to stop. I appreciate that they just want to get on with their lives and with the job of raising the child, or the children, they have welcomed into their families.

However, I have listened very carefully to the debate today—and since we saw the motion yesterday my office has undertaken research to try to get to the bottom of this—and there appear to be a range of differences of opinion on what is going on and whether there are in fact delays in the courts on these matters. So I am confused to an extent about the best way to proceed on this motion because Ms Lawder has spoken to me today and indicated that she has examples that she has been approached on where people are experiencing delays, and yet the research that I have undertaken and the facts presented to me point to a different outcome.

On that basis I am not going to be able to support the motion in its current form—not because I am not concerned about the welfare of parents who are in the process of adopting, or about the children who are in their care, but primarily because I am not convinced that the issues raised in this motion are best addressed in the way that this motion is put forward. I will come back to my comments on that.

The Greens are supportive of the idea that adoption can be an option available for the placement of children as a final solution if their home situation is found to be untenable. Importantly, if a jurisdiction includes adoption as part of its range of options for children, prospective adoptive parents should be treated with respect and fairness, and the system should be resourced in a way that ensures that this can happen. There should not be unnecessary waiting times, there should not be unnecessary administrative hurdles and there should not be a pervasive attitude of negativity around the concept of adoption. If we are going to engage in adoptions, be they local or international, we should engage in them in good faith and we should value the role of adoptive parents in that process and ensure that their journey is as painless as possible.

But of course the primary concern in the area of out of home care is the welfare of the child, and that is the primary lens through which decisions should be made and processes should be progressed. Ultimately, the needs of the child must be put at the centre of the decision making, and the immediate needs of the adoptive parents do sometimes come in behind that. But the truth is that most prospective adoptive parents also want the child's needs to be served best as well. This is a child with whom they have already formed a significant attachment and for whom they deeply care, so of course they want the best outcomes. But I suspect that sometimes what the adoptive parents believe to be best for the child, and what other parties in the process consider to be best for the child, can be different perspectives.

The ACT's out of home care strategy, a step up for our kids, has sought to put in place a framework that builds long-term stability for children, with an emphasis on early reunification with a child's birth family or a permanent placement within two years. Long-term placement can occur for children under two years old after a period of 12 months on care and protection orders and by allowing an application for enduring parental responsibility after a continuous period of 12 months in care or a total of 12 months in a two-year period.

The new out of home care strategy delivers a more nuanced and sophisticated approach to the management of children in care, seeks to respond to concerns of carers and foster families and family members and strives to achieve that delicate balance while keeping the best interests of the child at the fore.

Nothing about the governance around adoption should be rushed. Yes, children should not be moved from placement to placement and, yes, permanency is important, but it is more important, if we are to place children permanently in another family, that there is due process around birth parent consent or the waiving of parental consent.

It is obvious that we all hope that birth families can firstly be supported to be able to parent their children and then, if it is found that that cannot happen, any placement of that child in another care setting and planning for that child's future is undertaken with the birth family being fully informed of the implications of their decisions and their actions. This is not a simple area to work in, and the relationships are obviously complex. It takes time and it takes effort. But, ultimately, we are only serving our children well when we are sure that fair process has been undertaken.

Adoption is, unfortunately, one of those areas where the public narratives can become overly simplified. People are either pro-adoption or anti-adoption. Some people say that adoption processes in Australia are too slow and that governments are hostile to adoption as a solution for children. Some point to Australia's difficult history on adoption. Our attitudes can become polarised as our society addresses issues such as forced adoptions and the stolen generation and as we give thought to the number of children, both in Australia and overseas, that are in need of a permanent, loving and stable family.

The notion that adoption processes are too slow is one that needs to be approached cautiously. It was a discussion that ran last year when the former Prime Minister Tony Abbott made announcements about speeding up inter-country adoptions, seemingly oblivious to the fact that the primary delays around inter-country adoption occur in the country of origin. But in general it is somewhat overly simplistic as there are often good reasons as to why the processes are slow, and I think there should be general caution when people advocate for streamlining processes without being specific about details. "Streamlining" can be code for cutting corners, and that is something that we do not wish to see in this area.

The processes that cannot be cut short are those that involve conversations with the children's birth family and extended birth family; processes that involve either seeking consent for an adoption or to waive that consent. These are complex issues and the rights of birth parents are extremely important. Even if they are living chaotic lives, even if they are unable to care for their child at any point in time, they deserve our support and our respect for them as parents and their views must be heard. The processes that we have around this must be absolutely water tight as no-one wants to see the right of birth parents overridden. That does not bode well for birth parents nor adoptive families, let alone the children involved.

On the other hand, the government agencies that are involved with adoptions, especially those that are involved with preparing the necessary complicated documentation, must aim to ensure that administrative processes are streamlined and be cognisant that any unnecessary administrative delays are impacting on a family and on their ability to move forward as a family. It is probably easy for those who are not in that situation to wonder why another month or two, or even six, makes any difference; but for adoptive parents who are looking for certainty it does make a difference.

Officials must work hard to ensure that things are done right—and done right the first time—that administrative processes are not repetitive or redundant and that they are simple for adoptive parents to follow. This is true for Community Services Directorate officials, Government Solicitor's Office officials and Supreme Court officials. As we move towards a model that embraces permanency for children rather than the merry-go-round of foster placements that we know can sometimes cause so much damage, the system needs to acknowledge and implement practices that deliver that stability as soon as possible.

In regard to the issues raised in Ms Lawder's motion, I sought information from the Attorney-General's office about the time it takes for adoptions to proceed through the Supreme Court—we heard him speak to that in his speech earlier today—and he assured me that there is no blitz on criminal cases at the moment and he provided information about the time it has taken between lodging an application for adoption through to an adoption being finalised over the past four years. The attorney cited those figures earlier so I will not repeat them, but those figures actually point to the fact that in the last three years they do appear to have shortened a little rather than lengthened, from a period of perhaps 15 weeks down to 11 weeks.

As I said earlier, this is a very difficult issue to address on the floor of the chamber in that the statistics and the research show that the process is relatively speedy. I think most people would consider 11 weeks through the court system to be fairly reasonable. Yet I am quite cognisant of the fact that Ms Lawder has come in today and cited examples of individual cases where people have said that they have had a different experience from that.

In summary, the Community Services Directorate website on the adoptions page says:

Providing children with permanent families; Supporting the lifetime journey of adoption.

I would hope that this is true and I repeat that I believe that the adoption process is a collaborative one that involves birth families, children and adoptive parents and that all of those people are an important part of the process. The child's best interests sit at the heart of that and, with good communication and collaboration, adoptive families, birth families where they can, and the government and community agencies, must work together to deliver that. I would hope that all government officials who work on adoption work to support all the parties involved in finding permanent loving families for children in need of care.

I will be supporting Mr Gentleman's amendment today to Ms Lawder's motion but I am left with a feeling that there needs to be a better way to resolve this. We obviously cannot bring individual cases to the floor of the chamber. Certainly in recent years I have been approached; I had one example where a family had been through an interminable delay in the Family Court, an absolutely unacceptable delay, in a custody matter. My approach in that instance was to approach the court directly on behalf of the family to see if the matter could be resolved more quickly.

I do not think trying to bring individual family matters to the floor of the Assembly is the best way to deal with it. So I would encourage Ms Lawder to work further on this matter, particularly if there are specific cases that appear to be problematic. We heard Mrs Dunne speak of one this afternoon and I am sure that collectively, as an Assembly and as an ACT government, we can work to resolve these specific cases that perhaps appear to be defying what all the other information provided to the Assembly today seems to be suggesting. So I will be supporting Mr Gentleman's amendment to the motion but trust that we can seek to resolve these matters in a way that suits all of the parties involved.

MS LAWDER (Brindabella) (3.50): Thank you, everyone, for your contributions to this motion. I think we all agree that what we are looking for here is to look after the best interests of children and to provide permanency and long-term stability for those children. Permanency for a foster child generally has two options: adoption or ensuring parental responsibility. The anecdotal information and evidence that my office has received is that an EPR, an enduring parental responsibility, once approved and allocated a solicitor, can take two to three months. Perhaps that is the seven-week time frame that Mr Corbell was referring to earlier, because there are people waiting for adoptions for whom the seven weeks is not what they are experiencing.

The anecdotal evidence I have received is that an adoption once approved can take two to 2½ years. It is two court processes often: dispensation of parental consent and the adoption order. Typically, adoption orders for foster children do not have parental consent, so seeking dispensation is the first court process, and this often takes quite a length of time. What I also hear is that some carers are choosing EPR for their foster children to get them out of the system quicker, to try to provide that certainty for the child even though adoption may be the preferred option for those families. They are choosing this because of the anecdotal information they receive from other prospective adoptive and foster parents, from other organisations involved, telling them about the lengthy time frames involved with adoption.

One of the issues is that many carers do not understand the system enough to understand that they need to apply for a permanency assessment. They believe that they already have that under their specific parenting authority and that the child who gets an 18 years order makes the parents automatically the child's long-term legal guardian. So there is a bit of an unmeasured need amongst foster carers to understand and get to the permanency assessment itself. Typically, carers who do get to the permanency assessment are those who are more knowledgeable about the system and more able to advocate on behalf of their foster children.

It appears that with the announcement of the new strategy a number of detailed web pages from the department's website have been taken down and now there is only very high level information on the website, making it even harder for people who would like to undertake adoption to understand what permanency options are available to them, how to go about it and what options will best suit their circumstances.

There are no public numbers on how many people are waiting for a court hearing for adoption or for an EPR to be given approval, how many people are currently undergoing assessment and how many people are not even getting to an assessment yet. These are things that we appear to be lacking here in the statistics that Mr Corbell used this morning about from listing to lodgement, and lodgement to an order. What I hear from many prospective adoptive parents who have been through the process is that their paperwork is not being lodged, so it is not captured by the statistics that Mr Corbell cited earlier today.

What we are concerned about here is the impact on families. The children are exposed to long-term instability about their family and their security. The carers, the parents,

have stress on them. It is a long drawn-out assessment with parts needing to be redone if a six-month period elapses and they have to get assessments redone. Case workers have to remain involved with these families while they await court decisions, permanency assessments information and finalisation, and these resources could be better used somewhere else in the system to benefit other children and families in need.

Earlier today Mr Corbell talked about the statistics about court time frames. These timings may apply as to when peoples' matters are listed in the court. But there is still much time before this, before you get to the lodge or list process in the court. Earlier this morning when we spoke about this before lunch and Mr Corbell provided some of the statistics about the court, there were a couple of people in the gallery and one of those people has provided me with a few more examples. She said, "I have just spoken with a friend"—this is in the lunch break; this is very recently—"who has had her son and daughter with them since they were five and three years old. Now they are 12 and 10 years old. They had applied 18 months ago and it still has not been lodged or listed in court."

Another example: "I just spoke to another friend who laughed at me when I asked her if her children had been adopted. She has five children all with her until 18 who have been placed with her from out of home care. She said the process is too long and she just wanted to get on with parenting the kids." Case workers are telling foster parents to expect lengthy time frames—two to five years or longer. Why would case workers be telling parents that if it was not what the expectation is? This is what the perception is of the majority of foster parents when they think of adopting their children from out of home care.

What Mr Corbell could have been referring to today is enduring parental responsibility, which is obtained by parents instead of adoption, as another example of the statistics he used today. If it is not the court process that is slowing down adoptions, what is it? What is taking so long? It does not appear to be happening in the directorate. We have just spoken about the good job that they are doing in their new out of home care and a step up for our kids strategies.

So, if it is not the court system, what is it? Why are case workers telling prospective parents that they can expect a two to five-year wait? Why is it the community's general expectation of two to five years or more for adoptions to be finalised? How are we going to address this, to give families some security and some comfort in the knowledge that their children can start at school with their adoptive parents' names and not have to explain to their classmates and teachers, and other people years down the track, why their name has suddenly changed?

I do not think there are many children who want to go through that with their classmates. There are parents out there who are ready to step up for their kids and create new families. It has enormous community benefit and we should be taking advantage of that.

Mr Gentleman's amendment makes some good points. I agree with what Mr Gentleman has said, but his amendment misses the whole point of my motion

today. Why is it taking so long? Why is it unreasonable, Mr Gentleman, to ask for an explanation of the numbers? Surely there is no harm in being transparent and providing the information to the Assembly about how many children we are talking about, how long it takes and what parents can expect. I think it is quite reasonable for families in this situation to ask for that.

We will not be supporting this amendment today because what it basically does is reiterate some information that is already available in the public domain, without providing any value add for those families, for those parents who have come to me asking, begging, for this information.

This is not me talking about these things; this is parents out in our community. In fact, much of what I have quoted today has come from the Foster Care Association of the ACT. It is not me that Mr Corbell is having a go at when he talks about how he does not know where I get this information, that it is not correct and he has statistics; it is genuine families out there who care about their kids and want to give them the best possible start in life, and that is what we should be supporting here. I commend my original motion to the Assembly and we will not be supporting Mr Gentleman's amendment.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 9

Noes 8

Mr Barr
Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Fitzharris
Mr Gentleman
Ms Porter
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Smyth
Mr Wall

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Health infrastructure program

MS FITZHARRIS (Molonglo) (4.03): I move:

That this Assembly notes that:

- (1) the ACT Government delivers a world-class health care system and continues to prioritise the improvement of this system;
- (2) this Government has already invested more than \$900 million in the Health Infrastructure Program (HIP);

- (3) there are numerous projects that are either underway or in planning and design including the University of Canberra Public Hospital; and
- (4) because of the HIP there are important services being delivered in a range of acute and community settings including the Walk-in Centres, the Centenary Hospital for Women and Children and the Community Health Centres.

