



Debates

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Wednesday, 23 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.

Cotter Road—duplication

MRS JONES (Molonglo) (10.01): I move:

That this Assembly calls on the ACT Government to support the duplication of Cotter Road from McCulloch Street to Tuggeranong Parkway.

I am pleased to move the motion calling on this government to support the duplication of Cotter Road from McCulloch Street to the Tuggeranong Parkway. In 2004 the Molonglo Valley was originally identified for future urban development in the Canberra spatial plan. The Molonglo Valley has been planned in three stages, the first being Coombs and Wright, which has a huge number of houses and units already established and being occupied. The second stage is Denman Prospect and Molonglo, where the blocks are due to be auctioned shortly and development is expected to be underway soon. The final stage of this development is the Molonglo River.

Once all three stages are complete and at capacity over the next 30 years, the Molonglo Valley area is expected to accommodate a huge additional 55,000 residents. The government is very happy to go ahead with developing new suburbs and selling off blocks of land to people hoping to build their dream homes. However, there seems to have been no proper concern given to how long people have to sit in traffic on roads that are not adequate. The Cotter Road is no different.

The government has encouraged an enormous number of homes to be built but has inadequately planned for the roads. We have seen this in Gungahlin, with Horse Park Drive and Gundaroo Drive both being left for a decade. At the last election I was standing at the Gungahlin crossing with Ms Fitzharris and we were both campaigning for the expansion of Horse Park Drive. We had a substantive promise to do it and she was able to say to people that the government would do it. It is interesting that we are sitting at the end of another term of government and it has not yet been done. There is almost the same problem with Gundaroo Drive. My understanding is that Ms Fitzharris has been running a petition in the electorate asking for Gundaroo Drive to be duplicated, yet she is a member of the government that has sat by idly while that road is now overfilled for more than half of the day.

There is a similar problem on Cotter Road, where every day on the way to work people from the Weston Creek and Molonglo areas have only two choices of how to get towards the city: one is Cotter Road and the other is the parkway and through the Glenloch interchange. In both instances gridlock is experienced along the way. City councils around the country are managing their road congestion better.

Major arterial roads—the only roads people can use to get in and out of their areas—are not large enough to carry the growing amount of traffic. This government is happy to continue to collect and increase rates for home owners but is not concerned with how those home owners get in and out of their suburbs and how gridlocked some of these roads are becoming. The plan for the tram will not fix any of it.

The Canberra Liberals are committed to the upgrade of Cotter Road. It is part of our comprehensive transport plan. We will complete the duplication for the 1.7-kilometre stretch between McCulloch Street and the Tuggeranong Parkway, at an estimated cost of \$25 million. It is well known that during peak hours the road becomes bottlenecked and the problem lies between these two streets—McCulloch Street and the parkway. There are only two ways to get from Civic, as I mentioned, from Molonglo Valley and Weston Creek—unless you go across Cotter Road—that is, through this passageway or up the parkway.

This section of road provides vital linking services for travellers to the city, to the inner south, to Woden, to Weston Creek and to the developing Molonglo Valley. It has been scheduled for full duplication for some time now but has never been funded. We want to get this done as soon as possible. With the continuing development in Molonglo Valley and the increased population in this area, it is clear that the bottleneck on this road will only get worse.

As a Weston Creek resident I fully understand the difficulty the Cotter Road creates for commuters on a daily basis. The difficult question people have to ask themselves as they sit at the lights of the parkway is: “Will I go for that gridlock or that gridlock?” The merging is very difficult, somewhat dangerous at times, as three lanes of traffic become one with the entry from the parkway as well as the two lanes that are coming across from Weston and Molonglo.

A full duplication is absolutely necessary and will make life a lot easier for Weston Creek and Woden residents. The Canberra Liberals will engage extensively with the local community to make sure the vital infrastructure is built in line with community expectations. The duplication of Cotter Road is another initiative of the Canberra Liberals to help improve transport experiences for all Canberrans, not just the three per cent of Canberrans who live within walking distance of the proposed light rail.

I hope the government will support the motion. The government has a history, as many governments do, of suggesting that things will be done, but they never seem to come to fruition or they never seem to be funded. They use every election opportunity to promise the same things over and over again. The swimming pool for Gungahlin took a long, long time. I do not believe the cinema is built yet. The secure mental health unit was promised in 2008 and still not a sod has been turned. Horse Park Drive was mooted and spoken about and promised to voters at the Gungahlin crossing, but there was never any real intention of doing that this year that I can see.

Gundaroo Drive is dangerous. I find it amazing that a new member of this place, Ms Fitzharris, is running a petition online to duplicate something which she should

have been able to use her influence inside her party to have got a commitment for or for a sod to be turned before the next election.

If the government is supportive, I welcome that. I encourage the government to consider this as part of their serious commitments for the next election rather than just empty promises and to put it in the budget. Show me the money. I hope to see a Canberra Liberals government after the next election, but, ideally, for the people of the ACT I would like to see all parties agreeing that this bottleneck is a problem and something that should have been resolved already.

I conclude by saying that this duplication will make a huge difference to the lives of mums and dads and householders in the ACT, particularly in the Molonglo Valley and the Woden areas. This will speed up people's ability to get where they need to go. The commitment from this side of the chamber is to resolve these problems and not just push people onto public transport. I am glad to see that since 2010 the government has had an eye on this piece of road, but I am disappointed the duplication has never been funded. I hope that the government will support our motion.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (10.09): I am pleased to have the opportunity to speak about the possibility of duplicating Cotter Road—the second part of Cotter Road—and, at the same time, to make some comments on the general approach that is taken to road upgrades by this Assembly. Let me say from the outset that I do not intend to support a motion that simply says “duplicate a road” without presenting any further evidence, especially when I know that there is a much more sophisticated debate to be had about transport planning in this city. Instead, I will present an amendment to reflect that position. I now circulate that amendment and move:

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

“(1) notes that the ACT Government:

- (a) is committed to meeting sustainable transport mode shift targets through its *Transport for Canberra* plan;
- (b) is investing in public transport and active transport options for Molonglo residents, which may mitigate the need for road upgrades in coming years;
- (c) has introduced bus services to the first Molonglo suburbs which have received good patronage and growth; and
- (d) has already undertaken feasibility and design studies for Cotter Road stage 2; and

(2) calls on the ACT Government to analyse the case for duplicating Cotter Road in the context of:

- (a) the commitment to meeting the sustainable transport mode shift targets in the Government's *Transport for Canberra* plan;

- (b) the cost of the duplication, compared with other budget priorities and community needs;
- (c) technical traffic assessments, which suggest duplication does not need to be considered for several years; and
- (d) alternative transport options, such as improvements to the public transport network, and how this may mitigate the need for road upgrades.”.

As we know, road upgrades are generally popular in the community. A large proportion of Canberrans do most of their travelling by car and no-one likes to be delayed in traffic. Who would complain about a road upgrade in that context? Given this, as the election approaches I expect to see both the Labor and Liberal parties battle to outdo each other with promises of road upgrades. We have seen the same thing in previous elections. The costs of these promises are likely to swell, and whoever promises to spend the most on roads will probably consider themselves the winner of the political battle. The next Assembly’s capital spending agenda will be largely set by these road upgrade promises.

But as decision-makers making decisions for the long-term future of Canberra, is this the right way to conduct transport planning? It is not easy for a city to break out of car dependency. When a city already largely relies on car travel, there is a constant pressure to upgrade and build more roads. But doing this, of course, means car traffic increases. The city continues to be planned around cars and the government spends its major infrastructure money on infrastructure for cars. And so the circle of car dependency continues.

What is actually needed is careful decision-making, guided by a strong and consistent commitment to sustainability. I understand that it is quite a challenge to resist upgrading roads, because a large amount of pressure comes from the driving public. And of course, politically, just giving the type of speech I am giving today is likely to get me branded as a car hater—it has certainly happened in this place before—the convenient insult that the Liberal Party flings if anyone ever suggests taking a more thoughtful approach to transport planning. There is no nuance allowed, apparently. Either you get on board with any suggestion for building roads or you apparently hate cars and roads.

I will be clear, as I have been before, that the approach I am suggesting does not mean that we cannot build roads or car parks or accommodate drivers. Private vehicles will probably always be part of our transport system here in the ACT. What this approach does mean is that we should show some level of resistance to upgrading roads or building new roads. Certainly we should not just charge out and try to build every new road that someone asks for, with a special enthusiasm if it happens to be in our electorate.

We should instead look very carefully at how building the proposed road might impact on future travel patterns of the city, on the way our city grows and develops and what the road would mean for our commitment to transforming into a sustainable city that is trying to break free of car dependency. We should not just pour our limited ACT budget funds into upgrading roads if they do not need upgrading.

Some might argue that upgrading roads earlier than needed is simply futureproofing. What it actually does, though, is ensure that we will have a future dominated by car travel. We know that entrenches all kinds of problems and challenges, from economic to environmental. Instead of upgrading when it is not needed, those funds can be invested elsewhere, such as in sustainable transport infrastructure—infrastructure that would then actually mitigate the need to pay for future road upgrades.

Northbourne Avenue and light rail provide a good example of this. We could undertake difficult and costly roadworks on Northbourne now. We could try and add additional capacity for cars. What would happen then is that the fast-growing population of Canberra's north would continue to use the road by travelling in their cars. The road would fill up with congestion again and we would be faced with an intractable problem. Instead, we are taking the smart solution. We are taking action now by investing in light rail, a long-term and sustainable transport solution that also brings our city a myriad of other benefits.

The government professes a commitment to building a sustainable city based on sustainable transport principles. It produced the transport for Canberra plan, which included ambitious mode shift targets, with a promise to move Canberrans out of cars and onto sustainable transport. It produced a long-term public transport network map, locking in the key public transport corridors. These policies are to be commended, and they do look good on paper. But these promises require concerted efforts over a long period of time to actually fulfil.

In terms of becoming a city of true sustainable transport, Canberra is really only a fledgling. Light rail is the first major step to turning around our historical patterns of transport and development. There is substantial work still to be done and many difficult decisions to be made. We need to prioritise where to put our limited transport funding. And on that issue of transport funding, we should not forget that this government already invests very heavily in roads. It is not as though roads are neglected; we have the best road infrastructure in the country. It is not just me saying that; it is assessed as the best by the Engineers Australia infrastructure report, for example.

In the last 10 years the government has invested over \$1 billion in roads. The 2014-15 budget alone contained over \$500 million of roadworks in progress. The disproportionate focus on roads compared to sustainable transport has been stark. Yet the government commits to a major public transport project, for practically the first time in its history, and the opposition has decided that it is more or less the end of the world.

With these principles in mind—that we are committed to a sustainable city, dominated by sustainable transport, and that we have to spread limited transport funds appropriately—let us look at the Cotter Road duplication project in a little more detail. Let us think carefully about what the duplication of Cotter Road would mean for transport in this city. Is it our expectation that Molonglo is going to develop around the car and that we want everyone leaving that district to travel by car? I do not think we should commit to that.

I think we should conduct proper transport modelling that anticipates a decent level of transport mode shift in Molonglo and elsewhere. Interestingly, this can be done by the government because it uses a strategic planning model as the basis for its road planning. Currently it does not anticipate a high level of transport mode shift—not even a shift in line with the transport for Canberra targets. You can see then how road building and low mode shift can become a self-fulfilling prophecy.

At the same time, there is already some investment occurring to support the mode shift. The Greens-Labor parliamentary agreement contains an item to progress the Molonglo cycle highway. This will be a direct high-quality and prioritised cycling route from the Molonglo town centre to the city. The idea is that the cycle highway is in place as the Molonglo suburbs develop so that people can choose a different way to travel and may have the opportunity to own fewer cars.

Similarly, Molonglo is the first area where ACTION introduced bus services right at the beginning of a suburb evolving. Routes 83 and 783 have actually grown very quickly in popularity. Had there not been an error with the proposed new network, there would have been additional services added to accommodate the growth in patronage. We will clearly need to add those as soon as possible given the growth we have seen in uptake of use of ACTION services out of the Molonglo area.

Again, if the government directs funding appropriately into these public transport services, there is an excellent opportunity to increase public transport passengers and offset the use of cars. For many people, that is all they need—a good, consistent bus service—and they can avoid buying or using their car. If we do not provide the alternatives, clearly people are not in a position to take them up.

In any case, let me inform the Assembly of traffic modelling that has already been conducted on the stage 2 duplication of Cotter Road. Road authorities often use traffic counts to give them an idea of when they should consider duplication. The usual threshold for consideration is 18,000 vehicles a day. When I was roads minister last year, traffic counts on Cotter Road in the section between McCulloch Street and the Tuggeranong Parkway were about 12,000 vehicles a day. That means it was about two-thirds of the way to the threshold where duplication is considered.

The advice from Roads ACT was that the technical case for progressing construction of stage 2 of Cotter Road was still several years away. This 18,000-vehicle threshold is only a suggested trigger for consideration, by the way, not a requirement for upgrade, and there are numerous other factors to consider.

I would re-examine this whole motion through this framework. Why would we jump ahead to upgrade Cotter Road as soon as possible when we know that it is a fairly expensive project and we have other options for using that money this year, when there is not yet a technical case for upgrading it, when we are committed to achieving sustainable mode shift—including by investing in sustainable transport for Molonglo—and when we know that building expanded road capacity, especially when it is done unquestioningly or unnecessarily, is likely to make our goal of reducing car dependency even more difficult? I would encourage those opposite to go and read articles on the notion of induced traffic. They might find it very instructive.

Again, this does not mean that an upgrade of Cotter Road will not be necessary in the future. Sometimes we have to accept the way that development occurs where we are up to in terms of changing our city, and we accommodate car traffic to ensure our city works, to protect its liveability or for safety reasons. But we should only do so for sound reasons, and we should be clear about what that means for our overarching commitment to sustainability and sustainable transport.

Inevitably light rail will come up in the context of this debate. The Liberals' hostility towards light rail and public transport goes hand in hand with their promise to pour money into roads. That is some first-rate 1960s thinking, guaranteed to lock us into a sprawling, automobile dependent city until, inevitably, some poor future decision-maker has to spend many years and billions of dollars trying to undo it to protect our health, liveability and economy.

I can confidently say that the Gungahlin to Civic light rail project is completely compatible with all of the principles for which I am advocating. Yes, it is a big project and a big investment, but it looks to the long term and it is consistent with making Canberra a truly sustainable city. It puts the government's money where its mouth is in terms of achieving sustainable transport mode shift and revitalisation of the city.

The points I have made are reflected in my amendment to the motion. It asks the government to analyse the case for duplicating Cotter Road in the context of its commitment to meeting sustainable transport mode shift targets, to put any spend on Cotter Road in a budget context and to fully explore alternative transport options. To go ahead and simply duplicate the road without considering these matters is neither responsible nor desirable. I particularly invite members to reflect on the statistics I have provided about the capacity of the road. I would urge members to support the amendment that I have moved today.

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) (10.21): I am pleased to speak today on the motion raised by Mrs Jones and to not only highlight the ACT government's program for an integrated transport network, which includes the duplication of Cotter Road between McCulloch Street and the Tuggeranong Parkway, but demonstrate what this government has actually been doing to enable this to happen.

Before the development of Molonglo, the ACT government understood that the associated traffic growth would have an impact on the existing road network, in particular on the Cotter Road, which passes through the existing developed areas of Weston Creek, Curtin and Yarralumla. To address this, a feasibility study to upgrade the road was undertaken in 2012 to identify the requirements to upgrade Cotter Road between the developing Molonglo district and Adelaide Avenue.

While a number of upgrades of the section of Cotter Road in Weston Creek directly adjacent to Molonglo have been progressing in parallel with new developments since 2012, the first stage of the upgrade of the Curtin section of Cotter Road between

Dunrossil Drive and McCulloch Street was completed in October 2013 at a cost of \$7.15 million. These works included the duplication of the road, the removal of the roundabout at the intersection of Lady Denman Drive and Cotter Road—I think we all know how difficult that roundabout was—and replacing it with an intersection controlled by traffic lights. Provisions were also built into the design to accommodate public transport and cycling requirements, with the inclusion of bus lanes on the approaches to the intersection as well as the on-road cycling lanes. The benefits of adopting this integrated approach now will be seen in the future when the public transport and cycling demands increase as the district of Molonglo develops.

Some local area traffic management measures were constructed in McCulloch Street, Curtin at the same time as the stage 1 works on Cotter Road. It is important to protect the amenity and safety of local residents on McCulloch Street, as it is well known as a rat run for people travelling between Belconnen and Woden. I am pleased that these works, requested by local residents, have been effective in reducing traffic speeds on this street.

The design, public consultation and works approvals for the second stage of the upgrade of Cotter Road through Curtin, which covers the section from Yarralumla Creek to the Tuggeranong Parkway, have been recently completed, at a cost of \$1.08 million.

The proposed works will complete the duplication of the Cotter Road to the Tuggeranong Parkway. They will upgrade the ramp at the parkway interchange; duplicate the bridge over Yarralumla Creek; introduce on-road cycling lanes and some bus priority lanes at the intersections; and provide for improved access to Equestrian Park, the home of the ACT Equestrian Association. The project cost estimate is \$23.3 million, which is considerably more expensive than the first stage of the works but does include the widening of bridge structures and works on the parkway interchange ramp structures, which are always expensive works to undertake.

The design process for this section of the upgrade has identified a number of important issues to be resolved, including the need to provide noise walls to limit the impact of increased traffic noise on adjacent residences and preserve or limit the impact on the long-established stands of torrey pines. These trees were planted over 50 years ago and globally are an endangered species. While some of these trees will be removed, seeds have been collected and a small forest will be planted in the National Arboretum to ensure that the tree species is well preserved within the ACT.

Local residents have been consulted on the impact of the project, in particular on the tree and traffic noise issues, and broad agreement has been achieved on the way forward. This consensus was confirmed with the granting of works approval by the National Capital Authority after a four-week public consultation process. The planning, design work and public consultation for this project have been completed, and the ACT government will now be considering the construction of the proposed works as part of its next budget cycle.

This project is a good example of the timely planning and development of infrastructure works by the ACT government. In 2012 when funding was initially

provided to undertake the feasibility work to identify what was required to upgrade the work, the daily traffic volume on Cotter Road in the section between McCulloch Street and the Tuggeranong Parkway was around 15,000 vehicles per day. On 17 September last year, some 16,500 vehicles were using this section of the road. Last Wednesday, 16 September 2015, over 18,000 vehicles used this section of the road. So the time is approaching to upgrade this section of road.

The ACT government has undertaken the necessary planning, design and public consultation over a two-year period so that the construction works are now ready to be considered as part of the next budget cycle. This project will be high on the priority list when this consideration occurs. The ACT government strongly supports the upgrade of this section of Cotter Road and has been working very hard over the last few years to enable it to happen.

In addition to roadworks in the Molonglo area, the government is investing large amounts of money in the road network in other areas. The Gungahlin Drive augmentation will widen three lanes to a 1.6-kilometre section of Gungahlin Drive from the north of Sandford Street to the Barton Highway on the southbound side. An additional signalised left-turn lane will be provided from Well Station Drive onto Gungahlin Drive. The Ashley Drive duplication stage 2 project will duplicate Ashley Drive in Canberra's south, providing an important link between Ellerston Avenue and Isabella Plains to Erindale Drive. The duplication will aid in easing the increasing traffic demands in the area, particularly by commuters in peak periods. This work follows on from previous duplication during stage 1 of this wider program. I know the local community in Tuggeranong really appreciate that work.

What is more, the Majura Parkway project is due for completion in June next year. This project is 11.5 kilometres long and worth \$288 million. It will provide a connection from the Federal Highway to the Monaro Highway via a dual carriageway with two lanes in each direction. Another project due for completion next year is the \$42 million Constitution Avenue upgrade. Members may have noticed that the trees at this end of the work are beginning to regrow their leaves after winter, and I await with anticipation the sight of this green boulevard when it is completed. The upgrade will deliver infrastructure improvements for pedestrians, cyclists and public transport users, with a dedicated bus lane in each direction, bus priority at intersections, landscaped verges, lighting and stormwater improvements.

The government supports the duplication of Cotter Road and is heavily committed to road upgrades and maintenance across the territory. I want to refer to Mrs Jones's earlier comments about government members interacting with their community. The Canberra Liberals seem to feel it is improper for government members to seek the community's views on infrastructure improvements. They are wrong; it is completely appropriate. I want to congratulate Ms Fitzharris and other government members for the value they put on community consultation. There is clear evidence that their work brings real results.

I will speak briefly to Minister Rattenbury's proposed amendment to this motion. The government will not be supporting the amendment even though we support the sentiment expressed in relation to the importance of investment in active and public transport options for residents of Molonglo. As the Minister for Roads and Parking,

delivering the necessary infrastructure for these same residents is, of course, also a priority for the government. That is why the government has undertaken extensive work and already invested in design and planning for stage 2. I note that this is the same work the opposition has relied on to re-announce what is already ACT government policy. That is why the government will be pleased to support Mrs Jones's motion. It urges the government to progress the work on Cotter Road stage 2, as we already intended to do.

MR HANSON (Molonglo—Leader of the Opposition) (10.30): I start by commending Mrs Jones for this motion today. As a Weston Creek resident, a mother of five children who works and who has a husband that works, Mrs Jones understands the challenges faced by the people of Weston Creek, who, indicative of many other people across this great city of ours, need to rely on their motor vehicles to get to work, drop kids off and move about this wonderful city of ours. The increasing pressure on Cotter Road because of the Molonglo development means that road infrastructure in, around and into Weston Creek and Molonglo and out of those areas is vitally important. I know Mrs Jones is an advocate for her constituents in that area; I commend her for it.

I also thank Mr Coe, who is the shadow minister for transport, for his work in this area and in advocating for road enhancements, not just in this area but across our city. We saw recent announcements about the flyover on the Barton Highway and the duplication of Gundaroo Drive, and we will see others as well.

I am glad the government supports this motion today. This is a section of road that needs to be updated. It needs to be duplicated. The government's own figures support that. Unfortunately, what we have seen from this government is promises. They say they are going to do things and often that does not come to fruition. Things do not get the funding promised. I could cite many examples. It could be the secure mental health facility that was promised years ago and has only now started because of pressure. There is the bush healing farm that took so long. There is the upgrade of the Canberra Hospital—\$800 million that has just disappeared into the ether. This government's history in terms of road duplication has been abysmal. The GDE stands as probably the starkest example: this government failed to duplicate a road in time to meet growing demands and pressure on that road.

It is part of our role to put pressure on a government, to make sure they deliver. We will continue to do that. As I made clear when we announced this policy the other day, if the government does not get this done, we will.

Let me turn to Mr Rattenbury's announcement. His speech—it is worth reading it for members that are interested in ideology—was dripping with ideology. He literally used the words "end of the world" in his speech. He talked about wanting to see fewer cars. He accused the Canberra Liberals, in wanting to duplicate a road that is facing increased pressure as Mr Gentleman outlined of 1960s' thinking. If duplicating a road is 1960s' thinking, your light rail is 1850s' thinking. It is the sort of ideology we do not need in the debate. What we need is forward thinking, not that sort of ideological thinking. If anyone is stuck in the past, it is Mr Rattenbury. It is extraordinary that he said—this is another quote from his speech, Madam Speaker—that this seems to only get enthusiasm if it is in our electorate.

Mr Rattenbury seemed to be accusing Mrs Jones of having enthusiasm for this project because it is in her electorate. Good on her, I say. That is her job—to stand up for her electorate. Good on Mrs Jones. The irony is that Mr Rattenbury would accuse Mrs Jones of supporting a duplication of a road in her electorate when we know that he is driving this government to spend \$1 billion on a tram. I am sure it is entirely coincidental that the light rail happens to go through his electorate. I am sure his enthusiasm for that project has nothing to do with the fact that it goes through his electorate. I am sure Ms Fitzharris, who is about to speak—she looks very eager to speak—has no enthusiasm for light rail simply because it goes to her electorate. No, no; I am sure that is not the case. It is just a coincidence, isn't it, that Mr Rattenbury loves light rail so much that it happens to go through his electorate?

The Canberra Liberals, Madam Speaker, as you saw from this announcement from the Canberra Liberals about the duplication of Cotter Road, are focused on all of Canberra. Mr Rattenbury and this government, because he is driving them to spend a billion dollars, have got a much greater focus on about the three per cent of people who will be able to access this, who will be able to walk to the light rail. Mr Rattenbury denies being anti-car, but read his speech. Read his speech about wanting modal shift, about wanting fewer people in cars. You will see from his speech, and also from the motion, that he is anti-car.

Mr Rattenbury has the audacity to say there are other budget priorities and community needs, other project priorities and community needs. It is his view that this duplication does not need to be considered for years. What could be the community need, the other budget pressures, that mean that \$23 million or \$25 million for a road duplication that is needed by the people of Weston Creek and Molonglo is not a priority for Mr Rattenbury but somehow a billion dollars on a tram in his electorate is a priority? This is a speech from Mr Rattenbury that clearly outlines his ideology and how that ideology is driving budget pressures and priorities.

It is a billion dollars. Mr Rattenbury was talking about modal shift and about people getting onto light rail. He is basically saying that if you are a young mum in Weston Creek you should be catching a bus to go to light rail. Is that what Mr Rattenbury wants to say? No. Mr Rattenbury is saying that you should be stuck in traffic—that we should not get ahead of the game, that we should not plan for the future. Mr Gentleman outlined the increase in traffic flows from 15,000 to 18,000 just in the course of a few years. Mr Rattenbury is saying we should not get ahead of that—that we should wait until it is so congested that people are waiting an extraordinary amount of time on that road because Mr Rattenbury's budget pressures, budget priorities, are on light rail.

Unfortunately, it is not just Mr Rattenbury. Although the government seems to be supporting the Canberra Liberals today in our calls to duplicate that road, Mr Rattenbury makes a good point—that is, if you are spending a billion dollars on a tram, there is a lot pressure on the budget that means you cannot do other things.

Madam Speaker, we will not be supporting Mr Rattenbury's ideologically driven anti-car, anti-family, anti-Weston Creek, anti-Molonglo amendment today. I support

Mrs Jones and her motion. I am glad the government is following the Canberra Liberals' lead and seeing that this is a priority. I am glad that they will be supporting Mrs Jones's motion. I hope to see this money in the budget. If they are supporting this motion today, they acknowledge the priority. It had better be in the budget. We do not want to see the fiasco of the GDE reiterated. We do not want to see the delays that we have seen in many other infrastructure programs and plans by this government where the reality is that their rhetoric so often is not matched by delivery. Ultimately, words are cheap in this place; let us see the delivery. Let us see the action and let us see it in the budget.

MS FITZHARRIS (Molonglo) (10.40): I am pleased to rise today to talk about this issue. Yes, I was enthusiastic to speak but I was also enthusiastically listening to the debate because it is one we have been having throughout the course of my time in the Assembly. But just going to the listening, in this place in February when I gave my first speech I did say in that speech that as a member of the Assembly I felt it was my job to listen, advocate, explain and lead. Just on the issue of listening, advocating, explaining and leading, which I view as my role as an MLA in my community, I am amazed that the opposition is amazed that I might have gone out as a member of the government and spoken with my community about their priorities.

As I have explained on more than one occasion in the chamber regarding the Gundaroo Drive duplication, the history to my involvement in that issue this year was that as a long-term contributor to the Gungahlin Community Council, a previous executive member, I was involved in the establishment of a community survey. And in that community survey there were a number of questions about transport, an integrated public transport network which, I have said on many occasions and which the government continues to express, is a significant priority. That integrated public transport network goes to roads, it goes to walking and cycling, it goes to buses and it absolutely goes to light rail.

Thirteen hundred Gungahlin residents responded to that survey and made pretty clear in that survey what it was that they felt was fantastic in their local community. That included the education services, the growing recreation services, the sporting fields, the growth of the region, the community feel. But they also felt a little let down by the roads. They wanted action on roads.

The government knew this and when I went to my first community council meeting after being elected I had a discussion with members there around what were the priorities coming out of the Gungahlin Community Council community survey. One of those priorities clearly was roads and, within that, Gundaroo Drive. The design work had already been done on the duplication of Gundaroo Drive and we had a discussion in the community council about what role the community members felt that I could play in this.

Mr Hanson: What is your view on Cotter Road? This is about Cotter Road.

MS FITZHARRIS: Yes. I said on that occasion, "I have got a couple of options in front of me as a new member." We ran through them and we talked about a petition and they said, "Yes, we would like you to do that." So on the back of that, over 1,000

people signed the petition. Going to the listening to the community on the issues—and it has been raised a number of times by the opposition about listening to your community and expressing their view in this place in a number of different ways—I absolutely believe that it was the right thing to do.

I also agree with the debate here that both the government and the opposition are expressing the views of the Weston Creek community and their desire to see Cotter Road duplicated. I do agree, as Minister Gentleman has said, with the spirit of Mr Rattenbury's amendment but unfortunately cannot support that today.

Certainly the approach from this government is very clear: an integrated public transport network is what we need. I find members of my community understand that. They understand that it is about relieving pressures. Those pressures can be relieved in a number of ways: through road upgrades and duplication, through walking and cycling opportunities, through bus services and through light rail. Again I think it is very clear that if you get the right balance across a public transport system you provide more people with more choice.

I agree that particularly in the case of people who have small children—and a lot of people in my part of the community have and I know increasingly, as our suburbs renew and as new suburbs come online, particularly in the Molonglo valley, people there have—you need different transport choices at different stages of your life. I am certainly looking forward to the day that all three of my kids can catch a bus on their own, walk and cycle on their own. But right now that is not an option that is available to us.

I just make one more point in supporting the motion today on the government's commitment to expressing this through funding: yes, it is very important to find the right balance, to do the work, to base it on evidence and to deliver on what you promise. And if we are talking about roads and we are talking about integrated public transport one of the most significant contradictions I see coming from the opposition is their sole focus, it appears to be, on roads and just building more and more and more. But one way to add to the mix and to deliver on a significant promise made by this government is to deliver light rail.

MRS JONES (Molonglo) (10.45): I speak to the amendment and close the debate. I thank all members for their contributions to the debate. We in the Canberra Liberals are all for a mix of modes of transport and I thank Ms Fitzharris for agreeing that the balance is not right in some areas. After 14 years of Labor government the balance is not right and that is why we end up with a situation where a new Labor member is raising a petition to ask her own people to do something that should have been done a long time ago.

I think it is fascinating that we now, maybe for the first time in this whole term, have seen a proper split between the Greens and Labor. Maybe we should be celebrating because there is actually a diversity of opinion. Mr Gentleman was on the radio straight after our announcement this week saying that he is glad the Canberra Liberals are supporting this plan. "I am glad we have committed to it and we will fund it in our election promises." I hope we do see it in next year's budget because the people of Weston Creek and Molonglo deserve it.

Meanwhile Minister Rattenbury says that we need to resist road upgrades—resist them like they are some kind of evil. On both sides of this particular bottleneck on Cotter Road are two lanes west and two lanes east. And in this short section is an unnecessary merge followed by slow traffic, only to return into four lanes again straight after the lights at McCulloch Street. It is silly that we have not actually got to the point of funding this yet.

Minister Rattenbury's position is also quite anti-family in many ways. I have spoken to him previously about the fact that mums cannot take the bus or put three kids in a dicky seat on the back of a bicycle, get them to school, then cycle 40 minutes to Civic to work and cycle 40 minutes back. If a kid is sick and they have to get them it is just not a possibility. So the Greens' position is: "If you will not agree with us we will force you. And your other decisions about your life are not your own."

Mums and dads trying to get their kids to school and earn the double income needed to survive these days should not have to pay the price for this minister's mungbean, soy latte vision of a utopian society where inner city yuppies can catch a tram to work. That is his view and it punishes those working the hardest to produce another generation of ratepayers. It is a disgrace. The idea of mode shift is anti-mum, anti-family and arrogant. It says, "We know better than you what is good for you." The Greens minister is out of touch and dictatorial.

I thank Minister Gentleman for agreeing to support the motion as it stands. We will not support the amendment. The noise walls and the limiting to the damage of the Torrey pines are a very important part of this stretch of road and we are committed to that as well. We thank the government for work that has been done up to this point but we commit to funding it after the next election and I hope to see it happen as soon as possible because every morning people who are under pressure are trying to get to work and it is an added, unnecessary burden on them and one that the government should not resist.

Amendment negatived.

Motion agreed to.

National broadband network

MS FITZHARRIS (Molonglo) (10.49): I move:

That this Assembly:

(1) notes that:

- (a) the National Broadband Network (NBN), as developed and commenced by the former Federal Labor Government, was designed to increase national productivity, enable new industries, improve health and education services, better connect our regions and cities, strengthen business competitiveness, and provide Australians with new leisure services and entertainment products;

- (b) Canberra is one of the 19 designated early NBN rollout sites across the country;
 - (c) Canberra residents have connected to NBN at a very high rate;
 - (d) there are currently approximately 120 contractors and subcontractors who have been hired to roll out the NBN in the Canberra region, constituting a major driver of local economic activity in the construction phase;
 - (e) the NBN is a critical component of the ACT Government's Digital Canberra strategy to directly improve the productivity, connectivity and liveability of the city; and
 - (f) current Australian Government policy has seen the delayed rollout of a weaker multi-technology NBN mix, along with a cost blow-out of up to \$15 billion, which has resulted in a lack of access to the NBN in the Canberra CBD and Canberra's regions and suburbs being split by a "digital divide"; and
- (2) calls on the ACT Government to:
- (a) continue to invest in Canberra's future through Digital Canberra;
 - (b) express its concern at the delayed, unequal and unclear access to the NBN for Canberra residents, both within Canberra suburbs and across Canberra regions; and
 - (c) write to the new Minister for Communications, Senator the Honourable Mitch Fifield, noting the ACT Legislative Assembly's concern and seeking clarity about the future status of the NBN rollout in the ACT

I am very pleased to move this motion today because it goes to the very heart of this government's agenda for Canberra and for Canberra's future. This Labor government recognises the importance of the digital economy. Those on the other side of this chamber appear to be stuck in the past—on issues like the digital economy, public transport and climate change, as examples. They appear wedded to models of the economy, the community and our environment that seem stuck in the past and are resistant to embracing the opportunities of the future, to seizing these opportunities and leading our economy and community to a more sustainable, innovative and productive future.

It took a federal Labor government to develop the national broadband network. And it is taking this current Liberal government to bring it down. It is such a shame that we are bearing witness to the destruction of a nation-building project like the NBN under the watch of the Abbott and Turnbull government. But that is unfortunately exactly what is happening.

When there was a change in federal government in 2013 there were significant changes made to the NBN rollout plan. Under Labor, 93 per cent of homes and businesses would have got a super-fast version of the NBN that uses fibre optic cable

to the home that delivered speeds of up to one gigabit per second, or a 100 megabits per second download speed. Federal Labor understood that the NBN is the new essential utility that people, homes, businesses and government need.

Instead, under the former communications minister, Malcolm Turnbull, the coalition chose to run a fibre to the node scheme that promises speeds of just 25 megabits per second. Fibre to the node sees fibre-optic cables run along the street and terminate at a big box. The old copper network is then used to deliver service on what is known as the “last mile” to the house.

Unfortunately, even this second-rate NBN is rolling out slower than Mr Turnbull originally promised, and it is more expensive than he originally promised. The cost of the coalition’s NBN started out at \$29.5 billion in April 2013, it blew out to \$41 billion in December 2013, it increased again to \$42 billion in August 2014 and recently it was announced that it will now cost up to \$56 billion.

Earlier this month, as I have noted in the chamber before, I hosted a better broadband forum with the member for Fraser, Andrew Leigh, and shadow minister for communications, Jason Clare, at the Uniting Church auditorium in Gungahlin. It was a well-attended event with around 40 people coming out to talk about NBN rollout and connectivity issues at their homes, and in many cases their home businesses. What became very clear at our forum was that Gungahlin, on the whole, does have a great advantage over the majority of Canberra. But even within Gungahlin there are streets and parts of suburbs that have been left behind. They are islands of non-connectivity.

Within the suburb of Casey approximately two-thirds of the suburb has an NBN connection, and the remainder are still waiting for any confirmation of when they will be connected. Nicholls residents, although knowing they are on the map, are getting mixed messages about what their eventual NBN will look like. Will it be fibre to the home or the slower, less effective fibre to the node?

Then there is the broader digital divide across Canberra. After the 2013 federal election the entire Canberra electorate was taken off the NBN map. There is particular frustration in parts of the Tuggeranong valley where existing services are extremely poor. Some still rely on ADSL1 technology. Telstra will not guarantee any minimum speed for some suburbs. And there is no fixed broadband available at all in Theodore, with most of this suburb relying on wireless 3G services.

The inconsistency of service, particularly throughout Canberra, means that those preferring or requiring fast and reliable broadband will gravitate to those areas where it can be accessed. Could this be one of the reasons we are seeing more people move into Canberra’s northern suburbs?

The really important point is: what does this digital divide mean? What it means is that those suburbs and regions without access or the means to move to an area with coverage can be at a real disadvantage—whether they be students researching for assessments, small businesses requiring large and fast downloads, or those incapacitated by age or disability hoping to access online consultations with health specialists from afar.

Attendees at my forum spoke of their frustration with the companies rolling out the infrastructure. Three residents of Dunlop in Belconnen spoke of their inability to even access ADSL through their existing copper network. And some residents of Casey expressed frustration that they were yet to be told when they could expect to be connected—when their neighbours just across the road are able to access the full benefits of the NBN.

That is why this motion today is so important. Broadband is considered by Labor to be an essential utility—like water or electricity. Labor’s national broadband network was designed to ensure high speed, reliable and affordable broadband and was available to every home in Australia so that everyone could be online at the same time, with no glitches or dropouts. It was great to see Canberra made one of the 19 designated early rollout sites, and I pay tribute here to our former senator, Kate Lundy. The initial rollout by NBN in Gungahlin under the former federal Labor government was one of the smoothest in Australia, and the take-up rates were amongst the highest across the country.

Australians generally are great early adapters to new technology, and I believe Canberrans love any new way to communicate and connect. Many of Canberra’s housing developers understood the value of the NBN for their developments, and the NBN rollout in greenfield sites across Canberra has been amongst the most successful in the country.

In addition, the initial rollout was supported by active program engagement from both the federal and ACT governments. The former Department of Broadband, Communications and the Digital Economy, in partnership with the ACT government, supported delivery of a range of training and awareness-raising programs for businesses and households to help them grasp what the NBN fibre rollout meant and how they would be able to take advantage of this new, advanced network.

Many of the benefits of ubiquitous high speed broadband are with us now; others are only limited by our imagination. Some of the most common reasons for connecting to the NBN can include the need to study—perhaps live-streaming classes and lectures; running a small business from home; accessing the incredibly popular streaming processes like Netflix and Stan; and using cloud storage.

The NBN gives households multiple connections all at once so that an entire family can connect on multiple devices with high speed, quality connectivity; more efficient online shopping and banking; better quality videoconferencing and allowing people to communicate quickly and easily; access to home-based education and tutorials; and the ability to work from home—a fast and reliable internet connection allows genuine opportunity for people to work from home when they have access to broadband connections that equal the quality in their workplace.

Small business is of course a big winner when it comes to super-fast broadband. High speed broadband means our small business sector can access new markets and new opportunities. It can improve the online experience for customers, remove geographic barriers and increase access to market opportunities. It means more flexible working

arrangements and the potential for new employment opportunities and connectivity with remote locations. And it means better cloud-based connectivity. Access to high speed broadband allows customers, suppliers, staff and stakeholders both remotely and in the office to communicate and engage on any connected device.

Small business can also benefit from a more reliable network, with the NBN fibre being much more reliable and more robust than our old copper infrastructure, which means fewer outages and less downtime. The NBN helps small business to be more interactive—businesses will be able to promote themselves using photos and videos over faster internet, with online shopping, graphics and video now integral to promoting products and services online.

Finally competition is enhanced because the NBN is a wholesaler and as such provides a level playing field for retail providers to work in competition with one another, meaning businesses and citizens will have the ability to choose their preferred service provider.

Here in Canberra—a public service town—it is also undeniable that better broadband would lead to better government. The NBN means government services can be faster and more efficient and digital services can be delivered to citizens as they live, work, learn and play. It creates a more connected community by creating new ways of engaging with democracy and participating in civil society through social media, flexible working arrangements and social inclusion.

Just yesterday I spoke about My Gungahlin. Mark Scarborough, of My Gungahlin, spoke at our NBN forum about his business, which plays a key role in connecting families, people and businesses in the Gungahlin community. He said it is highly unlikely his business could have grown and thrived as it has and connected people without access to the NBN.