I am pleased today to talk to this motion in my name to discuss how the health infrastructure program is assisting in delivering the world-class health system we have here in the ACT. This government is continuing to recognise the demand areas and prioritise improvements to make sure we deliver the right services into the future so that our community continues to stay healthy. This government is focused on making sure we invest in infrastructure for the future. We are making sure we are increasing access to services and we are making sure there is a focus on prevention to continue to improve our health and hospital services and address the growing demand.

Here in Canberra we have a fantastic health system. The hardworking staff provide a range of high quality services equating to over one million service episodes each year including, for example, care for inpatients in our hospitals, emergency departments, community care, medical imaging, pathology and outpatient clinics. Demand for services right across the system is increasing, including in outpatients, maternity and, of course, our two very busy emergency departments.

In 2014-15 ACT outpatient services reported with 563,221 non-admitted occasions of service. The 2014-15 preliminary figures suggest there were a total of 5,197 births at ACT public hospitals, an increase of four per cent when compared with the 4,999 births reported in 2013-14. In fact, last year's figures represent the highest number of births within a single year for ACT Health and a 26 per cent increase—over 1,060 additional births—in the number of ACT public hospital births since 2009-10.

In 2014-15 ACT public hospital emergency departments had 129,963 presentations, a three per cent increase compared with 2013-14. This was the highest number of presentations recorded in a single year. The 129,963 result represents a 22 per cent increase in the number of presentations compared with the figure reported in 2009-10 and a six per cent increase compared to 2012-13 and 2013-14. There were 125,890 presentations to ACT public hospital emergency departments over 2013-14, the highest number of presentations ever. Over the last five years presentations to the ED have increased by 22 per cent, despite the ACT population growing by only nine per cent.

There are a range of reasons for the increasing demands on services, and they require a range of solutions, solutions we are delivering right across the health system. It is essential, however, that we have an understanding of what we are dealing with in terms of the reasons for the growing demand on all of our services so that we can plan for the future, demands we know we in Canberra are not immune from and will continue to increase.

We have an ageing population. This is a good thing; we are living longer and that is something to be celebrated. The ABS Australian demographic statistics in June 2014 said over the past two decades the number of persons aged 85 years and over increased by 153 per cent compared with a total population growth of 32 per cent over the same period. We know as we age we tend to need more care, but our elderly are not a burden; they deserve the best care that we can deliver.

An increasing incidence of chronic diseases and poor lifestyle is also having an effect on our health system. Cancer remains the leading cause of death, 29 per cent, in the ACT closely followed by cardiovascular diseases and then respiratory diseases. Almost four per cent of our population had either type 1 or type 2 diabetes in 2011-12. Future projections from 2005 estimates show that between 15,000 and 22,000 people in the ACT will have diabetes by 2020. That is an increase of around 50 per cent.

In addition we are facing an obesity epidemic. This is a worldwide issue, and we are no exception in the ACT. In 2011-12, 63 per cent of adults and around one-quarter of children were reported as being overweight or obese in the ACT, and these rates are increasing.

Alcohol was also a contributing factor in injuries leading to hospitalisation, with 61 per cent men and four per cent under 18 years of age. The number of alcohol-attributable injuries in people aged 15 years and over being treated in ACT hospital emergency departments also increased. Unfortunately there are still too many Canberrans smoking. In 2011-12 the number of adults who reported being smokers was 15 per cent.

The consequences of obesity include increasing chronic diseases such as cardiovascular disease and diabetes, resulting in more healthcare needs and a poorer quality of life. It is well known that lifestyle factors are the biggest contributors to some cancers and cardiovascular diseases—our biggest killers. We know these figures, the federal government know these figures, but they have cut front-line services, particularly those delivering essential preventative measures, for example, through the flexible health funds programs.

Our GPs in Canberra are the front line of providing primary healthcare, and while it is fantastic there has been increased access to GPs in Canberra through increased number of bulk-billed patients, it is unfortunate there are people in our community who still have to consider the cost when deciding whether or not to visit a doctor. In February the Productivity Commission's report on government services said the availability of GPs per 100,000 people continues to increase within the ACT from 65.5 in 2010-11 to 72.0 in 2013-14. In fact, that same report states that the proportion of Canberrans who report they deferred visits to a GP due to cost is the joint highest in the nation at 6.9 per cent. We know people come to ED when they could receive care elsewhere.

Despite this, the federal Liberal government have continued to try and rip apart general practice, further making bulk-billing even less accessible and hurting our vulnerable community members the most. The only consideration a sick person should have when thinking about visiting their doctor is whether or not they need medical attention, not whether or not they can afford the visit.

We are also lucky in Canberra to have the largest trauma and teaching hospital in the region, which offers high quality care for the worst accidents and complex medical cases. These are just a handful of the reasons demand is increasing on our services. I am, however, delighted to update the house on this government's response to how we are addressing these demands and improving our health system.

The ACT Labor government is focused on making sure we invest in infrastructure for the future. We are making sure we are increasing access to services and we are making sure there is a focus on prevention. Completed projects under the more than \$900 million health infrastructure program are already delivering more services, and the many new projects over the next few years will further deliver for Canberrans.

The most recent budget continued the significant capital investment in the health infrastructure program with a further \$33.8 million. The health infrastructure program is about delivering the right care in the right place at the right time. What does that mean and what does that look like in terms of meeting demands? We have been increasing access to acute, subacute primary care and community health services through the health infrastructure program, to name a few.

The \$23 million Canberra Hospital emergency department expansion project started in April this year and is on target and on budget for completion by the end of 2016. The emergency department will be expanded to have 1,000 square metres additional floor space and 21 additional beds, bringing the total number of patient treatment spaces from 54 to 75. The ED expansion will include a \$5 million paediatric streaming function. The paediatric streaming function will involve transferring children and their parents or carers to a dedicated waiting area and then treatment area for young people when they attend the ED.

The waiting area will also have a play space, and the ED expansion will include a patient and visitor pantry and tea room not far from the paediatric streaming unit. This dedicated area will help to create rapid streaming and flow of patients to the point of care that best meets their needs. Families across Canberra will know how much this means when you are in ED with a child.

There are also the two walk-in centres at Tuggeranong and Belconnen. They are open from 7.30 am to 10 pm daily every day of the year, including Christmas Day and New Year's Day with free access to healthcare for common illnesses, including treatment of colds and flu, cuts and abrasions, bites and stings, minor illnesses and minor injuries. Since the walk-in centres opened in 2014, they have seen more than 40,000 patients.

It was just over a year ago today that the wonderful Canberra Region Cancer Centre opened its doors to staff and to the people of Canberra and surrounding region. In the last 12 months it has already provided 30,000 occasions of service for cancer patients. Delivering the clinical and supportive care for these patients is the 430-strong workforce made up of oncologists, radiologists, nurses, support staff, technicians and volunteers.

There are a number of community health centres across Canberra, including in Tuggeranong, Gungahlin and Belconnen, that were built as part of the health infrastructure program. The Gungahlin Community Health Centre opened on 3 September 2012, and the care provided by the community health centre is multidisciplinary and collaborative and is provided in a culturally safe environment.

I have had the great pleasure of taking a tour through the new Gungahlin facility located in the town centre and close to other community services. It is a wonderful new facility and houses some really experienced and enthusiastic staff. I regularly encourage locals to check it out for themselves. It provides a whole host of services for the local community, including community nursing, physiotherapy, podiatry, nutrition, a maternal and child health nurse, antenatal care, adult mental health, alcohol and drug services, pathology, child and youth dental service, diabetes and endocrinology and a women's health service. It also has a women's youth and children's orthoptist, social work, physiotherapy and nutrition services.

These centres offer services aimed at assisting clients to better manage acute and chronic conditions in the community and closer to home while reducing their reliance on hospitals. In the last year alone more than 50,000 people have visited the community health centres across Canberra for treatment and advice.

The University of Canberra public hospital—UCPH—will be the first facility of its kind in the ACT, and construction is expected to start next year. UCPH will provide a new and innovative model specifically for rehabilitation and mental health care. It will be a teaching hospital to continue the integration of clinical and teaching environments, and it will provide research opportunities to benefit not only this facility and our community but the broader healthcare sector as well.

UCPH will be a purpose-built rehabilitation hospital. The hospital will have capacity for 140 overnight inpatient beds and 75 day places for rehabilitation, including mental health rehabilitation. It will focus on helping people become more independent and supporting them to have an enhanced quality of life. The new hospital will be located next to the University of Canberra and will be a teaching hospital, continuing ACT Health's integration of clinical and teaching environments for the benefit of the ACT community and current and future healthcare providers. Training will be offered to students in a state-of-the-art facility. This relationship will also enable collaborative research opportunities that will benefit our community and the broader healthcare sector and help to build our healthcare workforce locally.

The planning of UCPH has involved substantial consultation with clinicians, user groups and consumer and carer representatives. ACT Health has sought input from Carers ACT, the Health Care Consumers Association, the Mental Health Consumers Network, the ACT Emergency Services Agency and ACT Health staff. The wider community also had the opportunity to provide input when the reference designs were released for public comment in March.

ACT Labor, led by this minister, Simon Corbell, wants the ACT to be a healthier, happier city. We are investing in health promotion and prevention services to reduce the increasing burden of chronic disease and related and more costly healthcare

impacts. These initiatives will also increase business productivity in the ACT and health-related education outcomes.

Current estimates suggest that up to 80 per cent of heart disease, stroke and type 2 diabetes and more than one-third of cancers worldwide could be prevented by eliminating shared, modifiable risk factors, such as those associated with smoking, unhealthy diet, physical inactivity and the harmful use of alcohol. We are also investing in campaigns to reduce smoking during pregnancy, which are designed to have a direct health benefit to the mother and to their newborn baby by reducing low weight at birth and subsequent neonatal care costs.

Other specific programs supported by our recent budget include healthier work, ride or walk to school, kids at play, it's your move, fresh tastes, smoking cessation and an interactive web-based data platform. The programs support the ACT government priority to invest in preventive health services to promote physical and emotional wellbeing and prevent disease across the ACT community.

I conclude by saying that as we continue to invest in services, preventive health and infrastructure, the federal government remain committed to ripping billions of dollars out of our health system and the health systems of other states and territories over the next decade. With federal cuts of \$57 billion stripped from health, the ACT could expect to lose up to \$600 million over the 10 years to 2026-27. In general terms \$600 million would fund approximately 58,000 elective surgery procedures over the 10 years. Additionally, by the final year to 2026-27, this funding would have provided for a further 1,200 nurses or 80 intensive care unit beds or 340 general inpatient beds in the territory. I am proud to be part of this Labor government led by the Minister for Health, Simon Corbell.

MR HANSON (Molonglo—Leader of the Opposition) (4.19): I am always delighted to talk here in the Legislative Assembly about our health system, particularly our hardworking health staff who do sometimes so much with so little. Ms Fitzharris paid great attention to the health minister, Mr Corbell. It seems ironic that she is praising him in here for such a sterling job but, sadly, it seems that even the Labor Party has lost confidence in Mr Corbell as a minister.

Even his faction have lost confidence in him as the health minister, and he has been put down the ticket by his own faction as a response to their perception, I imagine, of his performance in this place. Maybe Ms Fitzharris could have been there at the preselection talking to the preselectors. It would have been useful, but when we turn to the reality of what has been happening across our health system we get a clearer picture of why perhaps it is that the Labor Party has chosen not to have Mr Corbell as one of their candidates at the next election.

There is an enormous amount of taxpayers' money invested in our health system—about \$1.4 billion. I say at the outset that the Canberra Liberals welcome that funding. We see health as an absolute priority. So I make it very clear that this is not about whether there should be less funding; the points that I make are about whether that money is being invested as well as it could be, whether we are getting the return on our money and if we were more effective and more efficient what that would mean in terms of extra staff we could employ and extra facilities.

Ms Fitzharris talked about the \$23 million that has been put into a new facility at our emergency department. I certainly welcome that. I do. But it needs to be pointed out that that \$23 million is actually taken out of the \$41 million that was allocated in our budget a number of years ago all for the rebuild of the tower block. Ms Gallagher put \$41 million into the budget and said, “Let’s rebuild the tower block.” That work was ongoing for design and so on. That money was taken out.

That project to rebuild the tower block, the \$800 million tower block was a priority before light rail came on the scene. I make that very clear. That was the government’s number one infrastructure priority, the \$800 million to go on the tower block before light rail. But then light rail came on the scene and it went, disappeared into the ether. All we hear about that project now are concerns from people who have been involved in the tendering for some of the design work. I know significant complaints have been made about the way that process was done. Complaints have been made to me and that has run out in the media as well.

That \$23 million that has been invested is a stopgap. It is a bandaid solution. Indeed, the head of ED at the Canberra Hospital made it very clear that this should not be seen as a long-term solution, and it is not. This government is not thinking long term about health; it is only thinking long term about the tram.

Recently we saw that most evidently when we had significant debate about this in the Assembly about this minister—as Ms Fitzharris calls him, “this minister, Simon Corbell”—having cut 60 beds. The promise, the plan, was for a 200-bed subacute facility in Belconnen at the University of Canberra hospital, and this minister, Simon Corbell, has cut 60 beds from that plan.