Our digital economy can be much better supported, accelerating our ability to strengthen the workforce, boost productivity, build ICT capacity and facilitate collaboration. And it ensures a more open government, transforming health and education services, and providing information and services in a format and time that suits people's needs.

Madam Speaker, this motion also calls on the ACT government to continue to invest in Canberra's future through digital Canberra. The ACT government has long recognised the importance of digital technology to the territory's economic growth and diversification. Accordingly, we have put in place a range of initiatives to maximise the many opportunities that will arise.

The NBN is a significant contributor, the essential utility, that allows us to take advantage of all the opportunities of the digital economy. The success of the CBR Innovation Network, which is fast becoming the go-to place for digital entrepreneurs, is reinforcing Canberra's reputation as a sophisticated centre for ICT business creation and development. The network is now engaging with over 1,000 people and businesses per month on entrepreneurship and company development.

The government has also been active in service reform and my government, Access Canberra and iConnect are major initiatives helping us build a digital by default government—my government gives Canberrans the ability to engage directly with their local MLAs and on 31 August 2015 the ACT government’s twitter cabinet was broadcast live on the new Periscope platform, a world first.

Access Canberra is using technology to reduce red tape by increasing the provision of online services including payment of rates bills, licence renewals and a variety of government transactions. The ACT government’s digital Canberra challenge engages ACT innovators and SMEs to develop digital solutions for ACT government agency service challenges and is aimed at improving delivery of government services and programs to the community.

I am looking forward to watching the further rollout of our CBR free public wi-fi when it comes to our town centres including Gungahlin. CBR free is an important part of the ACT government’s commitment to Canberra’s future as a smart and digital city and is about ensuring everyone is able to share in the benefits that come with technology in a way that is free and accessible to all.

Regrettably the national rollout of the NBN has slowed considerably under the coalition government and in the ACT it has virtually stalled. The last NBN rollout update for the ACT was in December 2014, which detailed construction activity to June 2016. The last two media announcements by NBN during this year have been silent on any further ACT rollout. Chief Minister’s talkback on 666 ABC radio regularly receives inquiries from members of the public asking when the NBN will come to their suburb.

The success of the Gungahlin rollout addressed the poor quality telecommunications infrastructure in that population centre yet there remain pockets of low capability. Other Canberra suburbs simply do not even have ADSL quality infrastructure—areas such as Gleneagles estate, Monash and, as I mentioned earlier, Theodore. The Beard industrial estate was established with no telecommunications infrastructure and no immediate indication from NBN when such deployment may occur.

Earlier this month a *Canberra Times* article highlighted the inadequacy of the service in Casey, one of our newest suburbs. For the residents and businesses in these locations the rollout of the NBN is critical. No other telecommunications provider will make the investment to address their internet access and for them the delays are beyond frustrating. This basic lack of infrastructure prevents these areas taking full advantage of the capabilities of modern digital telecommunications, whether it be the ability to work from home, study from home or simply watch high definition digital television. I congratulate Labor’s federal members, Andrew Leigh for his advocacy for the Canberra’s north side and particularly Gai Brodtmann for her advocacy for Canberra’s south side to get better broadband services, and I encourage all southsiders to sign Gai’s petition to access the NBN.

Canberra is a city that embraces new technology and is a city that will thrive in the digital e-commerce space. It plays to our strengths: smart, connected, and forward

looking. As the new Turnbull government lifts its language around being a 21st century government I call on the federal government to commit to a clear and comprehensive NBN rollout program for Canberra and deliver on this rhetoric. New communications minister Mitch Fifield will certainly have his work cut out for him to address these structural issues which obviously were neglected by Malcolm Turnbull who, although having the brief to destroy the NBN, at least rescued it somewhat from the former Prime Minister—but its new form remains a slower, more expensive, inferior infrastructure for our future. Canberrans deserve better.

MR DOSZPOT (Molonglo) (11.04): I am pleased to have the opportunity to speak on this motion today, and I thank Ms Fitzharris for acknowledging the importance of the national broadband network rollout across Canberra and more broadly Australia wide. I am not quite sure if I thank her for some of the quite misleading statements regarding just how the broadband started and what impact it had under Labor, but I shall cover that in more detail. It is a fantastic investment in digital infrastructure, and when the rollout is completed the national broadband will have long-term and wide-reaching benefits.

Under the coalition NBN model access to high speed internet will be provided through utilising a suite of technologies including fibre, fixed wireless and satellite, depending on where you live. The NBN will provide endless possibilities for the education sector, the disability sector and more notably the health sector, to name a few. Importantly, under this federal government rollout of the NBN there is potential for further ICT job growth in the ACT and surrounds, as well as supporting education opportunities for all Canberrans.

The rollout of the NBN is expected to be completed by 2019 and will cost tens of billions dollars less than Labor's original NBN plan. As of 28 August this year, there are 19,872 fibre to the premises connections activated across the ACT and many suburbs with broadband services available, including areas in Bonner, Civic, Crace, Deakin and Queanbeyan, which are some of the areas served by fibre access node sites. There are currently 11,700 premises where construction is underway and a further 56,900 premises will be completed as part of the rollout plan by December 2016.

The coalition's plan is to ensure that the NBN rollout is faster and cheaper, resulting in much lower prices for consumers. Household broadband plans under the coalition will be \$66 per month compared to at least \$90 per month under Labor. Families and businesses will enjoy superfast broadband at a fraction of the cost of what it would have been under Labor. They have given a commitment to utilise highly effective smart technologies in the delivery of a high speed broadband network service which will ensure that Australia does not fall behind in the worldwide digital revolution.

We agree it is important. What is even more important is that the coalition government will provide the NBN to all Australians sooner and at less cost to taxpayers than was on offer under Labor. As I have said, I am pleased to be able to stand and speak about the importance of the national broadband network and the magnificent work that the coalition government is undertaking in transforming the NBN rollout plan to offer the most affordable, easily accessible in high speed broadband network to all Australians, including the residents of Canberra.

It is clear to us here today that this is merely an attempt to land a political blow, or to try to land a political blow, in light of recent events. I take heart in knowing that the appointment of Prime Minister Turnbull is obviously a cause of concern to those opposite me in the chamber and to the Australian Labor Party in general. To this I would add: yes, you should be worried. I do, however, question why Ms Fitzharris raises her concerns on the delays of the rollout of the NBN in the Assembly here today when for years the federal Labor government made very little progress in this area under Kevin Rudd.

Under Kevin Rudd Labor promised fast broadband for all Australians by 2013. Yet—surprise, surprise—here we are in 2015. Obviously, the coalition has had a few hurdles to cross after the delays that were experienced under Labor. It seems very convenient that these concerns are only just now coming to light. I do not recall any of these concerns being raised by Ms Fitzharris's colleagues here in the chamber regarding Labor's lack of progress during the term that Labor was in power.

Ms Fitzharris would have this Assembly note that the NBN was developed and commenced under the former Labor government. This statement seems to put a stop to her own argument. Ms Fitzharris is correct that the NBN plan commenced under the Rudd Labor government in April 2007. Kevin Rudd himself promised voters a national broadband network for all Australians by 2013. Quite obviously this date has well and truly come and gone, as has Kevin Rudd himself.

However, as for her own statement that it has been developed under Labor, I am sure the previous six years of Labor government, with no completion of the rollout, would demonstrate otherwise. I find Ms Fitzharris's attempts to rewrite history in such a fashion quite audacious, unfair and quite misleading. It is interesting to note a few facts about the NBN under Labor. Three years into the rollout in early 2013 it was already two years behind schedule. But we did not hear any complaints from those on the ACT government side or hear them raising concerns about the drastic consequences of their federal counterparts' lack of success with NBN and the lack of Labor's initiatives and Labor's irresponsible management of the complete project.

Ms Fitzharris should note that under the Labor government in August 2012 the NBN's rollout across Canberra was already experiencing further delays and cost blowout nationally at about \$1.5 billion. Details released by Labor then indicated that the rollout of the NBN in Ngunnawal and Amaroo would be delayed until May 2013, after having originally promised to deliver the service to Gungahlin in 2011. But again, we did not hear any such reminders from the government benches about the inability of the then federal government to complete the project as promised.

It is only now that Ms Fitzharris tries to rewrite some of this history. We may forgive her for not being involved in those days, but certainly some of her colleagues here should have set her straight on some of the actual facts as to how the rollout went in Canberra under a Labor government.

It is also interesting that Ms Fitzharris should mention the ACT government's digital Canberra action plan, because from where I am standing, this is very much a case of

the pot calling the kettle black. Like their federal counterparts, ACT Labor have made many promises. As always, very few have actually come to fruition. I would advise that they do look a little closer to home and focus on their own responsibilities of delivering a modern and innovative digital city instead of wasting time playing politics.

The digital Canberra action plan that Ms Fitzharris speaks of has in fact not been completed. This government has made a promise at the last election that Canberra would host Australia's largest free public wi-fi network. However, with continual delays in the rollout, it seems that we are still waiting for this promise to be delivered. Initially the rollout was to be completed by the end of this year. Now it seems it has been pushed back to mid-2016.

As I understand it, only Canberra city, Braddon, New Acton and EPIC have active external wi-fi transmitters. The town centres of Belconnen, Dickson, Kingston, Manuka, Tuggeranong, Gungahlin, Weston, Woden and Bruce are still all waiting to receive their promised full free wireless network. The wi-fi rollout was initially to be completed one year after its launch in October 2014. Ms Fitzharris, at this point in time it is anticipated that it will be completed nearly two years after the original launch.

In closing, I will touch on a few points. You will find no argument from this side of the chamber that investing in our digital economy is fundamentally important to ensure the growth of business, education, employment, health and research. We are of one opinion on that. I question in some sense the need for calling on the ACT government to continue to invest in Canberra's future through digital Canberra. We agree this is already the direction this government has given quite some time ago. So I guess Ms Fitzharris is trying to give a wake-up call to her own government, but I am not quite sure if a motion is required. She could have just walked next door or walked down to Minister Barr here in the chamber and reminded him about the lack of delivery on some of the plans that Canberra's digital future was looking forward to.

Ms Fitzharris is calling on the government to:

express its concern at the delayed, unequal and unclear access to NBN for Canberra residents, both within Canberra suburbs and across Canberra regions;

Yes, there has been a delay, but what about the recognition of the accumulated two years-plus delay under Labor that was experienced. Nothing was said about that by this government. Yet when you have a look at the impact for the coalition, with the sorts of delays they have had to contend with, it is a bit farcical to blame everything on the coalition government that has only recently come in. They have had their problems in looking at the impact on their efforts to implement the new directions and solutions with the legacy that was left to them by Labor.

Finally, Ms Fitzharris's motion calls on the government to:

write to the new Minister for Communications, the Senator the Honourable Mitch Fifield, noting the ACT Legislative Assembly's concern and seeking clarity about the future status of the NBN roll out in the ACT.

Again, we are certainly not anti that sentiment; I am very happy to support the sentiment. But, again, I have already tried to make contact with my counterpart or with Senator Mitch Fifield. I do not see why it has to be a call on the government by way of a motion when this is something that should be happening as a matter of course. The current ministers in this government should be making every effort with new ministers. Obviously, we support that.

Overall, apart from the inaccuracies in painting a picture that is totally politically flavoured in Ms Fitzharris's motion, we support the concept in a totally non-political way, a bipartisan way, to ensure that the investment in Canberra's future through digital Canberra is maintained and supported. We also support this government contacting the federal counterparts to ensure that the Canberra directions we are looking for are enforced by this government with the new coalition government and the new ministers that are in place.

MR RATTENBURY (Molonglo) (11.17): The national broadband network is Australia's largest ever infrastructure project. It has had a very troubled existence; there is no doubt about that. It was treated as a political football and used to attack the Rudd-Gillard governments and muddy public debate about Australia's future. The NBN was originally proposed by the Rudd Labor government as a predominantly fibre to the home nation-building enterprise. I know the words "nation building" have lost their value in recent years, but it is projects like the Snowy hydro scheme, high speed rail and the national broadband network to which they can still meaningfully apply.

The benefits of high speed communications are well known, and the advent of the NBN was welcomed by pretty much everyone except the Liberal Party. Dr Vince Cerf, one of the key inventors of the internet, said in 2011 of the original fibre to the premises NBN:

I consider this to be a stunning investment in infrastructure that in my view will have very long term benefit. Infrastructure is all about enabling things and I see Australia as trying to enable innovation.

The inventor of the World Wide Web, Tim Berners-Lee, has described the NBN as a brilliant foundation and a foundation of many things. The Internet Industry Association said:

Just as electricity revolutionised society, so too will broadband. Fast, reliable future-proof technology. Optical fibre based solutions like the NBN will mean a more stable and prosperous future for all Australians.

Tony Abbott, on the other hand, asked in 2010:

Do we really want to invest \$50 billion of hard-earned taxpayers' money in what is essentially a video entertainment system?

That sums up the complete lack of comprehension about what the future of Australia needs. It also sums up the great legacy of the Liberal Party in government—the period

in which we had the great boom from the mining industry where Australia reaped billions of dollars in income. The Howard government particularly frittered that away. It failed to spend it on any sort of nation-building projects and just frittered it away. That sums up the lack of vision we have seen for the future for this country from recent conservative governments in Australia.

Mr Doszpot interjecting—

MR RATTENBURY: Once again Mr Doszpot interjects. He was heard in silence, despite the fact that I disagreed with a lot he had to say. It is sheer rudeness coming from the opposition benches. Even Mrs Jones got in on the gig this morning in the earlier discussion about road building in Cotter—

Members interjecting—

MR ASSISTANT SPEAKER (Dr Bourke): Order, members.

MR RATTENBURY: These people cannot help but be rude across the chamber. It is a real blight on this place.

Mrs Jones: I was not rude. It is not rude to have an opinion.

MR ASSISTANT SPEAKER: Sit down, Mr Rattenbury. Stop the clocks. Mrs Jones, engaging in a conversation with Mr Rattenbury through interjection is unhelpful. Please do not do it. Mr Rattenbury.

MR RATTENBURY: If the only way you can put an opinion in this place is by interjecting, you fail to understand the standing orders. But that probably is the case. Mr Abbott quite famously tasked Mr Turnbull with the wrecking of the NBN, and unfortunately he was quite successful. There can be no doubt about the former Prime Minister's ability to wreck and ruin. Opting for a lesser mix of technology, the current NBN rollout is predominantly fibre to the node. You may recall they spruiked this lesser project with a three-word slogan: faster, affordable, sooner.

Members may also be aware that current estimates put Mr Turnbull's NBN at \$18 billion over budget and four years behind schedule. I know Ms Fitzharris's motion says \$15 billion; I have seen some different estimates. Either way, it is a very substantial blowout for something that delivers us a B or C grade outcome. Much of the cost blowout is, of course, a result of the revisionist negotiations the coalition was forced to transact with Telstra after choosing to hobble the project midway. This might be a salutary lesson for those opposite.

In 2009 Ookla, a global leader in broadband analysis, ranked Australia's average broadband download speed as 39th in the world. Since then our international ranking has steadily declined, and it slipped to 59th place earlier this year. Some commentators are warning our world ranking could fall as low as 100 by 2020. In short, fibre to the node technology is cementing Australia's place as an internet backwater. Far from the internet being about video games—sure, some people use it for that—as online communication, online shopping and online interaction between

businesses and customers become all the more important—Ms Fitzharris spoke to this in some detail in her comments—being an internet backwater means we are undermining our own economy and the future of our prosperity.

Ms Fitzharris's motion notes that Canberra residents have connected to the NBN at a very high rate. I think it would be more accurate to say that Civic and Gungahlin residents have connected to the NBN at a very high rate—because, as she accurately noted, other parts of Canberra have been absolutely stymied from joining up. If they had had the opportunity, I am sure that rate of connection would have been duplicated across the rest of the city.

The recent change of Prime Minister and the subsequent change of the communications minister provide us with an ideal opportunity for a reset on what has become another toxic debate in the federal parliament. Senator Fifield needs to place a renewed NBN at the top of his priority list. He needs to move the coalition away from their fixation on fibre to the node, which was only ever a point of political differentiation. I understand the shadow communications spokesperson, Jason Clare, has extended an olive branch offering to work on a cost and technology fix for this lumbering and wounded project. My federal Greens colleague Senator Scott Ludlam has already worked tirelessly over many years to try and improve the NBN for all Australians and to defend the project from those who sought to undermine it. I have no doubt he would also work with Minister Fifield to help resurrect this important nation-building infrastructure.

Just last week, when a triumphant Mr Turnbull addressed the media after the coalition party room vote, he said:

The Australia of the future has to be a nation that is agile, that is innovative, that is creative. We can't be defensive, we can't futureproof ourselves. We have to recognise that the disruption that we have seen driven by technology, the volatility in change is our friend if we are agile and smart enough to take advantage of it.

It is time for the Turnbull coalition government to prove that these are not merely words but that they are serious about addressing the challenges this country faces. It is time for Prime Minister Turnbull to fix the mess that has been made of the NBN. In light of that, I am happy to support the motion put forward by Ms Fitzharris today. The importance of this infrastructure for the future of our country is undeniable, and I welcome the opportunity to discuss it in the Assembly today.

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) (11.25): I thank Ms Fitzharris for bringing forward this important motion, and I will speak briefly regarding the effect the deconstruction of Labor's NBN will have on the residents of my electorate in Brindabella. There are several areas in my electorate which have always had very limited access to the internet. Indeed, some residents of Theodore do not even have access to an ADSL2 connection. The national broadband network which was being rolled out by Labor would have seen all of the residences in my electorate connected to world-class fibre to the premises as their internet access.

Areas of Theodore have some of the lowest internet speeds and availability in Australia. When you go to these areas on the NBN Co website, the date for the rollout in these areas is not even listed. Indeed, when I put my address in there, it does not come up as being connected in the future at all. It is clear not only that the quality of the NBN has been severely compromised by the coalition but that parts of my electorate in Brindabella have been left out entirely.

The lack of commitment by the friends of the Canberra Liberals on the hill to the future rollout of the NBN and the progression of technology in our country is amazingly similar to conservative views on technology advancement that have been seen in the past. As raised during a debate on the NBN by Anthony Albanese in 2013, pretty much the exact debate over telecommunications occurred in 1910. You can read the *Hansard* from that debate. Today's debate basically replaces the old words of "iron" and "copper" with the words "copper" and "fibre".

As someone who has a deep interest in history, not only is it interesting to hear the way in which the iron to copper issue was debated back in 1910, but it is fascinating to see the similarities with the current conversation. If we look back at that debate, we can see some of the conversations. Minister James Matthews MP is quoted in *Hansard*:

The practical men in the Department, not the theorists, think that nothing is gained by using copper wire for short lines. Some of the iron wire lines have been in use for thirty years, and give as good results now as copper wire lines. Last year an iron wire line, put up when I was a boy, to connect the Age office with Mr. David Syme's house on the Yarra, at Hawthorn, was still giving satisfactory results, although for a good part of its length it ran parallel with the railway line, and was exposed to the smoke of locomotives, which was prejudicial to its life.

There is an iron wire line to Bacchus Marsh, and those who have spoken over it know that its conductivity is better than that of many copper wire lines. I do not say that copper wire should not be used for long-distance lines like that from Sydney to Melbourne, but for short city lines iron wire is sufficiently good, and is much cheaper.

You can see the contest—it is about cost and not efficiency. He goes on to say:

At the time there was not a great quantity of iron wire in stock, but when a new supply was obtained, the onus of determining whether iron wire or copper wire should be used was thrown on the line foreman, who naturally did not care to run any risk. Why should responsibility of this kind be thrown on men receiving only £156 a year? It would not be allowed in a business office. No doubt it is done to shield the official "heads", who, if anything goes wrong, can blame their subordinates.

You can see, Mr Assistant Speaker, an interesting concept in the discussion between the cost of rolling out a very good application for communications in 1910 and the arguments we see today for fibre to the node.

Of course, we cannot go through this conversation without listening to some of the Clarke and Dawe comments about connection by fibre to the node over fibre to the premises. The scenario runs out in this way. Mr Dawe would say, “Well, how is this going to work? How is this going to work, this fibre-to-the-node?” Mr Clarke would say, “Well, what will happen is that you’ll get an instant transmission via the fibre optic to the node. That will be a box at the bottom of your street.” “What will happen then?” “Well, there’ll be a fella there with a pushbike and he’ll write down that message and he’ll ride his pushbike up to your house, deliver the message and then, of course, he’ll wait for your response and take it back to the box at the bottom of the street.” An interesting concept on how fibre to the node would run over fibre to the house.