We heard the extraordinary narrative coming out of this minister where he tried to say that those beds still existed and, in fact, there were more beds. He was counting gym equipment and occupational therapy pools as hospital beds. It was disingenuous. The public are not that stupid. Clearly, his party are not that stupid because they have seen what this minister is capable of in terms of doublespeak, and they have dumped him, just as the electorate nearly did at the last election.

In regard to the bush healing farm for which, in 2007, \$10.8 million was allocated, what has happened? Where is the work on the bush healing farm that was promised? We heard so much in this place about the bush healing farm. We were lectured about the bush healing farm for hours by Mr Stanhope, by Ms Gallagher. Where is it? Maybe when she closes the debate Ms Fitzharris can tell us where the bush healing farm is and why the money was allocated in 2007 and we still do not have that facility here in the ACT.

That is not atypical. We have had just about every health project running over budget and running over time—\$300,000 over budget for the mental health assessment unit. The adult mental health inpatient facility was another one. With regard to the central sterilising service, again \$17.2 million was allocated for the relocation, the renewal, the rebuild of that—gone, gone out of the budget. There are higher priorities somewhere else—solar panels somewhere or light rail, no doubt.

There is the secure mental health facility, which this government—in actual fact, it was Minister Corbell—said they were going to build back in 2005. It was an election commitment in 2008. There was \$11 million put in the budget. That is what it would cost. And we were told that it would be open, Madam Assistant Speaker—when do you think? When do you think that was going to be open? That was going to be operational in 2011. In 2011 the secure mental health facility that was promised was going to be open. Again, here we are today and we know full well that there are significant problems both in the AMC and the adult mental health facility as a result of the lack of that facility that this government, with our support, to build such a facility, failed to deliver and still failed to deliver years after it was promised.

There is the hospital car park, \$20 million. Do I hear any more? It was over budget. It was 18 months late. Again, during that whole period of construction there was chaos, appallingly managed. Remember the fiasco as well in the management of parking at the Canberra Hospital with paid parking that was then removed.

The centenary hospital was \$20 million over budget and months and months late in delivery. Would you believe, build a new hospital and have fewer beds in the new facility than were previously available? As a result, clinicians were saying it is unsafe, and we had women who were giving birth and were pushed out of that hospital literally four hours after giving birth. This was meant to be the new hospital that was going to make such a difference. What we saw was women being pushed out of the hospital four hours after giving birth.

What we hear is talk from this minister, from the directorate, about now limiting where women in this town can give birth based on postcode. If you happen to live in the south, you are right; if you live in the north, you are out. That is the sort of approach that this minister, Simon Corbell, as Ms Fitzharris calls him, is taking to the management of our health system.

It is not like we are getting great results, is it? You will wait longer for emergency department treatment at the Canberra Hospital than anywhere else in Australia.

In this world-class health system under “this minister, Simon Corbell” you wait longer. So our parents, our children, our friends in the emergency department are waiting longer than anywhere else in Australia. This is just not an inconvenience. If you read the medical journals, if you listen to the experts, they will tell you that particularly the delay in getting treatment from when you first arrive to when you get into a hospital bed beyond the four-hour rule, as you will often hear it referred to, has significant consequences when it comes to the clinical outcomes for those patients and can result and does result in higher mortality. We know that from the *Medical Journal of Australia* article, in February 2012 I think, about the experience in WA. Have a read of that one.

Elective surgery is equally a significant problem. The lack of capacity that has been built up means that this government is farming out a lot of work to the private system. Per se, I do not have a philosophical problem with that, but what has happened under this government is an ad hoc approach because of a lack of capacity that is not being well managed. I have had a significant number of complaints from surgeons with regard to that process, as we have about non-emergency surgery.

We have heard and have talked in this place about patients having turned up for surgery with broken limbs and been turned away after fasting. Then they come back a day later and get turned away after fasting, and then turn up the next day and are turned away after fasting. That is disgraceful. When I have asked this government to report on timeliness and to report on these things, they refuse to do so. They refuse to do so under this minister, Simon Corbell, who Ms Fitzharris thinks is so wonderful that his faction has dumped him.

We know that we have dangerously high bed occupancy and overcrowding of the Canberra Hospital. In fact the head of the emergency department described the hospital as dangerous. We know the AMA say that anything over 85 per cent is dangerous, and we know that this hospital regularly runs well over that and has been full on a number of occasions.

We have heard of the bullying. We know there are two areas with significant problems with accreditation—urology and obstetrics—and we know it has got so crook that the new director-general has come in and clearly had a look around and gone, “What is going on?” Shortly after her arrival there is now a review that has been instigated into the toxic culture within the Health Directorate—a review, I understand being conducted by KPMG, that was meant to have been released. Surprise, surprise, would you believe it, there is a health report into toxic culture about bullying that is promised to be released by the government, and they have not released it? We have been here once or twice before in our time.

We have heard of the walk-in centres. The initial walk-in centre was at the Canberra Hospital. We had the minister at the time coming out and saying, “This is part of the solution for the emergency department,” when the advice from her own directorate in the strategic emergency department plan said, “Don’t say this will be a solution to waiting times at the emergency department; it will have the reverse effect.” Indeed it did. It actually caused more problems at the ED. We now have two. Go back to your election promise in 2008. Katy Gallagher promised three. Where is the third? Where is the third that you promised, that Labor promised, we would have? Yet again, it is another broken promise.

There is much that needs to be done in this health system and there is much that is not being done. We have the two most expensive hospitals per capita in Australia. If they were running at just average costs our health system would have tens of millions, literally tens of millions, to reinvest into health. If we were to be as efficient as some of the more effective and efficient peer group hospitals across Australia, if we could get it down to the level of some that are the most efficient, we would have hundreds of millions to reinvest, hundreds of nurses, many, many more procedures. Timeliness would go through the roof.

Let me be very clear that while this government wants to congratulate themselves and this minister, Simon Corbell, if you are a patient reporting to the worst response to treatment in Australia, as we have at Canberra Hospital in the emergency department, if you are a staff member who is not even allowed a cup of tea and is working an enormous amount of overtime because of staff shortages, you are not happy. And let me tell you, there is much more to be done.

I take the opportunity now to move the amendment circulated in my name which says all this and says let us restore the beds that have been slashed at the University of Canberra hospital and provide a number of updates on what is going on with the health infrastructure program. I move:

Omit all words after “notes that”, substitute:

“(1) the ACT Government:

- (a) slashed \$41 million from the proposed new Canberra Hospital Tower Block;
- (b) slashed 60 beds from the proposed new University of Canberra Public Hospital;
- (c) allocated \$10.8 million in 2007 for the Bush Healing Farm but work has yet to be started;
- (d) ran over time and over budget on the Acute Adult Mental Health Inpatient Facility;
- (e) ran more than \$300 000 over budget on the Mental Health Assessment Unit;
- (f) announced \$17.2m for the Central Sterilising Services in 2012 but work has still not started;
- (g) is running over time and over budget on the Secure Mental Health Facility, which was promised to be operational by 2011 but is still not finished in 2015;
- (h) ran 18 months over time and \$20 million over budget on the Canberra Hospital car park;
- (i) ran over time and about \$20 million over budget on the Centenary Hospital but delivered less beds than were previously provided;
- (j) has for years had the nation’s worst emergency department waiting times;
- (k) has for years had the nation’s worst elective surgery waiting times;
- (l) has dangerously high bed occupancy and overcrowding at Canberra Hospital; and
- (m) has just lost training accreditation at Canberra Hospital; and

(2) calls on the Government to:

- (a) restore the 60 beds slashed from the University of Canberra Public Hospital; and

- (b) provide updates on the progress and final costs of the proposed Canberra Hospital Tower Block, the Bush Healing Farm, the Secure Mental Health Facility and the University of Canberra Public Hospital.”.

(Time expired.)

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Health, Minister for the Environment and Minister for Capital Metro) (4.34): I thank Ms Fitzharris for bringing this motion to the Assembly this afternoon because it is very important to talk about the considerable investment the government is making into health facilities in our city on behalf of the people of Canberra. It is a very large part of the ACT budget, and we need to make sure that facilities and services are as contemporary as possible and that access to services is as good as it can be. Infrastructure makes a very important contribution to improving access, particularly where you are increasing capacity overall.

I heard the comments of the Leader of the Opposition. What I would say in response to his comments is that I think he needs to do much better research. When you look at the amendment he has circulated in this place, a significant number of the claims he makes in his amendment are factually wrong. If this Leader of the Opposition wants to be the minister for health, or indeed a credible alternative chief minister, he needs to fix some of the very sloppy work that we see in this amendment today.

Let me highlight a couple of examples. First of all, he continues his completely disingenuous and false claims when it comes to the University of Canberra public hospital. He knows and I know—and we all know in this place—how the subacute facility is designed to operate and that it has a mix of overnight and day spaces. We all understand that. All the reports that go back over years say that. Again, his capacity to be disingenuous knows no bounds.

There is also his claim about the bush healing farm. If he had spoken to anyone engaged in this project he would know that work is underway on the bush healing farm and has been for a number of months. It is a project strongly supported by the local Indigenous community. But we have Mr Hanson making the false, sloppy and disingenuous claim that work has not yet started.

Mr Hanson: I did not say that.

MR CORBELL: Yes, you did. You said:

allocated \$10.8 million in 2007 for the Bush Healing Farm but work has yet to be started;

That is paragraph (1)(c) of your motion, Mr Hanson. Mr Hanson is again makes a false claim, but we know that is par for the course when we are dealing with this Leader of the Opposition. We have also seen the other assertions that he has made in the motion. We have seen his claims in relation to the secure mental health facility and the adult mental health inpatient facility. Let us be really clear. These are facilities welcomed by Canberrans.

Everybody else in this place and in the community is saying, “It’s a great outcome for our city to see these facilities being delivered.” But, of course, from Mr Hanson it is just another opportunity to be disingenuous and to spread misleading and inaccurate claims in our community. It is, of course, what we expect. It is what we have come to expect from this man who thinks he can be a leader of our city.

Let us turn to the very important points that Ms Fitzharris has raised in her motion. She recognises that investment in health services is about providing contemporary places of care for Canberrans, improving capacity so that more people can get access to service when they need it, as well as making sure that our health professionals have good facilities to work in.

It is this Labor administration that has made the commitments we have seen in health. I would be really interested to see whether the previous Liberal administration can mount the claim that they have in the past made investments in health infrastructure in the order of the \$900 million health infrastructure program delivered by this Labor government. Of course they cannot.

Major projects have been delivered by this government that are strongly welcomed and endorsed by the community. The Centenary Hospital for Women and Children is an incredibly popular facility. The Canberra Region Cancer Centre for the first time ensures that for people with cancer, instead of being compelled to go to different parts of the hospital for different types of carers to address that most frightening of diseases, the services are provided to them; the services come to them in one place.

Of course, there is the new adult mental health unit. I had the great pleasure of visiting the adult mental health unit recently. If I was suffering from a mental illness, Madam Assistant Speaker, and I needed to be in that form of facility, I cannot think of a better facility to be in. It delivers dignity. It provides a contemporary, modern, safe facility for what are some of the most troubling and difficult issues that people have to face when it comes to issues of mental illness. That facility is a credit to our city. It is a credit to the people who have designed it and who deliver services in it every day, and it is due to this Labor government’s health infrastructure program.

Of course, we have the very important upgrades of our community health centres in Belconnen, Tuggeranong and Gungahlin—new facilities in Belconnen and Gungahlin. In this year’s budget we are enhancing those. We are delivering new mental health services into the Gungahlin region. For the first time we have a dedicated mental health team for Gungahlin as part of one of the largest ever investments in mental health made in an ACT government budget. This was in the most recent budget.

We also have great facilities like the upgraded and renovated Tuggeranong Community Health Centre. I had the opportunity to visit the staff down there in the last few months and, in particular, to look at the new dialysis unit operating in the Tuggeranong health centre. This is the first time that any ACT government has delivered dialysis in the Tuggeranong Valley. Anyone who understands issues around dialysis would know it is a potentially crippling condition that requires people to seek extended periods of treatment every week. We are talking hours and hours out of people’s day because of the need for dialysis.

Having that service close to where people live in the Tuggeranong Valley means they do not have to travel further afield to get the care they need and they get it in a modern and contemporary facility. So, once again, this government is making an investment that not only provides for a good built environment but also improves access to care. That is the approach the government has continued to adopt when it comes to our health infrastructure program.

We have also focused on making sure we have great options available for people when it comes to primary care, particularly the walk-in centres. The walk-in centres are incredibly popular. People welcome the fact they can get the care they need for minor ailments through the walk-in centre, often when it is hard to find a GP or where the only other choice would be to go to the emergency department and, because they are low acuity matters, they would be categorised at a lower level of priority.

Finally, I want to focus on a very important project that is underway right now, and that is the expansion of the emergency department at the Canberra Hospital. As Ms Fitzharris highlighted, the emergency department continues to see a significant increase in growth in presentations. We need to improve the capacity of the department. We also need to reorganise it so that it is contemporary, modern, welcoming and more efficient in its layout so that more people can get the care that they need.

This government is investing \$23 million in an expansion of the emergency department. That will increase bed capacity by over 30 per cent in the ED. It will provide for a contemporary and modern mental health assessment unit. Again, that is very important for people who present with high levels of acuity with mental health conditions at the ED. For the first time it will provide for a purpose-built paediatric streaming capability so that we keep young sick kids managed and treated separately from adults. I think that is a great outcome for young kids. That is a great outcome for their parents and that is the sort of commitment this government brings to health in our city.

MS PORTER (Ginninderra) (4.44): I welcome the opportunity to speak on the ACT government's health infrastructure program, and I thank my colleague Ms Fitzharris for moving the motion. It gives me the opportunity to discuss the health infrastructure programs and services this government is undertaking as we continue to prioritise and improve the world-class health system we have in the ACT, particularly post the short-sighted health funding cuts by the federal Liberal government. It also gives me the opportunity to highlight some of the programs and services being implemented in my Ginninderra electorate.

Madam Assistant Speaker, as you know, I spent most of my career as a registered nurse working in remote communities of the Northern Territory. My experiences over this period place me in a good position to fully understand the critical role a good healthcare system plays in any community, in this case the ACT and region.

As you know, the ACT government's vision for Canberra has been and will always remain that of a vibrant, livable city that continues to grow and change to meet the

challenges and opportunities of the future, and to continue to live up to its reputation as Australia's most livable city. That is why this government developed the health infrastructure program in response to the growing population of Canberra and surrounding regions and the increasing pressure placed on the ACT health system. In just 100 years, Canberra has grown into a thriving city of more than 380,000 people and obviously our healthcare needs are changing.

This investment is the most significant in the history of Canberra's healthcare system. It is about bringing healthcare services closer to where people live. It is about moving key front-line services out of the major health campuses into local facilities. It is about healthcare workers who will provide care at specific points in a patient's journey and it is about using information technology to support connected and coordinated care.

The health infrastructure program is about creating new pathways through the health system which are better, smarter and more convenient for our community. In essence, it is about providing the right services for the right people at the right places. This Labor government is investing close to \$1 billion to make sure every aspect of our healthcare system can support us as we continue to grow.

As of today, many comprehensive and significant projects have been completed, many of which are in Ginninderra. I know Ms Fitzharris and the minister have listed some of these and talked about them before. However, I think they are worth repeating. They are the Belconnen Community Health Centre, the Belconnen walk-in centre, the new operating theatres at the Calvary hospital, and soon we will see commencement of construction of the new University of Canberra public hospital, or the UCPH.

Madam Assistant Speaker, as you know, on 8 November 2013 the Belconnen Community Health Centre opened its doors to the public. It is now a key part of the ACT health system, offering services aimed at helping people to manage acute and chronic conditions in the community closer to home. In this way the centre supports the quality of life and wellbeing of people in Ginninderra and in the region and helps to reduce reliance on hospitals.

The centre contains state-of-the art clinical facilities with modern equipment and an open plan design. It is now home to a range of health services aimed at supporting a diverse and growing local community, including those aimed at assisting patients to manage acute and chronic conditions in the community, particularly in the areas of diabetes, mental health and rehabilitation, as well as renal services. The minister spoke before about Tuggeranong and Ms Fitzharris has mentioned it as well.

The Belconnen walk-in centre, which was opened on 1 July 2014—as well as the second one in Tuggeranong—is a great example of this investment. The walk-in centres provide an alternative, giving fast access to health advice and one-off treatments for minor illnesses and injuries. This is an innovative approach to health care, employing the expertise of experienced nurses combined with best practice principles to provide high level care to those people who visit the centre.

While the centre does not provide all the services provided by GPs, such as ongoing treatment and treatment for complex conditions, the staff are able to provide advice on and treat common illnesses and minor injuries at no cost to healthcare consumers. The highest numbers of general presentations for the centres since opening include the common cold, wounds and lacerations, sore throats, wound dressings, skin conditions, respiratory and other ear, nose and throat conditions. Those of us in this place who have small children know the stress involved when a child is ill and you have to wait for an appointment at a doctor's surgery. To be able to take them to a walk-in centre and find out whether you should wait for a doctor's appointment or get something attended to immediately certainly helps parents at these stressful times. The Belconnen centre had a total of 17,744 presentations from 1 July 2014 to 9 September 2015.

Following the funding appropriation in the 2014-15 budget, the Calvary hospital car park construction works are progressing well, and it is expected that the car park will open in 2016. On completion, the new Calvary car park will provide 704 parking spaces over five levels, increasing the available parking spaces by 515 spaces for staff, patients and visitors.

Finally, planning for the University of Canberra public hospital is underway. As you are aware, Madam Assistant Speaker, the hospital will be a subacute facility providing 140 inpatient beds and 75 day service places—no matter what Mr Hanson says. It will be located next to the University of Canberra on the corner of Aikman Drive and Ginninderra Drive in Belconnen. The services at this facility will include rehabilitation, adult mental health and aged care, with both inpatient units and day services available in each area.

Additionally, the UCPH will be a teaching facility, as Ms Fitzharris mentioned before, which will allow it to extend the scope of existing teaching partnerships and enable joint clinical training, teaching and research opportunities between the University of Canberra and ACT Health. This facility has great potential in promoting excellence in education through attracting more students, researchers and academics to the city and to our world-class education institutions such as the University of Canberra and the Bruce CIT campus.

In conclusion, for several years now we have seen this government invest record levels of funding aimed at building a stronger local health system. In successive budgets we continue to build on important, transformational health infrastructure projects, laying the foundation to meet the health challenges of the future. This Labor government will continue to work closely with the Canberra community to identify their priorities and to implement policies and programs, such as I have outlined, which have made Canberra the healthy, vibrant and livable city it is now.

DR BOURKE (Ginninderra) (4.52): It is well accepted that the role of government to provide quality health services that keep pace with demand as a well-funded and responsive health system provides benefits to individuals and the community as a whole. Here in the ACT Canberrans also expect this of us, and rightly so. This government is absolutely determined in the face of pressure from the Abbott-Turnbull

government cuts to meet that expectation. The Liberals may have changed their leader, but their attitude to health cuts and so many other policy areas has remained unchanged.

This government's budget wisely invests in the future of Canberra. I am especially proud of the investment in health infrastructure and services in Belconnen in my electorate. The investments this government has made in Belconnen serve the health needs of the faster growing areas of Canberra with the expansion of Belconnen in the west, infill in the Belconnen town centre, the new suburb of Lawson and the rapidly expanding population of Gungahlin. This budget is built on an in-depth understanding of our city, and it is in stark contrast to the last two budgets of Mr Turnbull's Liberals, which did great harm to many Canberrans' livelihoods.

In Belconnen this government is planning for the future with a new public hospital and an extensive upgrade to Calvary. Calvary hospital is Belconnen's largest health facility, and the ACT government upgrades will give it the means to continue providing Belconnen and the north side with quality, modern hospital care. There is \$12.4 million in Calvary upgrades, including \$5.6 million for a complete refurbishment of the operating theatres, including new equipment; \$3.1 million for development at Calvary to enable 12 new acute care beds; and \$3.7 million for new imaging services, including a second CT scanner. This does not include the construction underway on the new five-storey Calvary car park, which will have over 700 parking spaces to absorb future demand.

All of this follows on from the work this government has done in establishing the Belconnen nurse-led walk-in centre in 2014, a part of the Belconnen Community Health Centre. The Belconnen nurse-led walk-in centre is proving very popular, and the Belconnen and Tuggeranong centres have been getting more clients than the Canberra Hospital service averaged.

The new University of Canberra public hospital will be a purpose-built subacute facility providing rehabilitation, aged care and mental health care services. It will have 140 inpatient beds and 75 day places. The government has chosen this model to meet the needs of a growing Belconnen and, indeed, a growing north side, keeping in mind what an ageing population means for healthcare. The provision of 400 parking spaces at the site will ensure easy public access. Its co-location with the University of Canberra campus will allow for new training and research opportunities. Construction will begin next year, and it dovetails into the University of Canberra's vision for expansion and diversification of services.

The University of Canberra public hospital will become another major employer in north Canberra, and the capital works will maintain jobs in the construction industries. Along with working closely with staff and researchers based at the nearby Calvary hospital, patients will be able to move between the hospitals as their needs for different services require.

Lastly, I add that this government's vision for better medical services in Belconnen is enhanced by the faster response times from the recently completed ambulance station at Charnwood and funding of the new \$20.9 million ambulance and fire station being

built in Aranda. The ACT Labor government's strong record of continual investment in our health system speaks for itself and is reflected in the ACT's continuing improvements in health outcomes. In every budget we have assessed the community's health needs, calibrated responses and made significant investments. I am proud to say that Belconnen residents will stand to greatly benefit from the ACT government's strategic investment in health infrastructure and services.

MS FITZHARRIS (Molonglo) (4.57): I note the contributions made by the Minister for Health Simon Corbell, Dr Bourke and Ms Porter to support this motion. I will also take some moments to briefly reflect upon the opposition leader's speech and subsequent amendment, which we will not be supporting. This Labor government has made an extraordinary investment in health infrastructure and outcomes in our community. This Labor government, led by our health minister, Simon Corbell, is building on the work of our previous health minister, Katy Gallagher. As a government and as a community and policy leaders, Minister Gallagher and now Minister Corbell know deeply what our community need and what the health system needs to do to meet our community's needs. We need to invest in staff, in services and in infrastructure. Minister Corbell understands the challenges and opportunities ahead. He understands the future, what it means to invest in the future. And he understands the needs of individuals, families, the vulnerable and those most in need in our community to provide health outcomes. This is what our Labor government has demonstrated through its drive for reform and through real investment in people and infrastructure.

I spoke about some of the major investments in the health infrastructure program—the ED expansion at Canberra Hospital, the paediatric stream in the ED, our community health centres, our walk-in centres, our Canberra region health centre and UCPH. Minister Corbell also spoke about these as well as outlining additional investments—the Centenary Hospital for Women and Children, the bush healing farm and the adult mental health unit.

But, as usual, the opposition leader shows his leadership style—opposition for opposition's sake, negativity and critique. That is all—nothing more. He happened to say earlier today to get used to the opposition making policy announcements. Well, not today and not, as I understand, in the last three years at least—certainly not in the last eight months—not one idea. But as the Minister for Health noted, the opposition leader's capacity to be disingenuous knows no bounds. Again, more misrepresentations, taking every opportunity to spread misleading claims across our city!

What our community needs and what this government is delivering are contemporary places for care, for patients and for their families, for our health staff, providing healthcare that can be delivered at the right time at the right place. What do some of these services provide? For example, new services, as the minister outlined, new community services in the Gungahlin region, for the first time a dedicated mental health service. In the Tuggeranong region, for the first time delivering dialysis close to where people live, delivering what they need.

I also thank the minister for reminding us of our track record in delivering the significant health infrastructure program that has already provided hundreds of thousands of occasions of service each year. Mr Hanson must stop talking down investment in health and our investment in health infrastructure, for example his mention of the Ngunnawal bush healing farm.

With even a cursory glance at the media releases, Mr Hanson would see that there is significant movement on the construction of the Ngunnawal bush healing farm. Indeed, on 16 April the Minister for Health announced that a contractor was awarded a \$6 million contract to build the Ngunnawal bush healing farm. This announcement followed the traditional smoking ceremony held at the end of March. I am pleased to let Mr Hanson know today that early earthworks to support construction commenced in June this year and the project is on track.

I also note the contributions of Dr Bourke and Ms Porter. Both of them know implicitly what it is like to deliver front-line health services especially for some of our country's most vulnerable communities. They understand, as do this government and the Minister for Health, what is required to deliver health services in our community and what is required to deliver health outcomes—health infrastructure. Ongoing investment in health infrastructure is key to this, and I commend the motion.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Smyth
Mr Wall

Noes 9

Mr Barr
Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Fitzharris
Mr Gentleman
Ms Porter
Mr Rattenbury

Question so resolved in the negative.

Motion agreed to.

Inappropriate structure in a school—inquiry

MR DOSZPOT (Molonglo) (5.05): I move:

That this Assembly:

(1) notes:

- (a) that the inquiry into the construction of a cage in a Canberra primary school took over five and a half months;

- (b) that the report did not list the terms of reference under which the inquiry was conducted or who conducted it and their qualifications to do so; and
 - (c) that the report did not explain a number of issues, including why officers within the Directorate who had knowledge of the construction did nothing for nearly two weeks; and
- (2) calls on the Government to provide to the Assembly by C.O.B. this Thursday, 17 September 2015, the following information relating to the construction of a cage like structure:
- (a) the terms of reference for the original inquiry;
 - (b) details of who conducted the inquiry, and their qualifications to do so;
 - (c) the full report of the inquiry, including a complete chronology, only excluding any references and names that would jeopardise the privacy of the school or the family;
 - (d) copies of all paperwork relating to the decision to request a quote, the quote/s received, invoice and payment method and details of the construction;
 - (e) advice, including legal advice, relating to the incident, including legal advice as to whether the matter amounted to unlawful imprisonment;
 - (f) any documented guidelines for the use of the construction; and
 - (g) the process by which the officers within the Education and Training Directorate will be investigated and by whom and the expected timeline for this inquiry.

It gives me no great joy to bring on this motion today to seek answers as to how a cage came to be built in a school and how no-one other than one principal is to be held accountable. I bring this motion here today in response to the continuing unrest that remains in the community, the disappointment and frustration within the school in question, the anger among the teaching fraternity and the general displeasure among the ACT public at large who still cannot understand why a public school in Canberra thought a cage was the appropriate response to control a child. The Assembly needs answers and the community deserves answers.

If proof is needed about the level of concern about unanswered issues still active in the community, let me draw the Assembly's attention to last Saturday's *Canberra Times* editorial headed, "Burch still has questions to answer over autism cage scandal." That is the *Canberra Times* headline, not mine. The editorial talks about the stalling, the refusal to answer questions, the attempts to shift blame to the directorate and to the director-general and the lack of clarity about the status of the principal in question or the future of the public servants who knew about the cage but did nothing.