The current federal government needs to reconsider its commitment to a half-baked iron connection which it has promised to build. We need fibre to the premises in the ACT, and we need it now. The newly appointed Minister for Communications, Mitch Fifield, also needs to tell the community when their premises will have access to the NBN and whether it will be to the node or to the premises. These areas need to go onto the rollout map.

The member for Canberra, Gai Brodtmann, is currently running a petition on this issue, and I encourage anyone who cares about the technological future of this country to sign it. You can find it at www.gaibrodtmann.com.au. Now more than ever it is important that the community have their voice heard on this important issue.

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) (11.30): ICT and internet connectivity is a fundamental requirement for a modern education. So I am very happy to speak to Ms Fitzharris’s motion today, in particular the areas which relate to the government’s digital Canberra strategy. ACT public schools are leading the nation on access to ICT and internet connectivity because of the provision to all ACT public schools of the highest speed education network in Australia called schoolsnet.

While the NBN has not yet been delivered to ACT schools, the ACT government has long recognised the importance of delivering high speed fibre to our schools. Schoolsnet delivers high speed, secure gigabit fibre broadband to our public schools via government-owned fibre and is a key foundation for innovation in education and the adoption of emerging technologies. Schoolsnet is an integral part of the government’s digital schools strategy. The investment of \$9.2 million in ICT in schools in the 2014-15 budget included a \$3.3 million upgrade of wireless access in all ACT public schools, colleges and P-10 schools. All secondary public school students are now the best connected in the country. They are attending schools with the highest speed internet access in Australia where all students and staff can be connected anywhere, anytime.

The government has provided an additional \$38 million for ICT in schools for the next four years through the 2015-16 budget. Four million dollars of this funding will see an upgrade of wireless internet connections in all ACT public primary schools

over the 2015-16 and 2016-17 financial years to ensure all of our students, both primary and secondary, are benefiting from the nation's fastest school internet speeds. Our students expect reliable access to learning from wherever they are whenever they need it, and the ACT government is providing the digital tools, services and connectivity required for its citizens to realise the aspirations of the digital Canberra action plan.

The digital backpack is a secure ACT public schools online portal which provides easy access to online learning platforms and resources for students and teachers. The digital backpack can be accessed from any device with a modern internet browser at school, at home and through the growing network of publicly available wi-fi in the ACT on their own device of choice.

I was very pleased to launch earlier in the year an e-book library which is now available through the digital backpack. The e-book collection is designed to augment the existing high quality library services on offer to our schools and expand opportunities for reading across all public school communities. Our extensive e-book catalogue provides all ACT public schools with access to over 4,000 e-books including more than 400 audio books. The collection has grown threefold since its release this year and will continue to grow each year. The collection can be accessed and downloaded on students' device of choice and is based on an age-appropriate access, aligned to the Chief Minister's reading challenge. I recall my first visit to Calwell High School in January this year, where I could see firsthand students accessing the collection on tablets and any other device they had with them and I saw how easy it was to access and how engaging the platform was for delivering literacy in our schools.

The directorate has launched the world-leading education cloud platform Google apps for education also for ACT public schools. This too is available through the digital backpack. Google apps for education is a modern platform for communication and collaboration and provides students and staff with unlimited online storage available anywhere, anytime on their own device of choice. Google apps for education was trialled and selected by teachers and students in our schools because it is an authentic, real-world tool that students and teachers already use at home. It is familiar and provides all the ingredients for a modern, connected and collaborative learning environment.

The Google apps for education platform is proving to be one of the most successful learning services provided to our public schools, with 21,000 students now connected to the platform and more than 750,000 resources created by teachers and students since its release in February. Alfred Deakin High School is a great example of a school that has provided a personalised and innovative approach to learning with these new capabilities. Students have reliable access on their own personal device anywhere in the school, and often with over 500 student devices logged into the network at any given time, all connected to their learning by Google apps for education. Google apps was used as the collaborative platform for their student-led exhibitions program. Students at the school, in partnership with Communities@Work, were able to plan and collaborate online using Google apps, which led to the success of an event that catered for hundreds of people in the community.

The government is providing equitable and reliable access to technology in schools. An annual investment of \$1.5 million into ICT devices enables our schools to provide equitable access to a range of devices fit for the modern learner.

Richardson Primary School, another school which has recently adopted Google apps for education, has seen a significant improvement in student engagement and collaborative learning in the primary setting. New Chromebooks at the school have also provided students with a reliable ICT experience and even faster access to filtered internet. ACT public schools are working with families and the community to assist young people prepare for their future and this technology enables our schools to work in partnership with parents to support our young people in a safe and productive online environment.

The government is committed to developing and promoting online safety and digital citizenship skills for our students, and our partnership with the Office of the Children's eSafety Commissioner and their cybersmart program has provided ACT public schools with regular virtual classroom events. The cybersmart virtual classroom programs are delivered once per term by the esafety commissioner's cybersmart team on a range of online safety topics that are relevant to our students, and these sessions have been well attended. Only last week we had over 340 students engaged in an online web conference on communicating safely online. The government's partnership with the Office of the Children's eSafety Commissioner will provide recommendations on future engagement with the community to enhance digital citizenship skills in our students.

To ensure we remain a leader in safe and effective use of ICT in our schools, I have recently established a ministerial advisory group on digital citizenship. The group includes expertise from across the parent community, industry, students and the esafety commissioner. I look forward to reading the report from this group and to continuing to work to drive innovation and best practice in ICT across our schools.

In closing, I return to Ms Fitzharris's motion. I commend that and I note that Mr Doszpot supported—I think he used the words—the notion behind the motion. I am hoping that he would then see that this is a reasonable motion. It is not party politics. It is just simply saying that we in the ACT do have a digital divide. If you look at the NBN rollout map, the north benefits; the south is slow.

Ms Fitzharris made mention of Monash and I think Theodore having the slowest speeds across this city and that we as citizens of Canberra should have access. So I think it is fair and reasonable to continue to invest in Canberra's digital future, to express concerns at any delay or unequal or unclear access for Canberra residents. That is not an unhelpful thing to do. That is an incredibly helpful thing, and I think that all of us here should be supporting our community, our residents, to have fair and equitable access to NBN.

I would be very disappointed if the Canberra Liberals chose not to support equal access to the NBN by all Canberra citizens. All the Canberra Liberals have to do is support this motion that states very clearly that the NBN needs to be accessed by all.
(Time expired.)

DR BOURKE (Ginninderra) (11.40): Prior to the federal election in 2013 residents of the high-tech innovation zone in Bruce and east Belconnen including Bruce, Cook, Macquarie and Aranda in my electorate were among the next Canberra suburbs scheduled on the NBN website to get broadband. Soon after Mr Abbott became Prime Minister and Mr Turnbull became communications minister these suburbs were wiped from the NBN map, losing the opportunity for first-class broadband promised by the Liberals before the last election, as those same Liberals gutted the NBN rollout.

Even today, two years after they were cut from the rollout map, NBN broadband has still not reached them. This is despite Liberal assurances before the federal election that they would honour existing commitments and not pull the plug. The NBN rollout has become a complete shambles under the stewardship of Malcolm Turnbull.

This is a particularly cruel blow not only to the residents in my electorate who have been forced to endure digital infrastructure that is woefully inadequate but also the ACT as a whole in its quest to become Australia's technology capital. High-tech institutions including the University of Canberra, the Australian Institute of Sport, the CIT Bruce campus, the Australian Institute of Health and Welfare, Fern Hill Technology Park and Calvary hospital have all suffered as a result of this short-sightedness.

Limiting the full rollout of fibre to the home broadband has already done untold damage to long-term innovation in Australia and in the ACT. What could have been the full rollout of broadband across my entire electorate has instead become a cruel cut for the residents who were told they were next.

The ACT government, on the other hand, is committed to the development of a truly digital and technologically innovative society. Canberra is quite full of early adopters of new technology, innovators and entrepreneurs, and that is why we have developed the digital Canberra action plan for the period 2014-18. Digital Canberra is the ACT government's roadmap on how to lead, inspire and collaborate in identifying, testing and implementing ideas and solutions that take advantage of digital opportunities.

Our government's vision is to promote Canberra as a modern, dynamic, digital city that fosters innovation, partnerships and creativity. We will identify opportunities for business to optimise the use of digital technology, creating jobs, boosting key industries and attracting new businesses and design faster, more efficient digital services that enhance citizens' quality of life. Accelerating digital uptake to raise productivity is an important part of the ACT government's digital Canberra strategy, and its comprehensive planning and implementation contrasts with the bungling and broken promises that have marred Turnbull's ministership of the NBN.

Businesses using digital technologies are able to lower communication costs, find new customers and access more efficient supply chains. Customers want and expect faster access to products and services, and employees increasingly expect greater flexibility in where they work. This link between digital engagement and commercial success has been well documented. Research from Deloitte Access Economics found that Australian small businesses with high digital engagement are twice as likely to be growing revenue and earn twice the revenue per employee. These firms are also four times more likely to be hiring more staff.

Digital Canberra will improve the ACT economy by accelerating business engagement with the digital economy, driving the rise of efficiency and productivity, and increasing linkages to regional, national and international markets. We will establish the digital economy by promoting Canberra's digital credentials, facilitating capacity building and knowledge, providing business support and cutting red tape, funding internships for higher education students and collaborating with research and regional partners to identify digital opportunities.

The ACT government's comprehensive strategy for a digital Canberra contrasts with the failures and blowouts of the Turnbull-led coalition's NBN. The national broadband network, as originally laid out by the federal Labor government, was to be a revolution for internet use in Australia. The vision was for a system where the vast majority of Australians could access world-class connection speeds, and it would have underpinned wide-scale technological innovation across Australia and in the ACT.

However, since the Abbott and now Turnbull government rose to power the NBN has suffered from massive cost blowouts and a significant fall in the percentage of homes that will get a full fibre to the premises connection. The NBN is experiencing death by a thousand cuts under this Liberal government. The rollout is now slower and more expensive than promised. After doubling the size of the deficit, the Abbott government has now nearly doubled the cost of the now second-rate NBN.

The cost of the coalition's NBN was \$29.5 billion in April 2013, it blew out to \$41 billion in December 2013, and again to \$42 billion in August 2014 and recently it was announced that it will now cost up to \$56 billion. The financial return to taxpayers has also fallen. In December 2013 the expected rate of return was up to 5.3 per cent. Now it will be 3.5 per cent at best. As for the future revised rate, who knows?

Australians are now paying the price for Malcolm Turnbull's mistakes and will be forced to pay a lot more for a worse network. The Liberals' failures on the NBN are not just from its bungling of the rollout but from the promises that they have so flagrantly broken since their election. The broken promises began in late 2013. When everyone was distracted by the closure of Holden, Malcolm Turnbull, the then Minister for Communications, came into the parliament and said that the government was breaking their promise on the NBN. Furthermore, in April 2013 Tony Abbott said that, if elected, everyone would have access to 25 megabits per second by the end of 2016. That promise has been well and truly broken.

It is not the only promise they have broken on the NBN. They promised that nine million households would get fibre to the node. Now only about three million households get even that. Under Labor, Canberra would have had a state-of-the-art NBN, fibre to the premises, which would have changed the way we live and work. However, under Mr Turnbull, only 25 per cent of Australia will get fibre to the premises. And that is if it is not revised down even further.

The simple question is: what has caused this? It is because whilst some Liberals can talk up the digital economy the wider Liberal Party does not understand how important the NBN is or any other major nation building project, for that matter. The

former Prime Minister called the NBN a video entertainment system. Those were his words. And do not think for a second that this could be written off as simply an Abbott bungle. The failures of the NBN were overseen by the former communications minister, Malcolm Turnbull, who now sits in the PM's chair. The responsibilities for these failures lie in the Liberal government as a whole.

MR SMYTH (Brindabella) (11.48): It is interesting to get the lecture from those opposite but I cast my mind back to the insulation scandal, again promised for a certain amount and never delivered, with deadly consequences in some circumstances, and very sad. There was the building the education revolution, of course, and the enormous blowouts there. There were promises of a computer for every kid. And nobody had any confidence in the \$43 billion, the back of the envelope number that was originally touted by the Labor Party. And I think the difficulties they had delivering it when they were in office are symptomatic of the delivery of large projects like this. The federal government will now have to prove that they can do better, and as is so often the case Liberal governments come in and clean up the mess that Labor left.

It is interesting to get the lecture today. From 1995 to about 1998 under the Carnell government Canberra led the world in this. The TransACT wiring of Aranda was breathtaking at its time, and then the project called on TransACT to wire the ACT, which started under the previous government and then languished and eventually died under this government. So it is great to get the lecture. Just remember your history. We actually had the opportunity and at one stage were leading the world in this but under Labor in the last 15 years the project withered and then died. And that is a shame. It is well and good with the pot calling the kettle black here but we could have and should have, as a territory, continued to lead the world. The failure of leadership, the failure of delivery and the failure to make it happen rest well and truly with those on the other side of this chamber.

MS FITZHARRIS (Molonglo) (11.50), in reply: I thank members today for their contribution and also for their support of this motion. I am pleased that support will come from across the chamber and I look forward to getting a response from the new communications minister. Just reflecting on some of the debate we have had—and again I thank the opposition for their support—I was not entirely reassured about their full understanding of what this major infrastructure program means, what it means as an enabler for our community and our economy and also for equity across the city in terms of access and what the digital divide really means. I did not hear—and I apologise if he did—Mr Dospot talk about equity and what it means for our community and schools, as Minister Burch mentioned, across regions and suburbs in Canberra.

I understand that previously there has been recognition that this is an ambitious project. A previous communications minister, Senator Conroy, said that some of the original dates were ambitious. But ambition is not a bad thing to have in a nation-building project. And I agree with Mr Rattenbury; this is, indeed, a nation-building project. That the new NBN being delivered under this federal government is at a fraction of the cost of the former Labor government's delivery is absolutely not the case. Already an inadequate service has blown out by close to double the original amount—\$56 billion.

Reflecting on the comments that Jason Clare, the shadow minister for communications, made at the better broadband forum that Andrew Leigh and I held with him, some participants asked him what he really thought the new Prime Minister's take on the NBN was. As others have noted, and as I did as well, Malcolm Turnbull was probably originally given the task of destroying the NBN. He rescued it from the ashes. Jason Clare's view was interesting in that Malcolm Turnbull came to this as a businessman. His approach to this asset was as a businessman, to sweat the asset—not to recognise this as a major infrastructure investment program but rather as a private sector asset, and in the private sector you probably want to sweat your asset to get the most out of it. Is that the approach that we want on major nation-building infrastructure? I do not think so. I do not think that is what the community want either.

Jason Clare also made a very interesting observation, as Mr Dospot noted, that the type of NBN you get will be dependent on where you live. What does that mean for people across Canberra? What does that mean for our regions across Australia? Certainly in previous federal governments regional representatives have said loud and clear that regions need this essential investment in their infrastructure. If you are in a remote or regional area it may absolutely transform your ability to run your business, engage in education and connect with people across the country and around the world.

One of the alarming propositions that Jason Clare put to the meeting was this: what happens once the federal government realise that they have significantly underinvested in fibre to the node infrastructure? What happens when the copper dies? Federal Labor is concerned about what that means. As Mr Gentleman noted, the analogy is: jump on your pushbike and ride from the node to the home. What happens when that copper dies? Will the federal government really go in through NBN and rip up old copper and replace it with new copper? If we think about every single home that is going to be connected to the NBN under the federal Liberal government's program, they will still have old-fashioned copper from the node to their home. At some point that copper will outlive itself. What is it going to be replaced with?

I would also make a couple of comments around cost blowouts. A number of members mentioned that the blowouts in this NBN program by the federal Liberal government sit alongside the death by a thousand cuts, as Dr Bourke put it. In this city alone, we know that the federal government has cut funding to NICTA. We welcome the fact that they will be transferred and find a new home in CSIRO, but it does not get away from the fact that NICTA funding should not have been cut in the first place.

In commenting on this debate I would like to mention the previous debate where opposition members suggested that government members moving motions or representing their community should just be done by walking down the corridor and speaking to a minister. That fundamentally misrepresents what I believe our job is. I worry about what it means and what they think their job is. Is it that you should just walk down the corridor? Of course we will do that. We will do that every day. We will talk to our colleagues on this side of the chamber. But we do not believe that to get things done we simply walk down the corridor. We talk to our community, we debate issues in the Assembly and we let people know about them in various ways. I am alarmed that twice this morning the opposition has seen fit to say that government members should not be talking in this chamber and should not be talking to their community about the issues that matter to them.

I thank Mr Rattenbury for his contribution and his reminder, as Dr Bourke subsequently did, of Tony Abbott's view of the NBN as a video entertainment network. I am reminded that it has only been, I think, a week or more since we have had a significant change in political discourse in this country. I welcome that; I think that is a great thing. But this motion today has not been moved because of that. This motion was moved because on this side of the chamber we understand how important our digital future is, which is why we have digital Canberra and the many programs that are rolling out through that. It is why on this side of the chamber we invest in nation-building or city-building infrastructure.

I had a forum on the NBN and the future of the NBN three weeks ago. I have spoken about it in this chamber and I moved a motion on it today. It has nothing to do with the events of last week. However, I welcome a change in political discourse in this country and a move away from three-word slogans. I certainly hope our local opposition can rise to the challenge of that, although I am not too reassured just yet.

I thank Minister Gentleman for his history lesson—it is a salient reminder of why we should always look back to history—and also for his Clarke and Dawe reminder. It was a great analogy, I think, of how this federal Liberal government is rolling out the NBN program.

I thank Minister Gentleman, Minister Burch and Dr Bourke for their contributions on what it actually means to not have connectivity in their electorates and what it means to families. However, I was really pleased to hear about so much of the great work that is happening in the education directorate. Having the best connected schools in the country is a real tribute to this minister and a real reflection of this government's commitment to the future of Canberra.

I note Minister Burch's comments about our students not just being users of technology but creators of content. That is the future. Our children, the next generation that sit in this chamber, will engage in issues and ideas and generating products. Sometimes, as we have seen in Canberra recently, teenagers from their own bedrooms are creating new products, new services and new ideas that they are taking to markets locally and nationally.

Again, I thank members for their support. I note the quality of the debate. I am pleased that the motion has support today in recognition of the essential nature of investment in infrastructure in our digital future through the NBN. I look forward to a response from the new communications minister. I know he has a real challenge ahead of him. I am glad that most members have been able to recognise what it means to enable our future. I look forward to having further discussions on this matter.

Motion agreed to.

Alexander Maconochie Centre—expansion

MR WALL (Brindabella) (12.00): I move:

That this Assembly:

(1) notes:

- (a) the construction of new accommodation facilities at the Alexander Maconochie Centre (AMC) designed to accommodate an additional 140 inmates by 2016 and alleviate overcrowding at the AMC;
- (b) the ongoing issues with security breaches at the AMC;
- (c) the ongoing prevalence of illicit drugs and contraband within the AMC; and
- (d) the prevalence of illicit drug use and drugs is influencing sentencing decisions made by the ACT court system; and

(2) calls on the ACT Government to implement a thorough review of security and management practices at the AMC to ensure existing issues do not continue in the expanded facilities.

I bring this motion to this place in an effort to once again highlight some of the inefficiencies and issues that plague the ACT's jail and reiterate my view that a thorough review is necessary.

Firstly I begin by stating some of the obvious facts. The overcrowding issues which have seen the jail at a crisis point over many months are finally being addressed by way of some substantial investment in construction of new accommodation facilities. In the quarter to September 2014 there was a daily average of 334 prisoners in the AMC, a mixture of remand and sentenced. This number has now crept up to nearly 380.

Last week I had the privilege, and I thank the directorate for facilitating it, of a visit to have a look at the new construction work being undertaken at the AMC. It must be said that at first glance it seems that the additional facilities will stand the test of time and go a long way to alleviating some of the intense bed pressures placed on the facility recently. The new facilities will address some of the prisoner movement and segregation issues, as we introduce a more traditional prison block design into the AMC.