We do not know how many public servants were complicit, nor do we know why they were not part of the apparently independent—meaning outside the education directorate—inquiry. This issue has generated unwanted publicity for Canberra in media around Australia and overseas for months. That is not the fault of the school at the heart of all this; it is not the fault of the media. It has remained a story because so many questions, reasonably asked, have remained unanswered.

I genuinely regret that this whole issue has been so badly managed from the start. Even Minister Burch has admitted that the management of it has sold Canberra families short. So what went wrong and why after nearly six months do so many questions remain? The first question is: when did it all start? The answer is: we do not really know. According to the directorate-published time line, the relevant date starts on Tuesday, 10 March when apparently a structure was constructed. But what came before that? What precipitated its construction? What pushed the principal into a decision that became the solution?

We know from a less than satisfactory FOI inquiry that a quote was sought on 24 February and an invoice generated on 11 March. Neither of those dates, fairly significant entries in the history of this, appeared in the recorded time line published to explain this issue. Why not? And what events precipitated that decision? What we do know is that the ETD has a number of qualified and very capable specialists—network student engagement teams or NSET—trained in managing the complex needs and challenging behaviours of our students. In all likelihood there are not enough of them, but I will pass no judgement on numbers, lack of numbers or lack of training. But why did the school in question, the teacher in question, the principal in question, the network leader in question, not request their support? The child did not become magically unmanageable overnight, so why were the warning signals not noticed? And where was NSET while this was escalating?

We asked questions of the minister on this. The only answer the minister gave was that the principal acted alone. That does not address what we asked. We still have no reasonable explanation as to where the NSET members were. They presumably visit the school on a somewhat regular basis, but apparently they did not see the cage and would appear to not think to ask questions about what surely must have been an exceptionally difficult student. We are asked to believe that this child was not the subject of any conversation between the principal and the directorate staff for some period of time.

The minister has said the principal did not seek advice or support. But that does not excuse the lack of proactivity on the part of the trained NSET staff. Do they only intervene in a school when asked to do so? And why did the principal not reach out for help? Was it because the principal had previously raised the issue and the answers were not especially helpful, or no-one took the issue seriously? We do not know.

The next issue is the existence of the cage for 17 days. We now know that the cage was two-metre by two-metre blue pool fence structure with a self-locking door, adjacent to the classroom. From published photos it would appear to have been located adjacent to the classroom, in a room used to store musical instruments, and

perhaps other things as well. I understand that this room is very accessible to many people and is used frequently, so the cage must have been seen by many within the school during those 17 days. Various people accessed the storeroom, others accessed the classroom, and they must have seen the cage. Indeed a photo was posted on the classroom wall, showing the cage, occupied, and labelled a “sanctuary.”

So we can reasonably assume the cage was seen by numerous people and we know there was a picture of it on the classroom wall. If nothing else, the presence of the picture would suggest that at least someone saw the potential for adverse publicity, and the possibility of the cage’s presence upsetting the pupils in the classroom and so tried to minimise its impact by calling it something else. So does that mean we now have another someone involved in this?

We are told the cage was used only once. So how fortuitous then that the photographer who took the photo used on the classroom wall was able to take it just at the one single time the cage was being used. Or was it a staged publicity shot? We do not know. Did anyone ask why? None of this was in the published summary report. There was no mention of any photograph; much less that it was posted on the classroom wall. Again, unknown and unnamed people were complicit in this but not listed in any part of the report of the inquiry.

So we are asked to believe that the principal not only decided to build the cage but arranged the invoice and the payment, arranged access to the school for the builder, took the photo of the cage when a child was inside and posted the picture on the classroom wall, all the time never once raising the issue with anyone in the directorate—not once; not to anyone; not to the specialist staff that reasonably would have visited the school at some time during this period when all this was happening. It is quite extraordinary.

We then move to the reporting of the cage’s existence. We know that at least one person brought the existence of the cage to the attention of the education directorate. We have been told that unknown numbers of unknown central office staff did nothing with that information for nine school days, or effectively two weeks. We do not know why they ignored the information. Was it because they already knew about it? Was it because they did not think it unusual or illegal? Again, more unanswered questions: why were the people who reported the cage ignored for at least nine school days? And what triggered someone to realise after nine days that there was a problem? Was it only after the Human Rights Commission was alerted? If not for the Human Rights Commission or the Commissioner for Children and Young People, would this incident have ever become public knowledge?

Let me reiterate: a quote for a cage is raised on 24 February. We are told the cage was constructed on 10 March. We are told the directorate was first notified of the cage’s existence on 17 March. However, we have been advised by others that the original whistle-blower raised concern about the cage in fact on 13 March. On 17 March the directorate apparently was notified. On 26 March the senior executive of the directorate were notified, I suspect by others outside the directorate and probably the Human Rights Commission, and we are told the minister was contacted by the Commissioner for Children and Young People.

On 27 March the cage was removed, by 1 April an independent investigation was commissioned and some time between 27 March and 1 April the principal of the school in question was removed. That is as much as the public have been advised. But who made the decision to remove the principal before any inquiry was started, and on what basis? What was the evidence and was the decision to remove the principal taken while the terms of reference were being framed? Was the principal questioned during this period and was anyone else, including other teachers, being questioned while the terms of reference were being determined? Who wrote the terms of reference and what was the basis for the scope of the inquiry?

The fact it took 10 days is troubling. We on this side of the chamber, as indeed members of the public and the media, could have drafted something much shorter than that. The basis of the inquiry surely was: who authorised it, why, when and how? It took 10 days to get the terms of reference, five months to investigate it—and at the end of it we got less than an accurate report. For the whole five months that this sorry saga dragged on the minister regrettably and incessantly made matters worse by firstly promising a quick inquiry then promising one deadline after another, then variations on the reason for the delay, including a correction written into the estimates *Hansard* evidence of the public servants being examined.

When that failed to stop the questions, blame was pushed onto the directorate. Repeatedly, we were told that this was, after all, an HR inquiry and so nothing could be divulged. Funny; we thought it was about why a boy was put into a purpose-built cage. The answers fooled no-one—not the parents and certainly not the *Canberra Times*, whose editorial on 29 August was headed “Blame game will fool no one”. Even the ACT Council of Parents and Citizens Association were critical of the lack of action and transparency. They suggested that the whole school community in the ACT knew the primary school in question, so the minister’s refusal to speak to anyone and especially to the school for fear of identifying it was misguided.

As the *Canberra Times* editorial said:

The parents deserve better than this unsatisfactory affair engineered by a minister whose lack of judgment and probity continues to cause her difficulties.

On 8 September the somewhat contracted report was presented. That brought another round of outrage, not only from this side of the chamber but throughout the community, much of it from Ms Burch’s own electorate. Among a series of letters to the editor, one from Greenway suggested Ms Burch follow the Simon Corbell option. Another, from Calwell, suggested in defence of the principal:

Having found their scapegoat, Joy Burch and her education director have sloped their shoulders. They shouldn’t have. The buck doesn’t stop with the principal; it stops with them.

Does suggesting the buck does not stop with the principal but rather the director-general and/or the minister provide an insight into why this inquiry took over five months and only investigated one person—or, more correctly, only found one person, the principal, guilty? What if the directorate staff had been found guilty? What implication would that have had for the minister or the director-general? Where should the buck stop?

Two other aspects remain outstanding. The first: who made the determination that this was not a criminal act? Locking a child in a cage is against the Human Rights Act and if it is a criminal offence it would need to be reported to the police. I was advised in a briefing by the minister that in fact this was not a criminal offence. But where is the evidence to support that? Who provided that advice and what were their qualifications to make that judgement? We have not been told.

The other unanswered question is the status of the school principal. In that same ministerial briefing I asked where the principal was now. I was told that the answer could not be provided, due to legal advice. Strangely, by the next morning, after media pressed the minister on the issue, the legal advice had changed and it was announced that the former principal was employed within the directorate but would never be in a school again.

But that is not the understanding of the ACT education union. They have quite rightly gone into bat for the principal. Let me quote from the *Canberra Times* of last week.

But the Australian Education Union on Tuesday weighed into the matter of the principal's sanction, questioning the "attempted scapegoating" of the principal for the incident.

While Ms Joseph was adamant the woman was no longer a principal and would not "return to a school", the AEU ACT secretary Glenn Fowler said this was a misleading representation of the outcome.

"It is very disappointing that political expediency by the government has overridden accuracy," Mr Fowler said.

In fact, the director-general said publicly later that the principal would never return to a school. But, as a consequence of the displeasure expressed by the ACT education union, she was forced to modify her remarks. So once again we have more variations, more modification, more manipulating the truth. But in the public eye the status of the principal still remains uncertain. Lack of clarity pervades this whole issue and the report just makes it worse. So many areas are not covered.

We do not know the basis for any of the legal advice provided on many of the conclusions and decisions. Did the GSO, for example, suggest the matter was not a criminal offence? Did the GSO suggest the inquiry be made a HR inquiry to avoid detailed scrutiny of the results?

The matter will not rest until there is a genuine, detailed and transparent response. To date we have not got it and, until we do, the ACT community will not give up. It is up to the government to lay this matter to rest—and they can do so, by showing some willingness to answer some questions instead of constant obfuscation; by publishing the terms of reference for the original inquiry; by publishing the details of who conducted the inquiry and their qualifications to do so; the full report of the inquiry to be published, including a complete chronology excluding only any references and names that would jeopardise the privacy of the school or the family. Copies of all paperwork—(*Time expired.*)

MS BURCH (Brindabella—Minister for Education and Training, Minister for Police and Emergency Services, Minister for Disability, Minister for Racing and Gaming and Minister for the Arts) (5.20): I welcome the opportunity to put a bit of a reality check into this debate. Last week the Director-General of the Education and Training Directorate released the outcomes of the investigation into a structure at one of our government schools. The independent investigation conducted at arm's length from the directorate was carried out under section H6, mixed conduct and discipline of the ACT public service Education and Training Directorate agreement. That process determines the amount of information that can be released. Those opposite know that but they choose to ignore that.

I never thought that I would be standing in the courtyard early this year in April and announcing to our community that one of our schools had a structure that I described at the time as a metal structure described as a two-by-two metal fencing structure. That is a hard announcement for a minister for education to take to the community. But I took it to the community because the community needed to know.

We have now all seen the photos of the structure in question. While on one hand some may think it is important that we confront these images and acknowledge how unacceptable it was, I must on the other hand express my concern for the publication of those images. This concern is based on the impact on the child and the family. It is not one of hiding; rather, it is one of compassion for that family. I believe each time one of these images is published it re-traumatises the family and student. I ask that all in here and in the community understand and have regard for them.

The family know the outcome of the investigation. They see the investigation is now concluded and they are simply wanting the ongoing public comment to stop so that they can get on with their lives and nurture their children. In fact, an email back to you, Madam Assistant Speaker, is very clear. They say:

My friends do not deserve this matter to be continually brought up for cheap political and/or media mileage. They have been through enough already, so I ask that you please stop it.

That was in response to you reading out a statement that Mr Doszpot got confused about and you read it on behalf of Mr Doszpot. This email goes straight to you, Mr Doszpot. In that email from the family to you—Mr Doszpot is not making reference to this—they have also confirmed that they were actually quite happy with “Minister Burch’s handling of the matter today” and that they are “extremely grateful for her maintaining their anonymity”. This is what the family are wanting. Your persistence just goes to the opposite of that.

It is important that we also have regard to the impact the information has on the former principal and the school community. I take the opportunity to say to our teachers who are committed and dedicated professionals: thank you for the work that you do in our schools. Because of the images in the media that I was confronted with early in that week beginning Monday, 30 March, during a briefing with the Education and Training Directorate, I took immediate action to inform the community and

advise them that an HR investigation would be commenced and a broader inquiry would be launched into responding to the needs of students with complex and challenging behaviours.

The decision by a school principal with extensive experience and in a position of trust and care of our young students, I agree, is one which to this day I simply do not understand or accept as acceptable. Indeed, I recognise that people were saying, “How would this come to be?” But it is what it is. The principal has accepted the findings. The findings say the principal in and of herself made those decisions. She has accepted that. Glenn Fowler from the AEU, which you like to bring in, has accepted those findings. If the principal or Glenn Fowler did not accept the findings, they would be out in the public commenting but they are not. They have accepted those findings.

From 10 March to 27 March we had in our schools a structure that had no place in our schools. It does not matter whether it was in our schools for 14 school days or 14 seconds; its very existence was an affront to the dignity of the students that we care for. This morning and again at question time the question was raised about a quote that was dated February. It is a simple response: the quote was sought in February; the construction happened on 10 March. There is no conspiracy theory; it is simply that fact. It was a deeply flawed decision and one that simply cannot be justified.

The structure was intended to be used as a time-out space as part of managing challenging behaviours. While time-out space is understood and accepted as part of a management plan, this structure was simply unacceptable and had no place in our schools. While the structure was in place, the investigation indicates the student was only placed in it by staff on one occasion for managing behaviour. However, as an open space within the classroom, there were occasions when students would go in and out of that space for a range of reasons.

I also understand that protocols for the use of the structure were drafted. The investigation indicates that the protocols were drafted by the principal with no input from the directorate. It is challenging to think a principal of standing would do this. The protocols were provided to the family but they were not involved in their drafting. Given the nature of the structure, it is obvious that the protocols in and of themselves are also inappropriate. We now know that this was the decision of one individual—the principal. We know this through the independent investigation, and it has been accepted by the principal.

I know this stretches credibility. However, such was the massive error of judgement involved that we now have an individual who has admitted that they did not consult with their staff, they did not engage the expertise of central office of ETD, and the family also maintains that they were unaware of the true nature of the structure. It is an error for which the former principal has paid a significant price. The principal has been removed from the school and, as the director-general has said, will not be returning to a school. Further, as required by law, the findings of the investigation have been referred to the Teacher Quality Institute to determine if there can be any breaches of professional standards and for the TQI to take any necessary action.

The community also has rightly raised concerns about what staff in the school knew and what actions they took. This is a very fundamental and important question and one which the investigation did go to so as to be very clear about who the decision maker was. While the investigation has found the decision and planning were a responsibility of one individual, the investigation did, as has been made public, reveal that once other officers became aware of it they may not have taken the action that we would reasonably expect of them.

While they expressed to the principal their deep reservations over the structure and the proposed use of the structure they were perhaps too accepting of an explanation of an experienced principal—someone they know and have worked with—and they did not elevate their concerns beyond the principal. As the director-general has said:

I am examining the conduct and decisions of every officer who was part of the Directorate's response.

The director-general will be dealing with those officers. The director-general has advised me that they will be dealt with under the relevant ACT public service enterprise agreements.

Obviously the existence of this structure and the circumstances of its construction have raised questions about resourcing of our schools and how students with challenging behaviours can be managed. Education systems around the country are grappling with this. This is why I commissioned Professor Tony Shaddock to lead an expert panel to provide advice on the best practice and how the education sectors can do better. This report is due to me in October, and I propose to engage with the Assembly on its recommendations through the Standing Committee on Education, Training and Youth Affairs.

Did resourcing play a part in this matter, one would ask? Irrespective of any supports available through ETD the principal authorised expenditure of over \$5,000. That is \$5,000 which could have been spent on training, expert psychological support, better infrastructure or any number of things. But the principal herself chose not to do that. The investigation found that the former principal did not engage as expected with the supports offered to her by central office.

This brings me to the role central office has played in this matter. The investigation has revealed that a number of staff in central office became aware of the structure before the executive of the directorate or me. Again, as the director-general has said, the response from officers when they became aware of the structure was not good enough. Officers did not question the decision of the principal as they should have.

This investigation has also found gaps in process. It has exposed a number of gaps in reporting, assurance and accountability measures of the directorate. These are gaps the director-general has moved quickly to fix. The director-general has announced the creation of a director for students and families. The director for students and families will be an internal advocate for our students and will drive reform internally to our systems towards the best practice and responsiveness to the needs of our students. They will also be a key contact for families who have questions and concerns about schools and schooling.

The director-general has also created a director of compliance and regulation. This officer will have responsibilities over all education and care settings and will be the executive responsible for ensuring a rigorous quality assurance and compliance process. We will also look to the report of the expert panel when it comes in October and its advice on how we can make systematic changes to give students with complex needs the best opportunities in our schools.

This is, indeed, a concerning and disappointing episode for our Education and Training Directorate. Again, I understand that those opposite and the community rightly have questions over this. But we have provided the information we can. Those opposite know full well the framework of investigations and that these have been undertaken through public sector enterprise agreements. It also, as I said today in question time, had reference to the Public Sector Management Act and the teacher quality requirements of professional standards. Every possible lens has been put to this.

We will not be releasing more information. We cannot under the terms and conditions of this process that was done under an EBA. Anybody who is a public servant or who knows anybody who is a public servant fully understands those constraints.

The community was right to be shocked and, indeed, I would say, outraged over the decisions and circumstances of this. I share that outrage; I shared it on the day I became aware of it. I certainly shared it on the day I saw the only image I have seen of it. I initiated the responses that are now in place. This simply should not have happened. I do not offer any excuses for it. But I will not tolerate any more excuses from the directorate and officers. I want to make sure this cannot happen again. I will not tolerate staff who believe that this is correct or justifiable. There must be and there is a better way we care for our children.

The investigation is complete. It has made findings and the director-general is actioning those. We have an expert panel that will make recommendations to me, and we will action those. Let us do all we can in this place to make sure this does not happen again. Throughout all of this, it is important to remember that our public education system is, indeed, a great system, providing great teaching and learning, and serves our community and our children well. Let us not forget that. Let us not forget how this poor decision-making has resulted in this structure that has no level of acceptability in any way, shape or form.

This is not around stepping away from being aware of that and dealing with it as it needed to be dealt with. The length of time—and I am on record as being frustrated by the length of time—is as it is. I would have hoped for a quicker conclusion to this, as the community would have. But under the independence and the terms of this investigation through the EBA, it is as it is. The findings are as they are. What we must do now is move to make sure that through the two director positions we have absolute assurance that we provide respect and regard to each and every student in our schools.

I will not be supporting Mr Doszpot's motion. I have circulated an amendment and I ask all in this place to be very clear about my amendment and the action that I have instigated. I move:

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

"(1) notes:

- "(a) the ACT Government took immediate action to investigate how an inappropriate structure came to be in an ACT school;
- (b) this investigation into an inappropriate structure in an ACT school has concluded;
- (c) the public release onto the Education and Training Directorate (ETD) website of the findings of this inquiry, including:
 - (i) the scope of the inquiry;
 - (ii) a complete chronology of events since the construction of the structure, excluding any references to identifying information; and
 - (iii) a summary of the investigation outcomes;
- (d) the inquiry was conducted by investigators from Shared Services Employee Relations;
- (e) the ETD has taken action on the recommendations into the investigation in accordance with public service protocols and relevant industrial agreements;
- (f) the conduct and decisions of every officer who was part of the Directorate's response is being examined and the Directorate is dealing with each of those officers individually;
- (g) the ACT Government has commissioned an expert panel on students with complex needs and challenging behaviours;
- (h) the work of the panel may include, but not be limited to:
 - (i) evaluating the current legislative and policy framework, guidelines and protocols that support ACT schools in teaching students with complex and challenging needs;
 - (ii) consulting with schools, community organisations and individuals, including students and their families, about the ways in which the policy framework, guidelines, protocols and practices are implemented in schools;
 - (iii) exploring issues with school communities;

- (iv) reviewing current practices in ACT schools in regard to complex and challenging behaviour, with particular attention to responses such as exclusionary withdrawal; and
- (v) reviewing research, evidence-based practices and current policies and practices in other jurisdictions, including proactive approaches that successfully promote attendance, participation and learning;
- (i) the expert panel will report its findings in October; and
- (j) the expert panel's report will be provided to the Standing Committee on Education, Training and Youth Affairs; and
- (2) calls on the Government to provide the Assembly with a copy of the Government's response to the expert panel's review as soon as practical after the conclusion of the expert panel review."

(Time expired.)

MR COE (Ginninderra) (5.35): I rise to speak in favour of Mr Doszpot's motion. It is a motion which is seeking to get to the bottom of what was a very dark day in the history of education in the ACT. I very much commend Mr Doszpot's sincerity, his compassion and his interest in this issue. Mr Doszpot is trying to get to the bottom of something that our community is very worried about.

The best way for Ms Burch to have handled this situation would have been and would still be to be completely honest with all the information she has, all the information the directorate has and all the information which has supposedly been fed into a review. However, whilst Ms Burch refuses to back up her implausible assertions the questions are going to linger.

The facts are that we still do not know what the terms of reference were. We still do not know how the independent reviewer was chosen. We still do not know who the independent reviewer was. And we still do not know what process the reviewer went through in order to come to a situation whereby a document was published a couple of weeks ago.

Unfortunately, we are in a situation whereby it seems that the minister's stubbornness is getting in the way of getting clarity on this issue. The best way for Ms Burch to resolve this issue would be to show the community, to show the Assembly, the evidence which has fed into this inquiry. As it stands, the information and the conclusions which she is supporting are simply not plausible. It is simply not plausible that the principal alone put together this case for a cage, put out the quote, arranged for the construction and arranged for guidelines to be produced. It is simply not plausible. The best way for Ms Burch to back up her claim that this is how it happened would be for her to actually produce the evidence. Instead, she keeps making these implausible claims and she does not actually back them up.

The sheer fact that it took five months for this investigation to be undertaken also raises significant questions. If the problem was as simple as Ms Burch has outlined—

simply the principal's fault—surely that outcome would have been known in a matter of days or, at most, a week or two. Instead, 165 days later we get an implausible explanation with no evidence backing it up.

With that said, I call on members of this place to support Mr Doszpot's motion. We owe it to the community, we owe it to the school community, to get to the bottom of this affair. As long as we do not have all the facts there will be unanswered questions. Whilst there are unanswered questions there will be a cloud hanging over this issue for all time. If that is the case, how can we be confident that we have learned the lessons we need to learn to make sure this never happens again?

MR RATTENBURY (Molonglo) (5.39): The matter before us today is extremely serious, both for the specific structure that was built and that has caused such shock and outrage in the community and also for the apparent systemic failure that saw it being built and used for as long as it was. I, along with most Canberrans, have been absolutely aghast that this structure was ever considered a valid response to a child's needs and that its existence did not raise serious concerns and a rapid response sooner. I completely understand the community's ongoing interest in this matter and why it is before us in the Assembly today.

I would like to say from the start of this debate, however, that to date I have been assured by Minister Burch's response to the issue. She has, as we all have, expressed her horror and disappointment about the structure and, as we have seen from the time line available, acted quickly and decisively once she became aware. An investigation was ordered in a timely fashion and a further broad-ranging review of policy and practice for supporting and teaching students with complex needs and challenging behaviour in all ACT public, independent and Catholic schools was announced in June.

Further, the minister is on the public record expressing her serious concerns with how it was that no-one in the school or the central office in the directorate raised alarms and investigated claims about the structure much sooner. It is essential that the conduct and decisions of each and every officer who was part of the directorate's response is examined and the directorate deal with each of those officers accordingly.

But, as we know now, following through on these matters has proven problematic. The delays in the investigations and the impact that has on the directorate's ability to action any recommendations are concerning. I can imagine it would be incredibly frustrating to be in the position of being unable to make public comment while awaiting these sorts of investigations to be finalised. I hope that this most recent example serves as something of a prompt to increase certainty and efficiency in these matters.

I will be supporting Minister Burch's amendment to the motion before us, based on her willingness to provide the Assembly with more information, as she said in her speech today. I will turn to some of the specific matters shortly.

There are certainly details of this matter which have not been published. Mr Doszpot's motion goes to some of these questions. However, as even he notes in

the text of his motion, there is a lot of sensitivity around tabling or revealing some information. The tricky balance here is to find the right level of information to make public whilst at the same time respecting privacy. I heard Mr Doszpot rattle off a series of questions. The issue is whether all of those questions warrant a public discussion or whether it is about getting to the bottom of the systemic issues here that is most important. Personally, I think it is the latter.

This is a small town and while there is no doubt that some are aware of the school in question, we must try as much as possible in our public dissection of the circumstances to protect the identity of the child and their family. I and staff from my office have received briefings on this matter, as I understand Mr Doszpot has, and this issue of privacy is certainly something I have reflected on in the course of those conversations.

Unfortunately, I think that some of the finer points of detailed information requested by Mr Doszpot in this motion would indeed jeopardise that privacy and may also negatively impact on the internal processes of the director-general as she responds to her minister's direction to seriously examine the actions of each and every officer who was part of the directorate's response. That said, I believe that his questions require a response of some kind, and I certainly encourage Minister Burch to be as forthright as she can in seeking to address that. In view of the nature of the amendment and the additional information it contains, I am able to support it.

What has clearly been a key question for everyone is this: what were the antecedents to this structure being built? As the summary of the investigations report states, there appear to have been escalating circumstances prior to the decision being made by the principal. It also states that it seems that officers of the directorate may not have followed up or provided adequate support to manage these escalating circumstances. Yet we also know from the findings of the investigation that it was the sole decision of the principal and it was made with no input, consultation or approval from any of the many support services and specialist teachers or allied health experts available. On that reading and based on the minister's recent speech, it appears that while there had been some contact between the principal and the directorate at some stage, there was no prior engagement on the construction of the cage.

In relation to the quotes requested and received related to the construction of the structure, which the *Canberra Times* reported on today, I am led to understand there has been information provided to Mr Doszpot via freedom of information. The question of a possible criminal charge which Mr Doszpot has raised in his motion is an understandable question and one that I had myself. I thank Ms Burch for clearing up this matter and note that there is apparently advice from the Director of Public Prosecutions that there do not appear to be any possible criminal charges to be laid.

There have also been questions related to any guidelines or protocols for the use of this completely inappropriate structure. I have been advised that, while there may have been such guidelines, they had no standing whatsoever, for you cannot countenance protocols developed in complete disregard for accepted practice or in isolation from the experts. You cannot validate guidelines for the use of something that should never have been built.

Lastly—and on this I am also very clear—there are serious questions about the directorate’s response to the structure. The time line that has been publicly released shows that central office was notified of the structure but that the matter was not escalated for over a week. I am convinced there must be a formal examination of how this was possible in the directorate that has such a strong and positive approach to supporting all students to achieve their best and whose culture should be that everybody matters. Having been recently briefed by the director-general personally on these matters, I am similarly convinced that she takes this responsibility with the seriousness it deserves. The directorate is quite rightly held in high regard and must do all it can to repair whatever was broken in the system.