That being said, it is also important to ensure that the existing problems at the jail do not continue in an expanded jail. In the time since I brought my last motion on the AMC to this place, which was in March this year, a few notable things have occurred. In April this year, the Auditor-General released a report titled *The rehabilitation of male detainees at the Alexander Maconochie Centre*. The report focuses on the rehabilitative aspects of the AMC and was damning in its criticism of the lack of rehabilitation activities and effective management practices and rehabilitative options occurring at the jail. The report says:

... the proposed levels of rehabilitation activities and services ... were assessed and found to be inadequate. Importantly this means a "structured day" with "purposeful activity" is not being achieved ...

After spending some time in the last month visiting jails in other jurisdictions, I can tell you that a “structured day” for a prisoner is very important in any correctional facility. The jails that I visited had a comprehensive industry and educational focus, meaning that prisoners spend most of their day outside their cells and active in purposeful activity. Whilst I understand that introducing industry at the AMC would require some creative and innovative thought, it is not beyond the realm of possibility. We must not just throw our hands up in the air and give up.

We know that the existing minister’s view on a review of the jail is quite widely stated. He simply thinks that it will not tell us anything we do not already know. I emphasise that simply being told what we do not know is not the sole purpose for a review; it also gives us the opportunity to investigate alternatives. The Auditor-General’s report said:

... there is a very large gap between what was anticipated and what has occurred since the opening of the AMC.

The AMC was opened in 2009.

The report claims that fewer than one in two male detainees spend time working. Whether working or not, detainees spend on average no more than an hour a week on therapeutic programs, two hours a week on educational programs, and two hours a week with family and other visitors, with each detainee having a structured time of five hours, on average—significantly less than the 30 hours envisaged in 2007 in the delivery strategy. The report’s unsurprising conclusion is that there is a risk that detainees become bored, and that this undermines rehabilitative efforts.

Whilst they have not been as much in the spotlight lately, security breaches are a common occurrence, as is the use of illicit drugs in the prison system. The ongoing security breaches that were made so public earlier this year, the camera footage of a fight inside a jail cell, Facebook posts from inside the prison, contraband freely entering the jail and even tax fraud continuing to occur are not new stories and have become just the norm as part of the AMC.

Drugs are a problem in jails. This is a fact. I am informed that not only are illicit drugs an issue inside the ACT’s prison but prescription medications are becoming more and more prevalent and an issue of abuse. This is fuelled by issues that plague the broader community such as the growing use of methamphetamine, more commonly referred to as ice. Just yesterday in this place, we passed legislation to tighten some of the rules around drug testing within the AMC. The anonymity of drug tests has been removed, and that is a step in the right direction. As I said yesterday, I encourage this, and I hope that that step is the first of many more to come. But the big question remains. Currently, I am informed that we are only conducting 10 random drug tests in the jail per month. That is 10 tests per month in a population that is nearing 400 people. That is a drop in the ocean when compared to the prevalence of drugs and substance abuse that plague those that are serving time in the ACT’s prison system.

Separation of remandees and sentenced prisoners is also a must to achieve an effectively managed jail. This was evident on my recent trip to New South Wales. The separation of remandees and sentenced prisoners that I saw in New South Wales showed that some of the practices employed here in the ACT are counterproductive, add additional complexity to the operation of the prison system on a daily basis, and contribute in some part to the effects of violence, drug abuse and the substantial amount of idle time that prisoners in the ACT's correctional system have. As I mentioned earlier, some of those segregation issues will have the ability to be sorted out with the new facilities, but without proper planning, proper foresight and proper options on the table, inevitably they will not be. It is simply impossible to manage a prison cohort as divided as the one that is in the AMC.

The most damning evidence to date, and it goes to the heart of why we need a review, is what is happening in our ACT court systems. I refer to a recent case. According to ACT Magistrates Court transcripts from 30 April this year, on considering sentencing for a defendant it was revealed that the defendant had returned a positive drug test whilst held on remand at the AMC. This was documented in the pre-sentencing report. On reflection on this evidence, Magistrate Dingwall said:

That very event makes one wonder what real prospects there are for rehabilitation at the AMC ...

Magistrate Dingwall continues:

It doesn't matter what system's put in place the drugs seem to get in ...

He continues: "I had a defendant a few years ago who went in with a heroin addiction got cured of that and came out with a methamphetamine addiction."

When the sentencing hearing resumed on 5 May, Magistrate Dingwall said: "I'm not convinced that if this defendant remains at the AMC she will receive the intensive interventions described in the pre sentence report, certainly not the sort of intensive interventions that may be offered to some person who attends a dedicated residential rehab program for some period of time." It must be noted that in this court transcript the DPP referred to this person as a "one person crime spree" and remarked that this person was before the courts for committing in excess of 40 offences.

The good grace of the courts on this occasion meant that the defendant in this case was ordered to an interstate residential rehabilitation facility. Subsequently they are now known to have absconded only days after checking themselves in and, to the best of my knowledge, they remain at large and in the community to this day.

This transcript provides evidence that the lack of effective rehabilitation at the AMC and the perceived softness of the ACT's jail is making a huge impact on the ACT judiciary and the decisions and sentences that they hand down. This is an indictment of the direction of the current ACT government, the direction that they have chosen to take, and of the corrections system as it stands today. In my view, this is a detriment to the territory's safety more broadly.

Once again I am calling on the ACT government to implement a thorough review of security and management practices at the AMC in an effort to ensure that any ongoing issues do not seep into the expanded facility. The bigger the jail grows, the bigger the problem gets unless we do something about it today. It is imperative that we take stock now and act in a productive way. Therefore I commend this motion to the Assembly.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Justice, Minister for Sport and Recreation and Minister assisting the Chief Minister on Transport Reform) (12.10): I will not be supporting the motion before us today, nor will I even seek to amend it. While I appreciate Mr Wall's ongoing interest in these matters and realise that he must, from time to time, be seen to be doing something on these matters in the chamber, he has unfortunately again highlighted his lack of understanding of the issues facing the modern correctional centre system. I had hoped that, after nearly three years as opposition spokesperson for corrections, he would have, perhaps, through his reading and visits and briefings and contacts with Liberal Party colleagues in other jurisdictions, taken on board some of the common realities of running a prison and also become aware of the skill and professionalism of the men and women who manage on a day to day basis what many of us could never do. But I will seek to bring further information to Mr Wall's attention today.

Before I do this, however, I do want to thank Mr Wall for providing an opportunity to highlight the opening of one of the two new accommodation units at the AMC this week. I know he has seen this facility, as we organised a tour for him last week. I also participated in a tour with the media the week before. It is a really important new facility that not only will assist in relieving the pressure of rapidly increasing detainee numbers but also, through a flexible approach to design, will have features that will improve separation and segregation capabilities. The hub and spoke design will split the cells in each building across a number of independent wings.

Simpler, more efficient detainee management will be enhanced, for example by the inclusion of programs and interview rooms in each new facility which will reduce the need for escorts to the dedicated programs building. I am very pleased to say that this building was delivered on time and within budget and that the larger, second accommodation unit is similarly on track. The special care unit began accommodating detainees this past Tuesday afternoon just gone. I think all were very impressed with this new facility and the excellent progress of this project, and I think it will certainly improve the management situation of detainees at the AMC and enable a greater suite of options for dealing with that difficult environment.

Let us focus for a minute on the substantive concerns that Mr Wall may genuinely have regarding contraband and illicit substance abuse in the AMC. It is concerning, and I share those concerns, but I would like to be clear: my answer to this is the same as my answer last time Mr Wall called for a review into security. When I respond with examples of this being an issue in every jail in the country, and perhaps the world, Mr Wall and his colleagues have a go at me for talking around the issues. But the fact remains that 90 kilometres up the road from here is the highest security prison in the

country, the Goulburn super max and, despite having a Liberal Party government in New South Wales and, of course, a conservative minister in that government, they are also dealing with contraband issues.

I say this not to cast any stones at the New South Wales correctional system or the guards or the minister but to illustrate as clearly as I can that even in the most secure environment in our nation there are drugs and phones and contraband issues. That is a really important point to make because Mr Wall and his ilk waltz into this place, get in the media and go “Come on, you just have to stop it”. But it is important to reflect on the reality that even at the Goulburn super max they face the same challenges that we do.

I am pleased to hear that Mr Wall has actually taken the time to visit other jails and I hope that in doing so he has also spoken to his colleagues in other jurisdictions because I certainly do both of those things on a regular basis. I have met with corrective services ministers from all political persuasions—Greens, Liberal, Labor and National—and toured jails in New South Wales, Tasmania and the Northern Territory. Every year the corrective services ministers conference provides a valuable forum for ministers to share information and discuss strategic and national issues, approving joint initiatives as appropriate, providing direction on national issues and determining shared positions in relation to other groups such as the standing council on law and justice.

I can inform those opposite that while there are many important and interesting topics to discuss, contraband and illicit substance use are also regular topics. The same can be said of the Corrective Services Administrators Council, which is the commissioners forum and meets biannually. I can assure Mr Wall that the management practices of ACT Corrective Services senior staff and the executive director are not found wanting at these meetings despite the poor inference in the motion before us.

Unlike Mr Wall's simplistic reading of the issues the discussions are not just about ordering reviews. We talk about the actual strategies we are all employing to increase detection of contraband; effective rehabilitative programs; professional development opportunities for our officers; and responding to emerging technologies. A recent discussion about the issue of drones and their potential for introduction of contraband in jails is a good example of jurisdictions collaborating to try to get ahead of the curve when it comes to new technologies that are a challenge in the prison environment.

At the risk of repeating my speech the last time Mr Wall raised this kind of motion, let me just take him through some, but not all, of the static and dynamic security measures we have in place. We have metal detectors, X-ray baggage scanners, itemisers to detect traces of drugs and explosives, physical searches of all vehicles prior to entering and exiting the AMC and more than 300 CCTV cameras. All of these security measures are complemented by the efforts of ACT Corrective Services intelligence staff, custodial officers and the K9 Unit working together with other law enforcement agencies to prevent or intercept contraband before its entry into the AMC.

Mr Wall understandably asks, "How is it all getting in?" The most direct answer I can give him is that AMC houses detainees who are there because of their criminal behaviour. Some of them have a long history of offending and much of this offending relates, in some way, to drug use. Is it any surprise that a small cohort may spend their time inside trying every possible avenue to smuggle illicit drugs, the mobile phones they use to organise their illegal activities and other contraband inside the wire?

The Canberra Liberals want another review of the AMC which is, in many ways, the easy option for them to call for. In the past five years alone we have had the knowledge consulting review, parts 1 and 2, the Burnet review of alcohol and other drugs policies and services within the AMC, an Auditor-General's report, which I will come back to in a moment, a Human Rights Commission audit and a Health Services Commissioner review.

I have no fear of reviews and I am on the record as supporting these processes, and I think my response to the Auditor-General's report earlier this year is a good example of that. I welcomed the Auditor-General's report. I thought that it made a number of recommendations which were very helpful in improving the delivery of rehabilitation programs in the AMC. I think if we are going to talk about that Auditor-General's review in any sort of way it is fair to acknowledge that the Auditor-General also noted the improvements in management practices that contribute to improved rehabilitation services in the AMC. So you can sit here and cherry pick the negative quotes but if you are going to have a serious discussion you also need to acknowledge the Auditor-General's finding that there have been improvements in the management practices that contribute to improved rehabilitation services in the AMC.

I think that goes to my view on this. I do not think we should have another review. I want to focus on providing the stability and consistency of approach that is required to respond to the pressures facing Corrective Services and I am confident that our approach of continuous improvement, as implemented by the excellent management team we have in the ACT, is the right one. Reviews are easy. They are an easy way to get a headline, get a media release out—just get yourself on radio saying we need a review.

I am actually focused on implementing the findings that have already been made in some of those earlier reviews I have spoken about, because they have identified areas for improvement and for taking on board and implementing the ideas for improvement that our staff and management have that are based on their experience in other jurisdictions, and on their conversations with colleagues in other jurisdictions. Our staff are not sitting still out there. They are working hard to make the AMC the best possible correctional facility it can be.

There are a couple of possible choices. We can have another review and the staff will all be diverted to spending more time dealing with another review that will probably make some similar findings or they can actually focus on the job at hand and get on with making the improvements that they are making. Let me give a few examples of some of the improvements that have been made in recent times. There has recently been an internal audit of the policies and procedures of ACT Corrective Services.

Subsequent to this a project is underway within Corrective Services to review the majority of policies and procedures made under the Corrections Management Act 2007 to ensure that these policies and procedures are updated and aligned with improved practices that have been made to corrections operations. Secondly, in 2013 ACT Corrective Services established the Corrections Psychological Support Services Unit. This new unit, based at the AMC, ensures that there is adequate provision of recovery-focused service delivery in partnership with ACT justice health and I think that has been a particularly successful initiative because we are now consistently seeing the Crisis Support Unit at the AMC not full. If you go back 18 months or so it was consistently at its peak capacity and we now regularly have spaces available in that unit as a result of the work being undertaken by the Corrections Psychological Support Services Unit, for example.

Corrections is also committed to undertaking a comprehensive evaluation of the ground-breaking extended through-care project and there will undoubtedly be ongoing learning from these and allied initiatives. These are just a couple of examples of the sorts of improvements that are being done by Corrective Services, with my support, my encouragement and my leadership on some of these issues to make sure that we are making improvements. As I said earlier, that is where I want to focus my energy and that is where I want the Corrective Services staff to be focused. Yes we can have another review but actually we have had plenty of reviews. They have given us some clear findings and we should focus on implementing those.

While none of the examples I have just given may seem relevant at first glance to Mr Wall's motion, they are relevant and they show how we manage the corrections system here in Canberra. The jail does not exist as a simple holding pen—far from it. Our jail is proudly focused on community safety and rehabilitation and by taking a multi-pronged approach to maintaining good order we can address a range of issues including contraband and illicit substances.

If Mr Wall ever has the privilege of being more than just an opposition spokesperson on these issues I hope that he will have more trust in and respect for the management of the ACT's only jail and take a more intelligent and sophisticated approach to the challenges presented. Nothing is simple in this area and the job requires an appreciation of the many moving parts of the system. ACT Corrective Services are doing this well and they have my ongoing support to meet this challenging task. The government will not be supporting this motion today.

MR WALL (Brindabella) (12.22): It is disappointing but not surprising that we have the minister here again today taking a leaf out of the book of one of his counterparts. He has virtually got his fingers in his ears, with his eyes closed, saying, “La, la, la, la, la, no problem, nothing to see here, let’s move on.” He said he did not even see this motion on something constructive as worthy of support or of amendment. As I said, this is not surprising.

Mr Rattenbury pointed to issues that occur in other jurisdictions, and he is right. Drugs are a problem in all jail facilities. Contraband is a problem in all correctional facilities and the people who are spending time inside jails have a significant amount of time on their hands to come up with ways to circumvent and deceive the security

practices that are put in place for their benefit, and this is often to the detriment of other detainees in the prison, to the courts and the correctional system and to the community more broadly. That is a reality, and I am happy to admit that and I have got no qualms in stating that on the record despite what Mr Rattenbury might think I believe.

The issue at hand is what is being done to stay one step ahead? He pointed to the super max up the road in Goulburn where they also had issues of mobile phones, drugs and other contraband entering the jail. What I would suggest is that we look at what they are doing up there to stay that one step ahead. They have just announced new security screening measures – full body scans – to be implemented similar to what is at an airport. They are also introducing mobile phone jamming technology.

Mr Rattenbury admitted himself that mobile phones are devices that are often used to organise and to continue criminal activity from inside a prison. Well, let us take one of the obvious steps. Let us introduce some mobile phone banning systems into the AMC that will eliminate that option that prisoners are currently using—again, a proactive step which has not been taken locally.

Another issue that I chose to mention was prison industries, and when the AMC was conceived the design was that prisoners in the facility would be kept busy. They would either be earning or they would be learning. They would be engaged in work or they would be engaged in education. But the Auditor-General's report has said that structured time, including family visitations and therapeutic programs, consists of only around five hours per week on average per prisoner, not the 30 hours that was originally designed. That is a substantial amount of time that detainees are spending either locked up in their cells or free within their cell blocks to occupy themselves. Of course, we all know what happens with idle time and idle hands.

There was an interesting editorial in the *Canberra Times* published in April of this year, and it was in response to the Auditor-General's report. There is a very good quote which I think sums up things quite nicely, and the article says:

Prisons, particularly those with prisoners of mixed classifications, are always a challenge to administer efficiently, productively and humanely. The ACT is a trailblazing endeavour—Australia's first human rights compliant prison and one with a prevailing emphasis on prisoner welfare and rehabilitation. Teething difficulties were always on the cards, therefore. These were almost certainly exacerbated by the Stanhope government's failure to ensure sufficient capacity at the jail to cater for a significant rise in the prisoner population just a few years after its construction. To have no overarching rehabilitation framework for the prison—when such frameworks are common in other jurisdictions—seems another failure of sizeable proportion. ACT taxpayers may have reasonably expected too that prisoners who wanted to work would be provided with such. Yet, the audit concludes employment opportunities are limited, and confined mostly to the prison's running.

That goes to the core of what a prison is supposed to be there for, and that is to provide an opportunity for offenders to rehabilitate so that they may seek to mend their ways and go forward and be constructive, contributing members of our community.

As evidenced by the quotes I highlighted in my main speech, the sentencing practices of the ACT judiciary are being influenced to an extent by the underlying issues of drugs, contraband and illicit substances inside the prison. We see individuals who would normally, under traditional circumstances, serve a custodial sentence being diverted into other therapies simply because the judiciary do not have faith that an individual that goes to the ACT's jail will not continue to use drugs or will not continue to attract, as Magistrate Dingwall quite rightly put it, an addiction to another substance.

I think that the broader picture needs to be considered here, not just the AMC's operation. Mr Rattenbury tried to say that I am very narrow-minded and that I am only focusing on negative aspects of the jail, but we need to look at this more broadly. What impact are the issues inside that jail having on the way our community functions more broadly? If we are missing an opportunity to rehabilitate offenders, if we are missing an opportunity to do the best by them, the community is at a loss more broadly. It raises questions about broader community safety if people who are, as the Director of Public Prosecutions rightly put it, a one-person crime spree are let back out in public, giving them the opportunity to simply walk out of a court-ordered facility and days later be found again in another jurisdiction. What is being done to community safety not just here in the ACT but across the borders in New South Wales, where we often rely on these facilities? What kind of a reputation is the ACT being left with and what confidence can the ratepayers of this city have that they are safe?

Question put:

That **Mr Wall's** motion be agreed to.

The Assembly voted—

Ayes 6

Noes 7

Mr Coe
Mr Doszpot
Mrs Dunne
Ms Lawder

Mr Smyth
Mr Wall

Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Fitzharris
Mr Gentleman
Mr Rattenbury

Question so resolved in the negative.

Sitting suspended from 12.33 to 2.30 pm.

Questions without notice

ACT Health—performance

MR HANSON: Madam Speaker, my question is to the Minister for Health. The ACT Health website displays the latest health quarterly report. It is dated December 2014. Quarterly reports were due at the end of March 2015 and the end of June 2015, but they have not been released and do not appear on the website. Minister, why are reports on the performance of ACT Health not being released?

MR CORBELL: Quarterly reports will continue to be released.

Mr Smyth: What, half yearly, three-quarterly, annually, two-thirds?

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: They won't, Madam Speaker, I suppose would be the response. But, minister, do the unreleased reports for 2015 continue to show that ACT hospitals have the longest emergency department waiting times in Australia?

MR CORBELL: I think the challenges facing our health system are well known. My commitment remains to continue to see that information is publicly released.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, do Canberrans deserve to know the reality of any poor performance of ACT public hospitals during 2015?

MR CORBELL: I refer Mrs Jones to my previous answer.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, why is the report not online?

MR CORBELL: It is not clear to me why the report is not online but I will be happy to seek clarification from the directorate and provide it to the member.

China-Australia free trade agreement

MR SMYTH: My question is to the Chief Minister and Minister for Economic Development. Chief Minister, on 2 September you sent a tweet saying, "The Australia-China preferential trade agreement will be good for Canberra exporters." However, on 12 August 2015 you voted against my motion condemning the CFMEU for their vehemently anti-Chinese advertising campaign. How do you reconcile your statement of support for the trade agreement with China on 2 September with your vote against my motion on 12 August?

MR BARR: Mr Smyth, your motion was a blatant political gesture. I am talking about the substance of free trade—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson! I do not want to warn you quite so early in question time, but I will.

MR BARR: and I am always pleased to back good public policy but that is unlikely to come from the shadow treasurer.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Chief Minister, why did you fail to speak in favour of the free trade agreement in the Assembly on 12 August 2015?