There has been a failure of decision making that will require time and consistency of approach to remedy. It will also take time for the community at large to make sense of this issue and to in part regain the trust of parents and carers. I think today’s motion, the subsequent amendment and the response of Minister Burch during question time and in her speech today show an acceptance that this is not something that can be pushed away or responded to defensively. The information that is now on the public record should go towards rebuilding the trust that is needed when it comes to the care of our children.

Let me turn specifically to some of the matters in both the original motion and the amendment put forward. I have examined both of them quite carefully and have looked to see that the issues raised by Mr Doszpot are being addressed in a way that provides clarity of public information, which is important here. Mr Doszpot has asked that a chronology of events be provided. It is clear that a chronology of events since the construction of the structure, excluding references to identifying information, has been provided in a publicly available document. It is important to reflect on the fact that, whilst Mr Doszpot is suggesting that there is a shortage of information, a summary of the investigation outcomes, reference to the scope of the investigation and a chronology of events have been publicly provided. That goes a long way to providing the information that is warranted.

We have to ask: what is the desired outcome here? Is it to drag every sordid detail into the public domain or is it to reassure ourselves that a thorough investigation has been conducted—

Mr Doszpot: Is publishing the terms of reference sordid detail?

MADAM DEPUTY SPEAKER: Mr Doszpot!

MR RATTENBURY: Mr Doszpot’s rudeness in this chamber escalates by the day. Mr Doszpot was heard in silence. Every other person that has spoken in this place, except for Mr Coe, has been interjected on by Mr Doszpot. His rudeness in this place never ceases to amaze me.

Returning to the matters at hand, the question is: what are we trying to achieve here? It is important that we get to the bottom of how this happened and what steps are being taken to ensure that it does not happen in the future.

Mr Doszpot has asked—and he has repeated it again today in his motion—for details about those who conducted the investigation. The minister has made it clear in point (d) of her amendment that the inquiry was conducted by investigators from Shared Services employee relations. The information is there. I am not sure what other information is needed in that space. Do we need to identify the individual officials involved? Again, I am not sure what that adds to the discussion. The minister has answered that in question time today when asked who undertook the investigation. She has been very clear that it is somebody that is not connected to the directorate.

Point (f) is quite important. I think that this goes to some of the key questions. The director-general is examining the role of each member of the directorate staff in this process. Those members of staff who had information or had some level of report provided to them clearly did not act as they should have. They did not treat the information provided to them with the seriousness that this place and members of the community would have anticipated.

That is a matter for the director-general to resolve. Directors-general are required to supervise their staff and to undertake disciplinary procedures as required in accordance with the enterprise agreements that govern the public service. Again, I would welcome clarity from Mr Doszpot on what he wants out of that process. I guess we have to work out what the standard is. Is this Assembly going to second-guess directors-general in these matters? Are we going to intervene in disciplinary processes in public service departments?

The system is not set up to operate in that way. If we think that that is not right then we need to change the governing legislation around these matters. I accept that the director-general is conducting that investigation and will take the necessary steps, and that is also for the minister to follow through on and ensure that she is satisfied that the director-general is delivering on that.

Finally, the Shaddock review that has been set up, conducted by Professor Shaddock, goes to what are, to me, very important questions. He is looking at the broader systemic issues to question whether the ACT has the right structures in place to support both the students and the educational staff who are dealing with students with learning difficulties, special needs, challenging behaviours and the like.

This is going to be a very important report. I welcome the fact that it will be provided to the Standing Committee on Education, Training and Youth Affairs. It will enable the Assembly to dissect the very important policy matters that warrant further discussion on this case.

For those reasons I will be supporting the amendment put forward by Minister Burch today. I know that this place will continue to monitor, particularly, the outcomes of this review being conducted by Professor Shaddock. To my mind, between that and the work done by the director-general to pursue an investigation within her directorate to ensure that staff are appropriately dealt with off the back of this matter, these are the questions that need to be followed through and resolved.

MR SMYTH (Brindabella) (5.52): The questions Mr Rattenbury posed are good questions, but we will never know the answers. We will never know whether they were answered, and we will never know whether the right conclusions were come to because this is all being conducted behind a veil of secrecy. The reason apparently for the secrecy is to protect the wellbeing of the child and the family, and I think we all agree on that.

The fact that over the last five months the name of the school and the family of the child has not been made public shows that everyone understands how important it is that we get this right. But we will never know. We will never know because the minister will not tell us. We will never know because the government will not tell us, and we will never know because Mr Rattenbury—who seems to have walked away from the principles the Greens apparently used to hold so dearly of transparency and good governance—will not let anyone know.

The minister can assert all is well, it has all been fixed, and this rogue principal apparently stalked the corridors of a school somewhere in Canberra and did all these things on their own. But, again, we will never know. This is the place of accountability where ministers explain the actions of their directorates. And this minister simply refuses to do so.

This is the minister who was disingenuous right from the start. When you see the picture of the construction, it is a cage—four walls and a roof with a lock on it. It is a cage. An “inappropriate structure”! This is why you cannot believe anything this minister says. The minister—with the cage, who retweeted a message, who said there were no problems with the culture at the CIT, the pokies debacle in January, the teacher EBA negotiations, difficulties in the Ambulance Service, difficulties in the Fire and Rescue Service, Nazi strippers at a family event, and the dreadful arts framework! If you judge people on the facts in the arena, then the minister cannot be trusted with this portfolio and we cannot trust the answers she provides because, in the main, they are not answers.

Right from the start, it was disingenuous. A cage is a cage. Indeed, the minister said, “I took immediate action.” She was told on 27 March and we were told the rest of the community was told on 1 April. So what immediate action did she take four or five days later? In the absence of the report, in the absence of the terms of reference, in the absence of the document, it is hard to judge whether justice has been done to the poor principal—the lone figure of the principal who is responsible for all of this—and whether the right answer has been given. We cannot know. The disrespect of the parliament, and the disrespect through the parliament of the people of the ACT, on this issue is shocking.

The government went to great lengths to get an independent reviewer for capital metro. They went to South Australia and got Mr Derek Scrafton. Why is it on a financial and capital works issue you can have an independent reviewer, you know his name and you can see the reports but on an issue of social welfare and education there is an entirely different policy? “We’ll deal with this. Trust us.” If the minister was even half competent you might trust her on it. But the litany of events that have been left in the wake of this minister’s progress through her portfolio does not leave anyone with the belief she is conducting this affair properly.

We get the standard sort of government response—hold an inquiry, hold a review, announce a panel, appoint a director, walk on and forget. “Oh, and by the way, we’ll make public the report on what we’ve done afterwards, but we won’t make public the report that told us what happened.” We saw the same with the ambulance review and some of the reviews of the ESA—significant reports about a toxic culture that the minister simply refused to make public and then said, “Trust me. I’ve got a strategic framework in place. I’ll fix it.” But unless you know what you are fixing, you can have absolutely no faith in what is going on.

We heard yesterday from the minister’s answer that the principal’s intention was good in what she was trying to do. If this is a process where the intent was good but the outcome was flawed, what went wrong? We do not know, because the minister will not tell us. When you get down to the sanitised version of events in the four-page document, it is an insult to the people of the ACT and to all the teachers because it leaves lingering doubt everywhere.

This notion that the rogue principal, the lone principal, acted on their own is just not credible. Does the principal have the credit card? Can the principal spend school money on the credit card without any policies around it? Perhaps you could table the policy for the use of government credit cards by principals, minister, so that we could find out whether that was adhered to. The vice principal did not know that \$5,000 was being spent. The teacher of the child did not know. I assume the school has a facilities manager, like most schools do. They did not know. The finance officer, who would normally approve such a thing, did not know. Nobody knew.

10 March was a Tuesday. Nobody saw this coming into the classroom. Nobody saw it magically appear and nobody asked a single question. The principal did it. The principal did it all. It does not match any standard and it beggars belief that we are expected to swallow this, gov.

Mr Doszpot has followed this very closely. He is concerned with these issues, and he has a great and deep understanding of these issues. He is to be complimented on that. He says there are dates missing in the time line. How can you trust the time line when key dates do not even appear? We are being given a sanitised story with the constant assertion that it was just the principal. This is about protecting the reputation and the career of the minister.

What do we know? We do not know what was investigated because we are not allowed to see the terms of reference. Take the names out of the terms of reference. Why can you not release that document? It beggars belief.

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

MR SMYTH: Who conducted the investigation? What harm is there in knowing the qualifications and skills of the individual who conducted the investigation? It is not the Spanish Inquisition. It is not somebody dragged off to a star chamber, surely?

Surely we could know that person. And why did the delegate have to ask twice for further information? What was asked? What harm is there in asking what the delegate who was reviewing the answers was asking? He obviously had concerns. Why are we not allowed to know what those concerns are? Why does that take away from your process?

What is in the legal advice? Could we see the legal advice, please? You have some legal advice; you have based your course of action on that legal advice, and I do not think it is unreasonable in this case to see it. No further action is being taken apparently, so what is the harm in releasing the legal advice? Again, the missing dates in the time line, why are dates missing? If you cannot get the chronology right, how can we have any faith that you have investigated all the issues?

These two questions came out of Mr Rattenbury's speech. How will we know when it is fixed if it has all been done in secrecy? How will we know you have addressed the problems when we are not allowed to know what the problems were? Indeed, Mr Rattenbury said we have to repair the trust with the community. How will we know if we have fixed the trust if everything is kept secret, particularly from that school community and the people who are here to hold the government to account and the community? How will we know? We will not know, and that is why they do not want this information out.

It is important. We heard the minister's tough words, "I will not tolerate any more events inside the directorate." Perhaps the Assembly should not tolerate any more events from the minister. The problem is there is no evidence either way as to what really happened and there is no evidence that we have the fix we deserve.

The words are pat, they are carefully constructed, they are void of detail. When you see a report like this, you really have to question what is going on in the minister's office and in the minister's head that she thinks that this is acceptable. This is not accountability. Perhaps it is a good thing Katy Gallagher has gone—the new era of openness and accountability. It would appear that era of openness and accountability left with Katy Gallagher.

It is interesting that the Chief Minister has not been here to support his minister. He has been absent in all of this, and the Chief Minister certainly needs to say whether the minister has his confidence. From this report no-one can have confidence that the minister has addressed the issue because we are not aware of what the issues are. *(Time expired.)*

MR DOSZPOT (Molonglo) (6.03): Ms Burch, through her amendment, has exhibited the usual tendencies—that is, play the sympathy card. We hear constant moaning about how hard this issue has been for the minister. What about the school, minister? What about the children at the school whom the minister chose to ignore and leave in the dark for months? What about parents with special needs children in other schools who are wondering what is going on? The lack of information coming out has upset the whole community, not just the community at the centre of these issues and has been for the last six months.

The minister says the principal has accepted the blame, but do we really expect the principal to say anything else? The principal, presumably, wants to remain employed. He or she would want to be a continuing employee of the ETD. Had he or she not accepted the blame, I wonder what their employment status would be today. The principal's admission or acceptance of guilt does not of itself prove no-one else is to blame, and it does not exempt the failing of those in the directorate who thus far have been excluded from any commentary and any identification, unlike the principal.

The questions just keep coming. Every time Ms Burch touches on this topic other questions crop up. Why have the statements of the people who apparently the education directorate will now be examining not been properly examined in the inquiry until this point? To further demonstrate how badly this has been dragged out, the minister has come in today with more versions and more layering of information. I do not think the minister addressed any points of my motion; I do not think she can even pretend that she has.

As for Mr Rattenbury—who seems to have disappeared—how many times have we been witness to Mr Rattenbury's hand wringing and prevarication and feigned outrage over various instances of areas where he does not quite agree with the government or the government's shortcomings, but then in every instance he still says, "Well, I understand your issues, Mr Doszpot." Mr Rattenbury will have to understand why my patience is wearing very thin with him. I have heard this so many times where he is so close to agreeing with me—so close—but then he just cannot bring himself to it. Mr Rattenbury, all I can say is: when are you going to show some courage, some independence, some backbone and actually stick to what you promised this Assembly years ago—that you would become the third-party insurance?

Mr Rattenbury, you are part of this government and I think this has sunk to a new low where the Greens-Labor agreement now takes precedence over anything that happens in this Assembly, including a possible human rights abuse. It goes to the heart of Mr Rattenbury's conviction and his lack of ability to finally make a stance on one issue over the last 3½, four years that we are nearing. He has never, ever crossed the line in agreeing with any of the issues, and we have bought up some very serious issues, including this one. But he still sticks to the party line instead of looking to what this community needs him to take on board.

According to Ms Burch, we are asked to believe that it was the principal that not only decided to build the cage but arranged the invoice, the payment, arranged access to the school for the builder, took the photo of the cage when the child was inside and posted the picture on the classroom wall, all the time never once raising the issue with anyone in the directorate, not with anyone—not the specialist staff that reasonably would have visited the school at some time during this period when all this was happening. A very interesting and extraordinary set of circumstances!

The amendment Ms Burch has put before us does not address any of the issues of my motion. Mr Rattenbury said he has had the opportunity to at length examine both our motion and Ms Burch's amendment. I received Ms Burch's amendment about half an hour ago while I was listening to her talk, and it is a little difficult to try and assess her

amendment while I am also trying to assess how she is trying to respond to my motion. I have to be clear about the fact that it is only in periodic snatches from listening to what is going on around me that I have been able to look at what Ms Burch has brought in as an amendment. It falls far short of anything in the least acceptable amendment that I would consider.

Ultimately she calls on the government to provide the Assembly with a copy of the government's response to the expert panel review as soon as practicable after the conclusion of the expert panel review. Again, she does not seem to hear what this motion is about. She has just gone off on a tangent. Obviously we cannot agree to the amendment Ms Burch has brought into the Assembly.

To remind all of us what the issue is at hand: we are simply asking for the terms of reference for the original inquiry to be made public. I cannot see what part of any ACT government act would preclude the publication of the terms of reference. If there are any issues that could affect the personal privacy of individuals, certainly redaction can be done. But there is no compromise on this—no terms of reference have been presented. The details of who conducted the inquiry, the minister refused to state that.

The full report of the inquiry, again, making sure any reference to names that would jeopardise the school or the family could be redacted. We are not asking for names to be made public, but the full report of the inquiry should be made public so that the community and the Assembly can make up our minds as to what the investigation has uncovered or not uncovered until now.

In closing, I thank Mr Coe and Mr Smyth for their contributions to this afternoon's debate as well as those on the other side, as predictable as they have been. We started with an appalling issue about a child locked in a cage. We heard the minister was outraged and determined to get to the bottom of it. I genuinely believe she was horrified and had every intention of sorting this out quickly. But obviously when the truth started to come out the matter was not a simple affair, and it then became a difficult management issue of how to minimise damage and avoid a massive legal fallout. All we have seen since April is a series of poorly managed, poorly manipulated information shutdowns culminating in a very much less than satisfactory report. The community remains outraged. The wider population says something is not right.

It is inconceivable that the principal, an experienced and thorough professional by the minister's own description, would act for so long without talking to anyone. It is simply not believable—and no-one is accepting that it is—nor is how and why this was not more widely discussed with or without the principal's involvement.

The silver lining in all this is that at last the directorate recognises the way students with complex needs and challenging behaviours are educated in the ACT is not good enough. It is not; it is failing them and their families. It is not fair on those children and not fair on mainstream children. It is also not fair on the very professional teaching staff who are faced each day with trying to provide the best educational opportunities for all their students but are finding increasing pressure in their ability to do so. Things need to change, and I am confident the Shaddock review—I

congratulate the minister for commissioning that—will provide clear pathways to a better future for all students. Until all the matters outlined in this motion are addressed, the issue will not go away. For the sake of all ACT students and the credibility of the directorate, I urge the minister to release the information that is preventing this issue being laid to rest. (*Time expired.*)

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Ms Berry	Ms Fitzharris	Mr Coe	Mrs Jones
Dr Bourke	Mr Gentleman	Mr Doszpot	Mr Smyth
Ms Burch	Ms Porter	Mrs Dunne	Mr Wall
Mr Corbell	Mr Rattenbury	Mr Hanson	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Adjournment

Motion by **Ms Burch** proposed:

That the Assembly do now adjourn.

Melba Copland Secondary School

DR BOURKE (Ginninderra) (6.17): I pay tribute to the students and staff of Melba Copland Secondary School. It is one of the five public high schools in my electorate, Belconnen, and will be celebrating its 40th anniversary at the start of school next year. In recent years I have enjoyed regular visits to the school and I particularly thank the great bunch of students at Melba Copland who welcomed me to their Indigenous studies class in July. After the acknowledgement of country by one of the Aboriginal students the class discussed local Ngunnawal society. We explored the NAIDOC Week theme: we all stand on sacred ground: learn, respect and celebrate. I spoke of the importance to reconciliation of the acknowledgement and the recognition of traditional ownership and a shared understanding of our history.

I also visited Melba Copland with Andrew Barr recently to launch a new mobile app and thank the students for their contribution to the project with Access Canberra. Melba Copland students have been working with Access Canberra on the development, or road testing, of a mobile friendly app for students learning the road rules before they go for their learners permit. Our road ready centre found that their online road ready learner licence knowledge trainer, designed to help young drivers practise the licence tests, was mainly being accessed by students on their mobile phone; yet it was designed with a desktop computer in mind. Now, thanks to the

Melba Copland secondary students' input, we have a mobile app better designed to meet the needs of aspiring drivers. As a result students across Canberra will be better prepared with knowledge of the road rules before they get their L plates. Again, the Melba Copland students made the Chief Minister and me most welcome on our visit.

I remember visiting the Melba Copland school in 2012 in the midst of extensive renovations to bring the ageing school up to modern standards and I particularly admired how well the principal steered the staff and students through that difficult phase with half the school a building site and many students relocated to the separate Melba Copland College campus up the road. The whole process was successfully managed and today the school campus is modernised, roomy and bright. Likewise, the students are a bright lot with a great spirit and lots of enthusiasm.

NECA awards

MR COE (Ginninderra) (6.19): I rise this evening to speak about the 2015 NECA ACT excellence awards. The NECA excellence awards are the ultimate recognition of outstanding contribution and the most prestigious awards in the electro technology sector. I note that Mr Gentleman, Mr Smyth and Mr Doszpot were also at the awards. The awards provide contractors with the opportunity to demonstrate their top projects to peers, clients, industry and the community. The awards are divided into categories to suit all types and sizes of projects. The association aims to promote members' interests through advocacy, training, insurance and legal assistance.

The executive committee members are the president, Barry Skinner; the vice-president, Peter Hart; the Treasurer, Stephen Buckley; committee members, Robert Donnelly and Grant Bawden; and the secretary and executive director, Oliver Judd.

The 2015 awards ceremony was held at the Hotel Realm on 14 August and was attended by 300 industry members and other guests. The judging panel for the 2015 awards was Darrell Hills, Ray Reavley and Paul McKenzie.

I place on the record my congratulations to the winners of the 2015 awards: domestic residence, Enecorp for Maxwell Street; small contracting business, Casper Electronics; energy efficiency and environment, Lorking Electrical for Wetspot Water Sports LED lighting upgrade; lighting, Stowe Australia for the Australian War Memorial external lighting upgrade; industrial small project, Shepherd Electrical for the Canberra Deep Space Communication Complex 22KV switchgear works; voice/data, RCR O'Donnell Griffin for DHS connectivity project6 CDC Fyshwick; small project, RCR O'Donnell Griffin for Canberra College Cares; commercial medium project, Martin Donnelly for Canberra Data Centre; and the commercial large project, Star Group for the Australian Defence Force Academy redevelopment.

I also congratulate those people who received commendations, including: commercial small project, Shepherd Electrical for Autohaus Mercedes Benz showroom, and Stowe Australia for Optus home exchange distribution boards install; commercial medium project, Rutledge AV for First World War galleries redevelopment; and the commercial large project, RCR O'Donnell Griffin for the DHS connectivity project CDC Fyshwick.

The 2015 apprentice awards were also presented, and I congratulate all the winners: commercial/domestic apprentice of the year, Cameron Kerr, with runners-up, Toby Rees and Domenic Celi; and the industrial apprentice of the year, Matthew Paul, with runners-up, Jake Margules and Andrew Turner.

I also acknowledge the sponsors, including: Clipsal, Schneider Electric, Lawrence and Hanson, Auslec, TLE, Haymans, NECA Group Training, NHP, SimPro group, Ness Super, Milwaukee Tolls, HPM, Rexel, John R Turk, Lear & Smith, Ideal Electrical, Atom Express, EcoSmart Electricians, InterRisk, NECA Legal, and Electra Cables.

Again, I congratulate all those involved with the 2015 NECA ACT excellence awards. For more information about the work of NECA, I recommend members visit their website at www.neca.asn.au/act.

Work experience—Amaris Bailey

MS FITZHARRIS (Molonglo) (6.22): It gives me great pleasure to rise this afternoon to speak about Amaris Bailey, a wonderful young woman who has been doing work experience in my office for the last five weeks. Thank you to you, Madam Speaker, for acknowledging Amaris in the chamber this afternoon. Amaris is in year 12 at Gungahlin College, and I know she is looking forward to doing office work once she leaves school next year, like many 18-year-old year 12 students thinking about what lies ahead for them next year.

One of the subjects Amaris has been studying is business administration. So it was great to be able to offer her an opportunity to spend a day a week in my office for five weeks to help us out and to give her some practical experience. Amaris has been able to familiarise herself with what it is like to work in an office environment and spend time in the library with the wonderful staff there. She sat in on some of our committee hearings and our Assembly proceedings today. I hope many of you got to say hello to her. I also acknowledge Mr Smyth, who acknowledged her in one of our recent committee public hearings.

Although Amaris was not here for the political side of things, she certainly got a sense of how the parliament runs and also some of the political side of our work. She has enjoyed her time in the office with me and my staff and has been a huge help, especially when it comes to filing, shredding and getting the stationery order right. It has been great getting to know Amaris, and I hope she has had a good time getting to know us too. She certainly had some tough questions for me when we did a question and answer session a couple of weeks ago—good enough to rival any journalist.

I was also honoured to be invited to her very special and, at her request, sparkly 18th birthday party on 5 September, where Amaris gave two very impressive speeches. She has a wonderful family, and I pay tribute to Joe and Charmine for their wonderful daughter and their ongoing contribution to the Canberra community. I was pleased that night to let them know how much Amaris enjoyed her time at the Assembly.

Amaris has been supported during her time doing work experience here by House with No Steps. I thank Sheryl and Michael, Amaris's support workers, for their help

as well. I understand House with No Steps supports Amaris as part of her NDIS package and ensures she is supported to take part in work experience programs during her final year at school.

During the ACT government's recent Twitter cabinet, a question was put to the cabinet from Craig Wallace at People with Disability suggesting that having people with disability as interns in the ACT Assembly offices would be a great way to show leadership. I was thrilled to be able to reply that we were already doing it. Many members, I understand, have and, yes, it is a great idea. For those that have not already considered it, I encourage them to do so.

Last week I represented Minister Burch at the launch of phase 2 of involve, another terrific disability initiative. I thank Neal from the education office for his assistance arranging Amaris's work experience program and thank my staff for their support and engagement of Amaris during her time here.

Finally, I say a big thank you to Amaris for stepping up and taking on some of the challenges inherent to an MLA's office for the last five weeks. You have been a valuable member of my team, and your optimism and energy has been greatly appreciated. I know you have a bright future ahead of you.

Hearing Awareness Week

MS LAWDER (Brindabella) (6.26): I was very pleased to attend a Hearing Awareness Week expo on Wednesday, 26 August 2015 held at the Hellenic Club in Woden. Hearing Awareness Week is a national week that is held annually in the last week of August. It is coordinated by the Deafness Forum of Australia. It is aimed at people who have a hearing impairment, who are deaf, who have a chronic disease of the ear. It provides an opportunity to raise community awareness of hearing loss, ways to protect your hearing and, if you do have hearing loss, what may be in place to assist you.

Each year for as long as I can remember the ACT Deafness Resource Centre has held an expo during Hearing Awareness Week. It has helped to draw attention to the evolving and growing range of services and products available to help people with a hearing impairment. I express my appreciation to Pete Halsey, who is the CEO of the ACT Deafness Resource Centre, for inviting me. I also acknowledge the board members of the ACT Deafness Resource Centre, who include the president, Cheryl Fuller; vice-president, Di Loble; secretary, Sarah Light; treasurer, Vern Meijers; and the public officer, Rob Davis. I also acknowledge Mark Parkinson from the ACT Deafness Resource Centre who has been a friend of mine for many years and is a tireless worker for people who are deaf or have a hearing impairment.

Expos such as this are not possible without sponsorship and support from local and national organisations, most of whom are working in the hearing awareness and hearing impairment space themselves. They include Cochlear Ltd, the ACT NDIS task force, Attune Hearing, Blamey Saunders Hears, Canberra Audiology, MED-EL, the SCIC cochlear implant program, which is a service of the RIDBC—the Royal Institute for Deaf and Blind Children—the Shepherd Centre, Dr William Vass

Hearing Clinic and Phil Greenwood of the John James Foundation. I also acknowledge Australian Hearing, who provided free hearing screening tests at the expo, the people who provided captioning on the day for the speeches, and also the Auslan sign language interpreters.

There were a range of stallholders and exhibitors at the event, as well as a range of interesting speakers. The stallholders and exhibitors included the ACT Deafness Resource Centre, Arthritis ACT, Better Hearing Australia Canberra, Brindabella Hearing and Speech Centre, Canberra Audiology—Deakin, Canberra Blind Society, Canberra Deaf Club, Deaf Advocacy Sports Recreation ACT, DeafACT— Canberra Tinnitus Self Help Group, CICADA ACT Inc., which is a cochlear implant support group, ClubsACT, Helen King Hearing Solutions, Epilepsy ACT, National Relay Service, SCIC and RIDBC Canberra, the Shepherd Centre Canberra, Sexual Health and Family Planning ACT, and Dr Bill Vass Hearing Clinic.

You can see a broad range of service providers and community organisations who participated in that expo. Once again, thanks to the Hellenic Club, who have supported this expo for many years. I also commend the Deafness Forum of Australia who continue to coordinate Hearing Awareness Week nationally.

The Deafness Resource Centre in the ACT do a great job serving people with hearing impairment, deafness or a chronic disorder of the ear in the ACT and the surrounding area and help them, if they so wish, to mitigate the effects of their hearing loss. Well done to them for yet another successful expo. You can find out more about the ACT Deafness Resource Centre at www.actdrc.org.au. Well done to them for taking the lead locally to make people aware of the need to care for their hearing—because once you damage it, it will never come back—and then, if you do have a hearing loss, what is available to assist you. Thank you ACT Deafness Resource Centre for your ongoing work in this area.

Question resolved in the affirmative.

The Assembly adjourned at 6.31 pm.