MR BARR: I have made numerous statements on the public record in this place and elsewhere in support of the free trade agreement.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Chief Minister, why did you fail to stand up for Canberra exporters in the Assembly on 12 August?

MR BARR: When they get on a losing theme, they certainly stick to it. I have made clear my position in relation to this matter. What would be useful is if our colleagues on both sides of politics federally would get together and work this out. Both have stated that the free trade agreement, or what is, in fact, a preferential trade agreement, is a good thing for Australia. The argument now is really only over labour market testing. The two sides of politics federally should be able to sort that out. That is the point I have made.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Chief Minister, will you instead take a stand against bullying and intimidation in the ACT construction industry?

Mr Corbell: On a point of order, it is not clear to me how that supplementary is related to the original question.

MADAM SPEAKER: The original question mentioned the CFMEU motion. Could you repeat the original question please, Mr Smyth?

Mr Smyth: Certainly, Madam Speaker. I said:

On 2 September you sent a tweet saying, “The Australia-China preferential trade agreement will be good for Canberra exporters.” However, on 12 August 2015 you voted against my motion condemning the CFMEU for their vehemently anti-Chinese advertising campaign. How do you reconcile your statement of support for the trade agreement with China on 2 September with your vote against my motion on 12 August?

MADAM SPEAKER: What was your supplementary question, Mr Wall?

Mr Wall: My supplementary, Madam Speaker, was: “Would the Chief Minister take a stand against bullying and intimidation in the construction industry?” It relates to taking a stand on a number of issues including supporting exporters or supporting the free trade agreement.

Mr Hanson: On a point of order, on relevance, the subject of the question relates to Mr Smyth's motion in the Assembly on 12 August which was about the behaviour and the conduct of the CFMEU directly. That has formed part of the supplementaries and also the response from the Chief Minister. I think it is quite evident that the conduct of the CFMEU and its behaviour towards industry and business are significant portions of the concerns raised by Mr Smyth's original motion and, therefore, the subject of this question.

Mr Corbell: On the point of order, if I may, Madam Speaker.

MADAM SPEAKER: This will be the last and then I will make a ruling.

Mr Corbell: Clearly the subject of the question is the Australia-China free trade agreement and the position of that union. It was not a question about the construction industry, nor was it a question about bullying or otherwise in the construction industry. It is clearly not relevant and is out of order.

MADAM SPEAKER: I think that it is lineball whether it is in order and I think that I will exercise my capacity under standing order 1117(f) to ask Mr Wall if he can rephrase the question so that it will conform to the standing orders.

MR WALL: Thank you, Madam Speaker. Chief Minister, will you take a stand and oppose bullying or intimidation in the ACT construction industry, given the CFMEU's erosion of confidence with their anti-China campaign.

Mr Corbell: On a point of order, how is that any more relevant, Madam Speaker? It is exactly the same question with a slight contextual statement at the end. If it was out of order before it is out of order now.

Members interjecting—

MADAM SPEAKER: Order! You can have your argument about bullying somewhere else at another time. I am making the ruling. I think that the question was out of order. It was a nice try, Mr Wall, but I really do think that the fourth question was a little bridge too far. You can dissent if you like.

Members interjecting—

MADAM SPEAKER: Order, or I will name both of you.

Members interjecting—

MADAM SPEAKER: I warn both of you, Mr Hanson, Mr Barr.

Mr Hanson: Madam Speaker, I was sitting here silently.

MADAM SPEAKER: No. You provoked Mr Barr. Mr Barr made inappropriate suggestions and you did not disabuse him. I have warned both of you.

Schools—autism

MR DOSZPOT: My question is to the minister for education. Minister, you would be aware of an email sent from Speaking Out for Autism Spectrum Disorder, SOfASD, advising that they have passed a motion of no confidence in you as minister for education and for disability. The organisation states that the matter is not an isolated incident and that there is systemic failure for autistic students in the ACT. Given that this organisation works closely with families with autism spectrum disorders, how can you be so certain that the cage response was an isolated incident?

MS BURCH: I am aware of Mr Buckley's email. Mr Buckley and I go back a long time. He is a very passionate advocate for his family and for families with autism. But let us be very clear; he does not speak on behalf of or represent the entire autism community. He has particular views; he is particularly wedded to the applied behavioural analysis approach.

I looked with interest at his comments saying that this was an isolated incident. My comment was around the inappropriate structure being an isolated incident. If you listened to any of the commentary last week or what has been put out in the public arena, we are assured that that construction was a one-off incident.

In regard to how we support our children with autism and children with challenging behaviours across our school sector, it is for the expert panel to come back and provide us with further advice for government and non-government schools alike, because they have all contributed to that view about how school systems as a whole can respond to increasing challenging behaviours and the increasing expectations of families for children to have an inclusive education in our city.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, were other schools investigated as part of the inquiry conducted under the framework of the EBA?

MS BURCH: I think you are trying to ask me: did we check other schools to ascertain if they have inappropriate structures, Mr Doszpot. That has been answered. Yes, we did and no there are not.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, how can you be confident that it was an isolated incident given the limited scope of the EBA investigations?

MS BURCH: I have answered the question. It was an isolated incident. Again, I refer you to the letter that was in the *Canberra Times* yesterday from the school community themselves. They are saying, "Can the school and the family now be left alone to get on with what they need to do?"—which is nurturing and teaching the kids in that school.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, how can the ACT education community have confidence in you as a minister when specialist groups express a lack of confidence in your management of children with special needs?

MS BURCH: I can go to any number of comments that have been made in support of me, particularly around disability. The Ricky Stuart Foundation has been in the courtyard here and at functions, where some of you have been, where Mr Stuart has said very clearly that if it weren't for support from me and my office, the respite centres would not be progressing. Project Independence, Glenn Keys, nominated as Australian of the Year, has said that my support has been absolutely critical for progressing Project Independence. Let's take education. We signed an MOU about a month ago with Catholic and independent schools. They described it as a monumental occasion where we all agreed that all schools would annually sign up to an assurance for our community. Every school, regardless of the sector or the suburb, can provide assurance to Canberra families that that school will meet all its obligations. If you are asking if the schools sector has confidence in me, this the first time an agreement of this sort has been reached and it was reached under my ministership.

Schools—autism

MR WALL: My question is to the minister for education and Minister for Disability. Minister, I refer to a statement of no confidence in you by Speaking Out for Autism Spectrum Disorder, who state:

The members of its expert panel are at least partially responsible for the design, staff training, operation and monitoring of existing education services in the ACT so, they have a substantial conflict of interest.

They go on to say that the government shows little or no understanding of the level of systemic failure for autistic students in the ACT. Minister, how do you respond to these serious concerns?

MS BURCH: It is interesting that Bob Buckley has made such negative comments against Professor Shaddock, against the human rights commissioner for children and young people and against Sue Packer, who is a well-regarded pediatrician in this city. That is what he has done by saying they have a conflict of interest and that they are not up to the task. I will challenge Mr Buckley on that, because I would say Professor Shaddock, Sue Packer and Alasdair Roy are, indeed, up to the task. I also refer to those critical friends they have brought in to support the expert panel—people with national expertise and standing in autism. That is the group that will look into this.

The opposition should look at how the education system supports students with autism. If you wanted to look, I can give you the list of autism units across our public education system. I direct you to the Education and Training Directorate's website which goes into great detail about the network student engagement teams. There is support out there. Can we do better across sectors? Absolutely. That is the purpose of the expert panel, and that is the advice they will bring back to me.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, what systemic or cultural problems exist which restrict teachers' ability to seek support for students with complex needs?

MS BURCH: There is no system failure or holding back of teachers seeking to access the expertise that sits within our network student engagement team. We have experts in central office. We have a targeted focus on supporting all kids—those with challenging behaviours, those with disabilities, those from non-English speaking backgrounds and others—to make sure that every student, regardless of their abilities or capacities, is supported and engaged to get a quality education.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what have you done to assure yourself and the community that members of the expert panel do not have a substantial conflict of interest?

MS BURCH: I am absolutely assured that they do not have a conflict of interest. That very question from the Canberra Liberals over there, who are repeating the words of Bob Buckley, is damaging. You are bringing those people's reputation into question, Mr Doszpot, and I think that is appalling.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, has the government perpetuated the problems in the directorate by taking so long to finalise the report?

MS BURCH: I am not quite sure if Mr Doszpot is referring to the concluded EBA report or to the expert panel report that is yet to be delivered to government.

Women—domestic violence

DR BOURKE: My question is to the Minister for Women. Minister, the ACT government recently signed the second implementation plan under the ACT prevention of violence against women and children strategy 2011-2017. What are the priority areas the government will be focusing on under the plan?

MS BERRY: I thank Dr Bourke for the question. We know that violence against women is recognised as one of the most widespread yet hidden forms of human rights abuse in our community. The tragic deaths from domestic violence earlier this year in the ACT, and more recently in Queensland, are a stark reminder to all of us about the serious impact that domestic and family violence has in our community.

The second implementation plan under the ACT prevention of violence against women and children strategy 2011-2017 covers the period from 2015 to 2017. One of the primary principles informing the ACT strategy is the need to encourage actions that provide the government and the community with opportunities to demonstrate their stand against domestic violence. This principle is reflected in the first of the five key areas in the ACT strategy, which is to drive a whole-of-community and government action to prevent violence and create an anti-violence culture.

Actions that can be taken under this key priority range from organisations and directorates becoming White Ribbon accredited to including domestic violence as a category in grants programs, such as recently seen in the multicultural grants program. An essential action under this priority is ensuring that every front-line worker across the government is trained and confident and able to identify early warning signs that a woman may be living with violence and to take appropriate action.

The second priority is to understand the diverse experiences of violence. We must all commit to improving our understanding of domestic, family and sexual assault. Diversity must be central to the planning and delivery of these effective services. The plan requires all directorates across the government to respond to the different needs of women from a range of cultural and social backgrounds.

Thirdly, as the evidence and research are consistently showing, we must support innovative services and joined-up service systems. The advice from our experts is that women are falling through the gaps. To address this, we are undertaking a gap analysis project that will help us see where our service system can be improved.

Another critical priority is ensuring that across all our responses, perpetrators are held accountable for their violence and offered opportunities to change their behaviour. The ACT has been working with our state and territory counterparts and the commonwealth government to develop national standards for perpetrator intervention programs. These standards will bind perpetrator programs to demonstrate that they are based on an understanding of the power imbalances that underpin domestic violence.

Our fifth and final priority area is to continue to build the evidence base to support good and best practice in the area of domestic violence. One way we can do this is through the financial contributions to Australia's National Research Organisation for Women's Safety. The government has also committed to develop a national violence data framework in the ACT and we will also revise the ACT criminal justice statistical profile to include a domestic violence and family violence dataset.

These are the five key areas to ensure that our work across government is consistent in all its directions and focuses on where change is most needed and where it can be most effective.

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, what is the ACT government doing to support joined up service systems as recommended in the second implementation plan?

MS BERRY: As I briefly touched on earlier, there is a commitment for the Community Services Directorate to oversee a gap analysis of the service system related to domestic violence. The literature review for this project will ensure that our work is based on evidence and good practice and the project as a whole will identify where and how we can improve and build a joined up, integrated service response for women and children experiencing domestic violence.

Work on the gap analysis has commenced. It is anticipated that the outcome of this research will assist the government to identify the steps required to bridge the gap between our system as it currently exists and where people ideally want or need to be. The gap analysis will include looking at ways to improve information sharing between agencies, both government and non-government, and explore the potential use of a common risk assessment to enhance joined up service provision and improve our protection to women and children experiencing domestic and family violence.

The ACT domestic violence death review being undertaken by the Women's Centre for Health Matters will also be critical in informing the gap analysis. This work will support the full implementation of the national plan.

MADAM SPEAKER: Supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how is the ACT government improving its response to diverse experiences of violence?

MS BERRY: Understanding diversity in people experiencing domestic and family violence and sexual assault is crucial in providing appropriate supports to people who are in need. The second implementation plan recognises that there is a need to focus on and support Aboriginal and Torres Strait Islander families in our community who are experiencing family violence and we will continue to consult with the Aboriginal and Torres Strait Islander Elected Body, as well as community leaders, about what is their greatest need and how we can effectively meet those needs.

The second implementation plan also explicitly acknowledges the need to focus on women with disabilities; women from culturally and linguistically diverse backgrounds; the lesbian, gay, bisexual, intersex and queer communities; and how we need to give additional consideration and understanding to the needs and experiences of those in these communities.

Governments at both state and federal levels have made a commitment to ensure that diversity is central to the planning and effective delivery of this program and to service provision in order to ensure that these groups are included in the mainstream service system.

This national cooperation has been reflected in the national response that was initiated after a string of heartbreaking and high-profile instances of violence. In the lunch recess, I took part in a COAG meeting of women's safety ministers to consider the evidence base for the \$30 million national education campaign that will target young people. The cooperation occurring at national levels makes me hopeful that we will, over the coming years, be able to respond to the full diversity of the experiences in our community.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how will the second implementation plan affect the lives of women experiencing or escaping domestic violence here in the ACT?

MS BERRY: The second implementation plan sets out clear actions to improve programs, services and systems that support families experiencing, or who are at risk of, domestic and family violence and sexual assault. For example, by increasing awareness of domestic violence for front-line workers in the ACT government and by ensuring that they are trained to identify and respond to domestic violence, we will be able to make a real and significant difference in the lives of women in the ACT.

The government has committed that every directorate across the ACT will develop individual action plans under the 2IP. These will provide a reporting framework to make sure that the actions in the implementation plan are followed through and implemented across government. Each directorate has been working with the ACT Office of Women to develop these action plans. The support and eagerness that have been shown across the government gives me confidence that we are moving to a space where all ACT government workers, in fact all Canberrans, recognise their duty to respond to women and their children who are experiencing domestic violence in the ACT.

It is critical that the government and the community sector work together to deliver effective, well-targeted and integrated services to support women and children who have experienced domestic and family violence and sexual assault. I am confident that, as a community, we can support women and children who have experienced or been affected by domestic or family violence, from early intervention to post-crisis support.

Education and disability—government policies

MRS JONES: My question is to the Chief Minister. In May both the Australian Education Union and the Telopea school P&C passed motions of no confidence in the minister for education. On 19 September the committee of Speaking Out for Autism Spectrum Disorder passed a motion of no confidence in Minister Burch both as the minister for education and Minister for Disability and in the ACT government as a whole. Why has the government lost the confidence of this community in its handling of education and disability matters?

MR BARR: It has not.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what are you doing to rebuild confidence with these community groups?

MR BARR: The government will continue its focus—all ministers—on improving services to the people of Canberra.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Chief Minister, will Ms Burch remain as the minister for education and the Minister for Disability until the 2016 election?

MR BARR: The government remains committed to delivering quality services to the people of Canberra—

Mr Hanson interjecting—

MADAM SPEAKER: Order! Remember you are on a warning, Mr Hanson.

MR BARR: The government remains committed to delivering quality services to the people of Canberra but of course from time to time there are reshuffles of ministerial portfolios. I am not ruling that in or out at this stage.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Chief Minister, why has the government failed to be open and transparent in its handling of the child in the cage incident?

MR BARR: It has not.

Schools—autism

MS LAWDER: My question is to the Minister for Education and Training. Minister, was the inquiry into the cage undertaken under the ACTPS education and training (teaching staff) enterprise agreement? If so, under what section of the agreement was the inquiry undertaken?

MS BURCH: My understanding is that it is under section H6, misconduct and discipline, of the ACT public service education and training (teaching staff) enterprise agreement.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, did the government consider other frameworks other than the EBA to conduct the inquiry?

MS BURCH: As I may have mentioned last week, that was the primary focus, or filter, under which the investigation was undertaken, but also other standards considered by the delegate were the Public Sector Management Act 1994, the teachers professional code of practice, the ACT school leadership strategy and capability framework and the Australian professional standards for principals and leadership profiles.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, when did you or your office first see a copy of the key findings of the inquiry, which was then distributed to the media?

MS BURCH: It is my understanding that that is part of the time line that is in the public arena. I saw something at end of the week—it was either Thursday or Friday.

We took briefings about an action earlier in the week, again, similar to when this first came into being in April of this year. We made sure that there was one day to make sure the family was contacted and those people that needed to be informed were informed.

I can confirm those times: it goes back to Tuesday, 8 September when the family, the school community and directorate staff were notified and the results were announced. On Monday, 7 September we worked with the directorate on the proposed approach. On Thursday, 3 September I was briefed by the delegate on the delegate's decision, then on the Friday I met with the directorate about that report.

Mr Coe: On a point of order on relevance.

MADAM SPEAKER: Stop the clock.

Mr Coe: The question was specifically about the key findings of the inquiry rather than the report of the inquiry.

MADAM SPEAKER: If Minister Burch has anything more to add to tease out the answer to the question, she has 52 seconds to do so.

MS BURCH: No, I think I have been fairly clear. I got the information on the Thursday and discussed it on the Friday and the Monday. Spoke to the families on the Tuesday and went public on Wednesday.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, who decided what findings would be included in the key findings handout document which was published?

MS BURCH: I answered that question yesterday; it was the director-general.

Schools—autism

MR COE: My question is to the Minister for Education and Training. Minister, why did you or your office distribute the key findings of the HR investigation, rather than the Education and Training Directorate or Shared Services?

MS BURCH: The agreed response, which was to go public, was issued through both my office, because I think there was community interest in it, and also the directorate's website.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, was the summary, or key findings handout document, produced by the delegate or investigator, or was it produced by you or your office or your directorate?

MS BURCH: The directorate.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, did you or your office make any inclusions or exclusions to the key findings handout document which was made publicly available?

MS BURCH: Clearly there were discussions between me and the director-general. My clear interest was to have as much information pulled out as possible. That has been my view from the very beginning, understanding that under the provisions of the investigation through the EBA the full report in its original form would not be released, as is the provision under the EBA. But I understood community's interest and sought to have as much in the public domain as I possibly could.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what items were excluded or included about the key findings document and by whom?

MS BURCH: I am not going to the rule in, rule out; I said, she said; and all of this. The investigation has been concluded. There have been findings made. The person whom those findings were made against has accepted them. We have put information into the public arena. There is an expert panel that is dealing with other matters about supporting children with challenging behaviours. The director-general is on record saying that any subsequent work that needs to be done with officials that may not have acted will be acted upon—

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

MADAM SPEAKER: Stop the clock.

Mr Hanson: The question was very specific about who essentially made decisions about what was in the—

MADAM SPEAKER: The question was: what items were included or excluded and by whom?

Mr Hanson: Who made the decision, Madam Speaker? That was the question.

MADAM SPEAKER: I think that the minister said she was not going to answer that question.

MS BURCH: Yes.

National disaster rescue challenge

MS FITZHARRIS: My question is to the Minister for Police and Emergency Services. Minister, I understand that on 4 September you launched the national disaster rescue competition in the ACT. Can you inform the Assembly about the national rescue competition?

MS BURCH: I thank Ms Fitzharris for the question. I will be pleased to talk about the national disaster rescue challenge. On the fourth of this month I had the pleasure of officially launching the national disaster rescue challenge. The challenge ran over two days—Saturday, 5 September and Sunday, 6 September—at various locations here in the national capital.

Opposition members interjecting—

MS BURCH: Those opposite seem to make fun of the SES crew that stood up and represented the ACT. As we welcomed SES teams from across the country—

Opposition members interjecting—

MS BURCH: This is a very important part of what they do, but, no, those over there seem again to want to smirk and carry on, all to seem to upset me. They cannot upset me, Madam Speaker; I will continue to support the SES. I would never be in this place and use an opportunity like they have to snigger and put disregard on the SES.

The challenge is a premier competition for state and territory emergency services. It is an opportunity for volunteers and employees of the SES to get together, to share some healthy competition and camaraderie, and to celebrate and be celebrated for the skills they have attained and the work that they do.

Every two years, volunteer units from around Australia come together in the spirit of friendly and robust competition, with a unique opportunity to display their skills. This year's theme was "Interstate deployment—response to severe storm damage". The objectives of the challenge involved fostering excellence and innovation in storm damage response; leadership, coordination and teamwork to provide a forum for learning through the exchange of techniques and ideas; and promoting the skills in the public training safety package—all while promoting a spirit of cooperation and friendly competition among volunteers. The event involves teams completing challenging rescue scenarios. They are judged on many of the aspects of their rescue and technical skills as well as first aid, navigation, teamwork and leadership.

This year there were 49 competitors from the ACT, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania and Victoria, supported by seven team managers. This year's challenge would not have been possible without the approximately 125 ACT SES and other volunteers who made the 2015 challenge the success it was.

This year, the ACT SES teams from the Majura and Gungahlin units were thrilled to take out third place in the competition. All participants, event officials, management teams and supporters should be rightly proud of their contributions to such a national event.

MADAM SPEAKER: A supplementary question, Ms Fitzharris.

MS FITZHARRIS: Minister, how will our SES volunteers, who have some of the best rescue skills in Australia, be able to showcase their skills and aptitude through this competition?

MS BURCH: It is true that in the ACT we are fortunate to have volunteers with some of the best rescue skills in Australia, and we should be tremendously proud of that. Whilst our local team did not win this year's challenge, we can be assured that they had a fantastic time and continued to foster relationships with members of the SES from other states across Australia while demonstrating and attaining valuable skills. The challenge is an opportunity for state and territory service volunteers from across Australia to display their skills and enjoy some well-earned accolades and recognition for the valuable work that they do.

When an opportunity such as the rescue challenge presents itself, it encourages rescue units to showcase different approaches to disaster and rescue activities and allows the great work that our volunteers do to be seen and to be recognised by our community. As we know, our SES members work tirelessly through the year and they are an incredibly dedicated group of men and women who have undertaken significant training to hone their skills and who volunteer their time to keep the Canberra community safe.

As members in this place may recall, earlier this year I spoke about the assistance that our SES volunteers provided to New South Wales during some severe storm events in Sydney and surrounds. To date the SES have responded to a total of 528 calls in our community in this year alone and, in addition to the skills that are displayed in real-time events, the opportunity to demonstrate their ability through healthy competition is appreciated by all.

As the host jurisdiction for this year's challenge, each SES unit designed a scenario for teams to undertake that focused on core SES skills. These scenarios were located at ESA training headquarters, Springbank Island and a number of SES units around Canberra. Included in the scenarios were casualty management, general rescue, staging area management—(*Time expired.*)

MADAM SPEAKER: A supplementary question, Dr Bourke.

DR BOURKE: Minister, how does the rescue challenge contribute to the strong relationships that the ACT SES has developed across jurisdictions, including assistance provided during times of need, and highlight the different skills and training offered in other jurisdictions?

MS BURCH: I thank Dr Bourke for his interest. The national rescue challenge does indeed contribute to building those relationships across jurisdictions in a spirit of cooperation that was on display from teams from all states and territories bar, I think, Western Australia. For the interest of Dr Bourke, this year the six-person team from Kiama, representing New South Wales, came out on top. Along with our ACT SES I would like to congratulate the Kiama team.

The challenge does provide an opportunity for volunteer units from around Australia to interact and build on their relationships and to share the skills and learnings they have within each of their volunteer units. Each jurisdiction's response to rescue and disaster can vary, and different methods of executing rescue operations can be seen throughout the challenge, which provides a fantastic learning forum through the exchange of techniques and ideas between the different units.

I would also like to remind everyone of the proud history of cooperating with and supporting other states during emergencies. In addition to the fantastic support provided to New South Wales during a severe flood event earlier this year, our SES have assisted with emergency support to Western Australia for fires, the search for MH370, Cyclone Yasi and the Brisbane floods. I am extremely proud of the cooperation across our emergency services.

MADAM SPEAKER: Supplementary question, Dr Bourke.

DR BOURKE: Minister, how can members of the community get involved in the SES and participate as volunteers with this fantastic organisation or, indeed, elsewhere in the ESA?

MS BURCH: Volunteers are a crucial part of the ACT Emergency Services Agency as front-line responders to emergencies such as storms, floods and bushfires. They provide immediate assistance to our community during emergencies and disasters 24 hours a day, seven days a week. It goes without saying that the work these volunteers do is immensely valuable to our community and that the time that these volunteers commit to the ESA is paramount to the success of the organisation.

ACT SES volunteers are recognised through a comprehensive range of formal and informal means—from social gatherings hosted by the Chief Officer to presentation of certificates, citations and medals. The challenge is not only one way to share skills but also to recognise and reward the incredible work these individuals do.

Volunteer positions in the ACT Emergency Services Agency include firefighters, State Emergency Service members, community education practitioners, mapping and planning support members, and community fire unit members. The recruitment process for the SES involves formal registration, intake and induction processes. Each year up to 1,000 members of our community register their interest in becoming an SES volunteer. Of these, approximately 25 are recruited per intake.

I encourage anyone who is thinking about becoming a volunteer to go on to the ESA website and register their interest in it because it is a great organisation to work for. Again, I congratulate all those who participated in the national disaster rescue challenge.

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

Supplementary answer to questions without notice Williamsdale solar farm

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) (3.14): Yesterday there were questions relating to the EIS exemption for the Williamsdale solar farm. I can clarify through my role as Minister for Planning that I have granted an EIS exemption, otherwise known as a 211, to the proposed Williamsdale solar farm. After a full public consultation process, I am confident that this is in the best interests of the government, the environment and the community.

After the public consultation period, conditions are now placed on this exemption to protect the native environment. These include that a development proposal needs to demonstrate that all reasonable measures have been taken to minimise native tree loss; all trees along Angle Crossing Road are retained; disturbance to understorey vegetation within the road surface and the road reserve is avoided; the removal of any mature trees outside the array is justified at the time of the submission of the development application; felled trees are to be used as habitat for local fauna in other areas; a weed management plan must be prepared and implemented as part of the CEMP; all supporting reports must be revised to reflect the adjustment of the solar facility location in response to the public submissions; fuel reduction measures within the nearby nature reserve are not allowed; a bushfire management plan should be developed for the establishment and maintenance of the asset protection zones in consultation with TAMS, ESA, the Conservator of Flora and Fauna and the EPDU utility regulation team; and the plan should outline at least the provisions of IAPZ and OAPZ.

The proponent has conducted comprehensive environmental planning, and the issue has also been previously addressed by the EPBC in 2012, which deemed there to be no further clearances needed from the national body in relation to native vegetation. This now allows the proponent to commence the development application process, which will give the community another opportunity to have their say on the development.

Canberra-Beijing—sister city relationship

MR SMYTH (Brindabella) (3.17): I move:

That this Assembly:

(1) notes that:

- (a) this month marks the 15th anniversary of the debate that gave the ACT Legislative Assembly's approval for the establishment of the Canberra-Beijing Sister City relationship and its ongoing success;
- (b) two per cent of Canberra's population was born in China, and that Mandarin is the most commonly spoken language in Canberra after English;

- (c) Chinese students form the largest international student group at Canberra campuses with approximately 5500 students enrolled in our education system; and
 - (d) Chinese tourists have a high awareness of Canberra and a strong desire to visit our city, which is supported by Tourism Research Australia data that indicates Canberra received around 29 000 Chinese visitors in the year ending December 2014;
- (2) notes the Chief Minister's statements that:
- (a) the sister city relationship Canberra shares with Beijing has been a highly collaborative, beneficial and rewarding relationship throughout its 15-year history;
 - (b) each time an ACT trade mission travels to Beijing we are provided with enormous hospitality and access to Chinese officials at the highest levels as a result of the Canberra-Beijing Sister City Agreement; and
 - (c) the China-Australia Free Trade Agreement (ChAFTA) presents major trade and export opportunities for the ACT in tourism, education, healthcare and professional services sectors; and
- (3) calls on the Government to:
- (a) affirm the motion presented by former Chief Minister Kate Carnell in 2000 to establish the Canberra-Beijing Sister City relationship;
 - (b) continue to progress the Canberra-Beijing Sister City relationship to foster trade, education, cultural and tourism opportunities between our two cities; and
 - (c) support ChAFTA as part of the ACT's high level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital.

It is a great pleasure to move this motion and speak to something I believe has been a great success for the entire ACT community. I am reminded of the words of Tim Fischer who said that Canberra had trumped Sydney in strategically aligning itself with the Beijing Olympic bid. He commented in a *Canberra Times* article that we will be smelling the roses in Canberra for the next seven years, and I think he was right. But it has not been just the past seven years; it has been the past 15 years. We need only look to the Chief Minister's statement on his recent ministerial delegation to Beijing, where he said:

The sister city relationship Canberra shares with Beijing has been a highly collaborative, beneficial and rewarding relationship throughout its 15-year history.

Chief Minister, I agree. For those who do not know the history, on 7 September 2000 the then Chief Minister, Kate Carnell, moved a motion that this Assembly agree to the

ACT government's signing a sister city proclamation with the Beijing Municipal People's Government for Canberra and Beijing to enter into a sister city relationship. Governments often have a lot of opportunity to enter into such relationships, and some of the cities that had been in discussion with the then government were Port Moresby in Papua New Guinea, Zakopane in Poland, Samara in Russia, Atlanta in the USA, Ottawa in Canada, Canakkale in Turkey, Pretoria in South Africa and, of course, Beijing in China. It was wonderful vision of the then Chief Minister in choosing Beijing because it has been very fruitful.

Again, I reflect on some of the words of the current Chief Minister when he said that every time we visit we are greeted with great hospitality, and that is true. Indeed during the visit I made to Beijing, on which the then Deputy Leader of the Opposition, Ted Quinlan, accompanied me, the hospitality was sensational. That was because people saw there was a common purpose between the two cities in furthering the progress of both cities and not just riding on the other or one drawing off the other. There was something in this for both.

Of course the initial focus was the Olympic bid, which was then successful. History shows that an ACT public servant, Haitao Wen, was part of the Beijing Olympic committee bid team in Moscow when the announcement was made. That was the level of trust that we very quickly came to have with the Beijing municipal government in regard to what we could do for them. Subsequent years have shown what Beijing can do for us. It is in that process of working together and being sister cities in that relationship that has made this work.

This month marks the 15th anniversary of the debates that occurred. We know two per cent of Canberra's population was born in China and that Mandarin is the most commonly spoken language in Canberra after English. Chinese students form the largest international student group at Canberra campuses with, approximately 5,500 students enrolled in our education system. Chinese tourists have a high awareness of Canberra as well as a strong desire to visit our city. This is supported by the Tourism Research Australia data that indicates Canberra received around 29,000 Chinese visitors in the year ending December 2014.

I note from the Chief Minister's recent statement that he says—I will read a couple of the quotes because they are important—one of the three primary objectives of the April mission to Beijing was to progress the Canberra-Beijing sister city relationship. He says on page 3 of his statement, as I quoted earlier:

The sister city relationship Canberra shares with Beijing has been a highly collaborative, beneficial and rewarding relationship throughout its 15-year history

It is great we have been able to achieve that. I have quoted some of the statistics from page 4 of the Chief Minister's statement, and on page 5 he says:

... each time an ACT trade mission travels to Beijing we are provided with enormous hospitality and access to Chinese officials at the highest levels.

That is really important. I am sure the Chief Minister would agree that the relationships go beyond the professional. The Chinese officials I have met have been absolutely delighted—I am sure the Chief Minister would agree—with the relationship we have and they see it as far beyond the commercial. It is about culture, meeting with people, enjoying their company and benefiting from having each other's company.

The Chief Minister goes on to say there is a real opportunity. His statement says:

Discussion also focused on the opportunities presented following the recent completion of negotiations for a China-Australia free trade agreement. The agreement presents major trade and export opportunities in the tourism, education, healthcare and professional services sectors. Each of these fields present significant opportunities for the ACT's private sector and research partnerships, and they complement the ACT government's high-level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital.

It is important that we do all of those things. The final line I will quote from the Chief Minister's statement is:

The Canberra-Beijing sister city relationship continues to be a fruitful and rewarding one for both cities.

And so may it be. With that comment in mind, paragraph (3)(a) of my motion calls on the government to affirm the motion presented by the former Chief Minister Kate Carnell in 2000 to establish the Canberra-Beijing sister city relationship. I believe I am the last member still in this place who actually voted for that motion. There were some who were here who chose not to vote, but I am very proud I was here when it happened. It was groundbreaking, and we can see now, 15 years later, the success the Chief Minister is seeing with the business community that it was a good and worthy thing to do.

It is important that we reaffirm as an Assembly the motion presented by the former Chief Minister that this Assembly agrees to the ACT government signing a sister city proclamation with the Beijing Municipal People's Government for Canberra and Beijing to enter into a sister city relationship.

Part (3)(b) of my motion calls on the government to continue to progress the sister city relationship to foster trade, education, cultural and tourism opportunities between our two cities. They are simply the Chief Minister's words, so I am sure he will support his own words. Part (3)(c) calls on the government to support the China-Australia free trade agreement as part of the ACT's high level priorities in transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital. Again, they are the Chief Minister's words which we are happy to support and which tie into a motion that I think brings together the relationship, the new China-Australia free trade agreement and the future of both cities.

It is important that we have these conduits into these large partners of Australia in trade, but it is beyond trade. The Chinese community here is very supportive of the agreement and very supportive of the free trade agreement because they can see the opportunities beyond the business. It is about cultural exchange. When you have a country with China's cultural achievements and a city like Canberra—which is on the land of the Ngunnawal people with 10,000 to 20,000 years of occupation in this region and as much as 60,000 to 100,000 years of continuous occupation and culture in this country—you have two very old cultures. There are very different styles of art and culture and history and tradition, but there is a real willingness to make sure that beyond the trade and beyond the business we have the culture, we have the community and we have the opportunities to travel.

Then there is the path forward. It is about the education facilities, working together, educating our young and, indeed, even not so young Australians and Canberrans and not so young Chinese and Beijing residents, so we have an interchange of ideas and that interplay between two cities in a world that is growing rapidly and has enormous problems to be overcome. It is important we continue that path together and that collaboration between the universities of Beijing and the universities here, including Australia's premier university, the Australian National University, our own University of Canberra and the work of Charles Sturt, the Australian Catholic University and the New South Wales college at ADFA. They are very important things that need to be fostered.

It is also about people meeting people, whether it be in tourism or other areas. I think what the Chief Minister said in his report is quite true: there is a high level of knowledge about capitals. Capitals and prestige are very important to communities. Beyond our wonderful Parliament House building on Capital Hill we have the collecting institutions. You need only look at the Asian-based collections in the National Gallery of Australia to understand the importance of our links with Asia and particularly with China. It goes beyond the trade. It is about a relationship. It is about people meeting people and individuals meeting individuals. That is why I urge members to support this motion today.

If, as the Chief Minister said, it has been a success and if, as the Chief Minister says, there are opportunities with the China free trade agreement, it is important we get the path forward right and that this Assembly today sends the signal that we understand the agreement has a great deal to do with the future of not just Canberra but Australia. It provides enormous opportunities for all Australian firms and firms based in Canberra. A lot of the Australian business community has pointed out it is very important to bring the free trade agreement into being as quickly as possible. Groups as diverse as the Minerals Council and the National Farmers Federation have said that. Any delay has been estimated as costing agricultural exports up to \$300 million alone in 2016. That, of course, has knock-on effects in rural communities and other industries as well.

Some of the things it is believed will come out of the agreement are an increase in jobs, a productivity boost, lower import prices, and an enhancement of the prospect of increased two-way investments. We know we already have recent agreements with

our other north Asian partners—those being Korea and Japan—and these agreements with Korea, Japan and China could be worth \$24.4 billion in additional income to Australia between 2016 and 2034. Some of the estimates I have been given from my federal colleague Andrew Robb's office are that the free trade agreement will create almost 6,000 jobs in 2016, peaking at almost 15,000 new jobs in 2020. We want some of those here in the ACT. We certainly want to get our share of that.

With that, members, I trust you will support the motion. I trust that we as an Assembly can endorse what was done in 2000 and that we can say in 2015 that we are just as dedicated to furthering the sister city relationship between the two and we hope to see it prosper, thrive and bring the rewards for both communities that it justly should.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (3.30): I thank Mr Smyth for raising this motion today. It certainly reiterates many of the points that I raised in this place last month when I reinforced the significance of Canberra's sister city relationship with Beijing and China's cultural and economic importance to Canberra more broadly.

All of the points that Mr Smyth has requested that the Assembly note in relation to the significance of Canberra's relationship with China are, indeed, points that I outlined in this Assembly in August, so I am happy to note and indeed reiterate those points. Canberra's Chinese community is an essential part of what makes our city such a great place to live. I acknowledge the vital role that Canberra's Chinese community has played in our inclusive, welcoming and multicultural community. We also warmly welcome many visitors from China—in fact, more visitors than from any other country.

Much of the remainder of Mr Smyth's motion largely reads as if it was copied verbatim from my recent statements regarding our city's positive ongoing relationship with Beijing, and China. In the spirit in which that is offered we are very happy to voice our support in the Assembly today for the Canberra-Beijing sister city relationship and emphasise the important and beneficial relationship there is between our two cities.

It is certainly not in argument at all that Canberra's sister city relationship with Beijing has been positive and rewarding. I repeat: the interest and generosity that the Beijing municipal government and the community have bestowed upon Canberra has been very much appreciated by our government and by the people of Canberra. The Beijing Olympic torch relay in 2008 was a highlight for our city, putting Canberra in the world spotlight. That Beijing chose to share that honour with Canberra, and no other Australian city, is truly reflective of the high regard in which they too see our sister city relationship.

The magnificent Beijing gardens on the shores of Lake Burley Griffin are another impressive addition to Canberra's cultural diversity. This centenary gift for our city from the Beijing municipal government celebrating the sister city relationship is a people-to-people city gift that is able to be used and appreciated by every Canberran,

as well as the millions of interstate and international visitors who come to our city. In addition, the local Chinese community's 2010 gift of a Confucius statue in Dickson, marking the 10th anniversary of the sister city agreement, was a further and incredibly generous way for Canberra's Chinese community to show their appreciation of our city.

It is encouraging this afternoon that Mr Smyth is calling on the ACT government to continue to progress the sister city relationship, given this is in fact what has been occurring for the last 14 years. I take the opportunity this afternoon to acknowledge that this relationship was formalised under the Carnell government. I also wish to put on the record, of course, that it has been Labor governments that have been working hard to reach a number of milestones in this relationship. I could go back in history and acknowledge the role of Prime Minister Whitlam, initially as opposition leader, in the recognition of the People's Republic of China. I think this is something that we can certainly claim as a big part of Labor and Labor's tradition. We will continue to focus on the future whilst recognising the significant achievements and efforts on both sides of politics in the past.

Our most recent trade mission to China in April this year was strongly geared towards progressing the sister city relationship and facilitating positive collaborative relationships which showcase the strength of our partnership. When I met with the Mayor of Beijing, Mr Wang Anshun, one of the priorities for our discussion was the continued support between our two cities for exchanges of cultural and economic benefit.

It was during this visit that we were able to secure next year's exhibition in Canberra—*Qing: Life in China, 1644-1911*—an exhibition direct from Beijing's National Library of China. Mayor Wang was especially proud that the exhibition was travelling to Canberra, believing it was only fitting and that the sister city was the perfect place with which to share these highly regarded and deeply personal Chinese treasures. The *Qing: Life in China* exhibition is a one-off, once-in-a-lifetime opportunity that is exclusive to Canberra and a superb demonstration of the cultural exchange between the Australian and Chinese people and the importance of our sister city relationship.

This visit also recognised the importance of partnerships between our universities and those in Beijing. The continued education collaboration is very important to our relationship. The ACT government continues to support our higher education and research sectors through a range of deliberate policy outcomes and program support because we know it is critical to driving innovation and in building the knowledge base and human capital that Canberra needs in this new century.

At Beijing's Peking University and Beijing's Renmin University, we promoted the ACT's education credentials and renewed agreements that deliver student articulation programs, staff exchange programs and joint research collaboration programs. There are many opportunities like this between our two cities.

Our partnerships with Beijing's premier universities add to our city's global standing and promote us internationally to an increasingly larger audience. So the foundation

of a strong relationship with Beijing has been created and continues to be strengthened. The ACT government will continue its support of Canberra business accessing Chinese markets through trade and export, and indeed we are an open and welcoming business community keen to encourage a two-way flow of trade and investment.

The sister city agreement with Beijing provides an important channel for this to happen, but it is also facilitated by an active program approach. That is why, in partnership with the Canberra Business Chamber, the ACT government has developed a comprehensive range of initiatives that are designed to support companies to grow their export capability and performance. This approach is laid out in detail in the government's business development strategy.

For export-ready businesses, we are working closely with the Business Chamber to undertake a further trade mission to China in April 2016 as part of the Australian government's Australia week in China program. The trade mission program will be supported by mission focused workshops designed to give exporters the skills they need to operate most effectively in these markets. It will look to give ACT businesses the support they need to access opportunities in Beijing specifically but also more broadly across the great country of China, Australia's largest trading partner, where two-way trade reached \$130 billion last year. Our sister city relationship also stands to support the ACT's inbound tourism aspirations out to 2020 and beyond.

Finally, when it comes to supporting ChAFTA—the economist in me does not like calling it a free trade agreement because it is not; it is a preferential trade agreement, but that aside—the government has clearly articulated a position on what constitutes a beneficial and fair free trade agreement. The ChAFTA agreement contains a number of important trade liberalisation outcomes for the tourism, education, healthcare and professional services sectors, all of which will come into force once the trade agreement is ratified.

These are critically important. They are growing sectors in the ACT. We will continue to work with and support local companies to identify and realise the opportunities that will open up from these trade reforms. In addition, the trade agreement will allow for the delivery of professional services through subsidiaries in China that can be wholly Australian owned, with a specific focus on research and development, environmental services and software development—again, areas where the ACT has expertise and significant international development aspirations.

We also recognise that the trade agreement presents more imminent trade opportunities for both Chinese and Australian companies in the large trade exposed sectors such as agriculture, resources and energy, and manufacturing. Whilst these sectors are not at the core of the ACT's economy, we do recognise their importance to the Australian economy generally and indeed the flow-on effect to some of our knowledge-based sectors here in Canberra.

But before any of this can progress, it is clear that there is a critical issue that must be resolved, and that is the application of labour market testing. Clearly, policies regarding labour market testing must accompany free trade agreements. My proposed amendment to Mr Smyth's motion goes directly to this point. I now move:

Omit subparagraph (3)(c), substitute:

“(c) support ChAFTA as part of the ACT’s high level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia’s premier knowledge capital subject to the Commonwealth passing legislation obliging all Australian governments to apply labour market testing.”.

We have seen some conflicting statements from various federal government agencies and suggestions that labour market testing would be undertaken on a case-by-case basis. So the question of whether the current proposed agreement requires labour market testing appears to be uncertain. There are strongly held views, I acknowledge, on both sides of this argument.

It is the ACT government’s view that the current arrangements are not clear enough and do not properly safeguard Australian jobs. The resolution of this issue simply requires the Australian government to pass legislation that binds all future Australian governments to apply labour market testing. This is not something that needs to be enshrined in the trade agreement itself, and I want to make that very clear. There are no changes required to the trade agreement. There need only be a separate piece of legislation that secures labour market testing as a standard practice applicable to all Australian trade agreements.

Fortuitously, Madam Assistant Speaker, I happened to run into Minister Robb in Sydney earlier this morning and we had a brief discussion. I congratulated him on retaining the trade portfolio and reemphasised my support for the trade agreement. I implored Mr Robb to continue discussions across the political divide at the national level in order to resolve this question. I note from public comments made just in the last 90 minutes or so by Prime Minister Turnbull and reiterated by opposition leader Bill Shorten that both have publicly stated a desire to discuss this matter. So I am calling on both the Prime Minister and the Leader of the Opposition to meet and to resolve these outstanding concerns, because it is important for this country and it is particularly important for Canberra and the ACT economy.

In summary, the ACT government recognises the benefits of the Canberra-Beijing sister city relationship. We will continue to progress this relationship to foster trade, education and cultural and tourism opportunities between our two cities and between Canberra and China more broadly. We support the trade agreement as part of the ACT’s high-level priorities of transport reform, ongoing urban renewal, and continuing to work to build Canberra as Australia’s premier knowledge capital. We call on both sides of politics at the federal level to work together, to pass legislation that will apply labour market testing and to agree that this trade agreement is too important to engage in political point scoring and that that era of Australian politics is behind us now with Prime Minister Abbott’s departure. I welcome the comments of Prime Minister Turnbull that he is open to meeting with the Labor opposition. I also welcome comments from opposition leader Bill Shorten that he wishes to discuss in detail with the Prime Minister a way forward to resolve this. That would be a fantastic outcome for Australia and an even better outcome for Canberra.

I strongly urge all those in this place to support my amendment, to support the free trade agreement, to support labour market testing and to support our sister city relationship. Then we can move forward positively and send a signal to our federal colleagues that this is too important to play politics with, that we value the strength of our relationship with Beijing and we value free trade between our two countries through this agreement, but we also support Australian jobs.

MRS JONES (Molonglo) (3.45): I am pleased to add my voice to the motion brought forward by Mr Smyth today and to confirm the importance of the sister city relationship between Canberra and Beijing, and the great importance of ongoing trade relationships between our countries and our cities. I hope that those opposite today will continue to recognise the importance of this relationship and will support the motion, as they obviously have agreed to do.

The sister city relationship was formalised on 14 September 2000 by then ACT Liberal Chief Minister Kate Carnell and the Mayor of Beijing, Mr Liu Qi. I note that my colleague Brendan Smyth, as he mentioned, is the only remaining member here in the Assembly who voted in favour of this original agreement. Good on you, Mr Smyth! It was an agreement that showed great foresight for the importance to both Australia and China as China is now Australia's biggest trading partner, mainly due to China's strong demand for Australian iron ore, coal and liquefied natural gas.

China is Australia's largest export market for both goods and services, accounting for nearly a third of Australia's total exports and a growing source of foreign investment. Exports to China, along with policy settings put in place in the Howard-Costello years, helped Australia escape the worst effects of the global economic downturn and the GFC.

Locally, it is estimated that over 6,500 residents of the ACT were born in China and almost 15,000 residents of the ACT had either a mother or father or both parents born in China. The growth in Chinese born people residing in the ACT was the third-fastest group, according to the 2011 census. Mandarin is the most common language spoken by all people speaking a language other than English at home, followed closely by Cantonese.

There are nearly 11,000 Chinese language speakers resident in the ACT. We have a bilingual Chinese-Australian early childhood centre in Mawson. So it is very clear to see that our long affiliation with China has benefited Canberra. Our outstanding universities and education facilities, including the now top 20 ranked ANU, are huge attractions to the approximately 5½ thousand international students who come to Canberra from China to study and to build a future.

The cultural contribution from the Chinese community across Canberra has been significant, including the generous gift of a limestone statue of the Chinese philosopher Confucius in Woolley Street, Dickson in 2010 to mark the 10-year anniversary of the sister city agreement between Canberra and Beijing. The statue came from Qufu, the birthplace of Confucius.

In November 2014 Canberra received a gift of a traditional Chinese garden from the Beijing municipal government. It is located at Lennox Gardens and was a Canberra centenary gift. It was opened by the Chinese ambassador, Ma Zhaoxu, and the former Chief Minister, Katy Gallagher.

The China free trade agreement was signed on 17 June 2015 in Canberra by Australian Minister for Trade and Investment, Andrew Robb AO, MP, and the Chinese commerce minister, Mr Gao Hucheng. The agreement lays a historic foundation for the next phase of Australia's economic relationship with China. The benefits to our community are not just trade related; we as a community benefit greatly from the many Chinese who call Canberra home. We benefit from those who have brought their skills and expertise to this city and are building their lives and raising their families here. I commend this motion to the Assembly.

MR RATTENBURY (Molonglo) (3.48): I welcome Mr Smyth's bringing this motion on for discussion today. The Canberra-Beijing sister city relationship has now been in place for 15 years, as has been noted. Over the past 15 years, cultural and tourism relationships have been put in place and have been developed.

I am firm believer that engagement is a positive thing, and today we have heard some of the stories, some of the practical outcomes, that have flowed from the signing of that relationship agreement. Engagement is a source of dialogue and good relationships. It helps communities and people understand each other and it helps break down prejudices and misunderstanding. It also provides a space to discuss opportunities for working together to achieve common objectives.

There are certainly positive relationships that have been built as a result of our sister city relationship—business relationships and the promotion of education services. We have the Beijing garden at Lennox Gardens as a gift from Canberra's sister city; that has been completed in recent times. Anyone who has had a chance to get out and look at it would have appreciated how stunning it is. If anyone has not, I encourage you to go. As the weather gets a bit warmer, it will be a lovely place to sit and contemplate life.

I note that one of the key events that have come about as a result of the sister city relationship was the hosting of the torch relay for the Beijing Olympics. Canberra was the only city in Australia to host a leg of the relay; I suspect that reflects the value of having the sister city relationship.

I think only those with short memories would forget that while there were celebrations and festivities around the torch relay, there were also significant tensions as people took the opportunity to remind China of their concerns about human rights issues. Those issues continue to be of concern to many Australian and Canberra residents—China's treatment of the Falun Gong people and the ongoing difficulties in the relationship with the people of Tibet. While I think we all value the role that sister city relationships can play, it is always important to remember that those relationships do not prevent us from allowing the expression of our concerns to each other. A strong and good relationship will enable us to build common connections and celebrate things together, but also raise issues of concern and issues that are difficult. A robust relationship will allow us to have those conversations.

Mr Smyth has taken the opportunity of the 15th anniversary of the sister city relationship to raise the contentious issue of the China-Australia free trade agreement, and I would like to make some observations on that today. Obviously, opportunities for trade are something that governments clearly focus on when they invest in international relationships. It has been so for a very long time. That can happen irrespective of a sister city relationship, and in some ways should probably be kept separate from those relationships.

Sister city relationships in my view are about building contacts and relationships between people and cultures and strengthening relationships. Trade relationships are somewhat more hard-nosed. We should acknowledge that governments and companies are in it for themselves when it comes to trade. Trade relationships are often created by governments who are being heavily influenced by large corporations and much less so by citizens. Trade agreements are often negotiated out of the public eye and away from the purview of citizens, while large corporations are integrally connected to the proceedings. Indeed, citizens are often arguing against their own governments with regard to provisions in trade negotiations. We have seen this over decades of trade negotiations across the globe; this China-Australia free trade agreement has been no exception.

The China-Australia free trade agreement was signed by the Australian government on 17 June this year, yet the Australian parliament has not finalised scrutiny of the agreement. This is not too unusual these days. The Joint Standing Committee on Treaties is still considering this agreement, but the federal government tabled the enabling legislation in the federal parliament a month before the report from the committee is due to be tabled. That gives a pretty good indication of how much the federal government cares about the view of citizens in regard to trade agreements. The government should have at least waited until this report is tabled before introducing the enabling legislation—but no; they have gone ahead anyway.

The federal government have been keen to spruik the benefits of this free trade agreement, even blindly ignoring their own modelling on the DFAT website about how many jobs will be created. The government's own modelling, done by the Centre for International Economics, predicted just 5,434 jobs in 2035 but the federal government is touting 178,000 jobs, clearly trying to imply a jobs bonanza. Whilst 5,000 jobs in 2035 may well be welcome, it is important that we have some degree of integrity in the numbers that are being used. The government refused to back down from this position in the Senate earlier this month, despite the Centre for International Economics modelling being the basis of government analysis on their own DFAT website.

Ironically, a review of the Australia-US free trade agreement 10 years after its introduction has found that the deal was a net loser for Australia, despite the promise at the time that it would deliver billions of dollars in benefits and undoubtedly many jobs attached to that. The federal government also promised that immediate benefits would flow from the Korea and Japan agreements; but since they have come into force, trade to these countries has substantially dropped.

The proposed China-Australia free trade agreement could have negative impacts in Canberra and in Australia. We know that governments have historically overstated the benefits of free trade agreements as they demonstrate their keenness to enter into these relationships, yet the federal government is prepared to sign up to something that may not be in our best interests by justifying that it is good for the economy. As I said when we recently discussed this, I do not think the glib line that it is good for the economy is necessarily a great measure; we need to look at more substantive elements.

I would like to reflect on a number of areas of concern that I do not believe have been adequately resolved by the way the agreement is currently drafted. Firstly, there is a lack of commitments to environmental protections and standards. There is no environment chapter in this agreement, which means that neither the Australian government nor the Chinese government has committed to not reducing environmental standards as a result of the agreement. I do not believe that that is an acceptable outcome. Both governments should be mindful of these considerations as they move towards some sort of trade liberalisation agreement.

The agreement includes investor state dispute settlement, ISDS as it is perhaps more commonly known—the inclusion of investor rights to sue governments over changes in domestic law or policy that “harm an investment”. The Greens do not support agreements that make future governments liable to be sued by foreign corporations simply for making laws that protect the public interest. The investor state dispute resolution processes in the China-Australia free trade agreement is actually unfinished, and leaves open the criteria by which the government could be sued. These will not be completed for another three years, yet the federal government is seeking licence to pass the enabling legislation without even the Australian parliament knowing what these provisions look like. I would hope that the federal ALP, who have traditionally been opposed to ISDS mechanisms, would consider not supporting the enabling legislation until at least this is resolved.

It has already been mentioned by Mr Barr in his amendment, and I welcome his comments, but the removal of local labour market testing and skills assessment for temporary workers in skilled occupations, both through the agreement text and in side letters, is another area of concern. This is something that the unions and some of the ALP are concerned about, and is what Mr Barr’s amendment touches on. It is important that while there is always a place for skilled migration and working visas, there need to be appropriate protections to ensure that neither locals nor overseas workers are exploited.

The Australian fair trade network says in its submission to the Senate treaties committee:

The ChAFTA provisions on Temporary Movement of People are unprecedented in scale and scope compared with any previous Australian trade agreements. Chapter 10 of the text of the agreement removes the requirement for local labour market testing for temporary skilled workers, to check if local workers are available. A side letter removes skills assessment for 10 skilled trades occupations without a clear means of assessing whether Australian occupational licensing and skills standards will be met.

As I have said before, my federal Greens colleagues have initiated a broad-ranging Senate inquiry into Australia's working visa system, focused on the impact of temporary work visa programs on the Australia labour market and on the temporary work visa holders, including the use of 457 visas.

The inquiry reviewed issues like wages, conditions, safety and entitlements of Australian workers and temporary work visa holders; the impact of Australia's temporary work visa programs on training and skills development in Australia; whether temporary work visa holders receive the same wages, conditions, safety and other entitlements as their Australian counterparts or in accordance with the law; and the adequacy of the monitoring and enforcement of the temporary work visa programs and their integrity.

If agreed upon, the changes proposed under the free trade agreement could have long-term negative impacts in areas such as local training and employment, public health and safety, and our local environment. As I said earlier, we cannot just give a deal the "good for the economy" free pass. There are serious concerns that still need to be resolved. That is not to say that they cannot be resolved, but if we are to have these sorts of agreements, which offer opportunities to both countries, we need to make sure that adequate safeguards are in place and that, in the name of improving trade and trade liberalisation, we do not, to use the old expression, throw the baby out with the bathwater and lose some of these other things that need to be adequately looked after.

Of course, local business will hail trade agreements as a benefit. Robin Hendry said:

We absolutely welcome the free trade agreement and our members are keen to see it come to fruition ...

That is fair enough. If you are looking at it through a straight business prism, those comments are appropriate. But I think even local businesses would want to know that some of the sorts of issues I have raised today are being adequately addressed. They would expect their governments to do that on their behalf, even in the context of improving business relations between our two countries. A view that looks at trade agreements from only one angle, that of potential exports, is too narrow. It misses the impacts on Australia, our domestic markets, our environmental regulations and our sovereignty in terms of making laws that protect our own citizens. It misses the potential impacts on the Australian manufacturing sector.

Whilst I agree with Mr Smyth that the city sister relationship has been a positive thing and has enabled us to foster improved relationships between the two cultures, I will not be supporting this motion today because I think the unhelpful insertion of a reference to the free trade agreement has muddied the water between the two issues. I want to be quite clear that I think the sister city relationship has brought benefits to both cities.

When it comes to Mr Barr's amendment, I think that he has raised an important point. Whilst I agree with his observation about labour market testing, I do not think it is

enough to save this motion from endorsing what could be a bad free trade agreement for this country and a bad outcome for local industry, workers and our local environment. There are broader issues that I and the Greens have concerns with. On that basis, I will not be supporting the amendment.

MR SMYTH (Brindabella) (4.01): To speak to the amendment and to close, I thank members for their support for this motion. It would appear it is going to get more votes this time than it got last time in 2000. But that is a good thing. Obviously people have learnt the value of the relationship that we have and I am pleased that they will support that.

Mr Barr's amendment is interesting. I suspect that what he said when he said that this does not change the FTA might not be true. The FTA was signed with certain things in mind. There are protections in the FTA and I will just run through some of them. I have been provided this information by Andrew Robb's office:

In addition to these projected positive outcomes for jobs and the economy, the China-Australia free trade agreement commitments around temporary labour mobility will support increased trade investment between Australia and China within the context of each country's existing immigration and employment frameworks.

These are some of the protections:

Australia's existing visa arrangements, including the 457 visa program, will continue to be the basis for implementing Australia's commitments on labour mobility under ChAFTA. The 457 visa program does not allow unrestricted access to the Australian labour market but assists employers to address labour shortages by bringing in genuinely skilled workers where they cannot find an appropriately skilled Australian.

Let me read that again:

The 457 visa program does not allow unrestricted access to the Australian labour market but assists employers to address labour shortages by bringing in genuinely skilled workers where they cannot find an appropriately skilled Australian.

We have to go to the market first. If you cannot find an Australian workforce to do it, then you can bring in other skilled tradespeople. There is a side letter to ChAFTA:

Australia will cooperate to streamline skill assessment processes for temporary skilled labour visas including changing the administrative pathway through which Chinese 457 visa applicants will have their skills verified for 10 nominated occupations. For those nominated occupations this brings China into line with the process Australia applies for most other countries.

Nobody disagreed with Korea. Nobody disagreed with Japan. I am curious as to why suddenly we have to make it difficult for the Chinese:

All Chinese applicants for subclass 457 visas, including electricians, cabinet makers, carpenters and motor mechanics will continue to be required to demonstrate the requisite skills, qualifications and experience to work safely in Australia.

The territory has a role to play here:

All such visa holders will continue to have to obtain any required federal, state or territory licences or registration to commence work in Australia and they will have to observe all applicable workplace health and safety laws and regulations.

I am not sure how the Chief Minister can say it will not change the FTA. It has been signed. It has been agreed to. He supported that. He tweeted that the Australia-China preferential trade agreement will be good for Canberra exporters. I note the word “preferential”. Indeed, in the discussion, in the statement he made to the Assembly, he said about the China-Australia free trade agreement:

The agreement presents major trade and export opportunities in tourism, education, healthcare and professional services sectors. Each of these fields present significant opportunities for the ACT’s private sector and research partnerships, and they complement the ACT government’s high-level priorities of transport reform, ongoing urban renewal and our continuing work to build Canberra as Australia’s premier knowledge capital.

I have not seen the Chief Minister anywhere else, until today, insisting that there be other legislation to apply labour market testing. The protections are there. Mr Barr’s amendment is seeking to set in place a legal exemption to an agreement that has already been signed. So how he can say it will not affect it is beyond me. Labour market testing is not applicable because the FTA does not preference Chinese workers over Australian workers and these concerns were not raised when we signed up with the Koreans or with the Japanese. I am not sure why it is so important here and now.

The amendment that Mr Barr is putting in place is nothing more than agreeing with the CFMEU’s position. I wonder whether this is simply a party room decision. What we have here is a chief minister who says one thing about China—it would not appear that he is totally fair dinkum about that, and I think that is a shame—but how are you going to attract trade investment this way when you say on one hand in a statement that this is a good thing but now, when we have a motion before the Assembly which says it is a good thing but let us make sure it continues to be a good thing, you suddenly start putting terms and conditions on it beyond the agreement?

Mr Rattenbury says it is an unhelpful insertion. It is not an unhelpful insertion. Mr Barr has very quickly picked up that most of the motion, as I said, was adopted from the things that he said in his report. I did that because I agree with him. And it was the Chief Minister who inserted it in his own report on the visit to Beijing, which praises the agreement, which says the agreement has had benefit, which says that the agreement gets us into places in China and gets us the sort of attention that we need. I will read out the paragraph:

Discussion also focused on the opportunities presented following the recent completion of negotiations for a China-Australia free trade agreement. The agreement presents major trade and export opportunities in the tourism, education, health care and professional services sectors.

But now it would appear that we want to change that. It is surprising that we go this way.

There were more 457 visa holders in Australia under the ALP government than there are now. It did not seem to be a problem then. There were about 110,000. It is about 100,000 now. It did not seem to be a problem then but suddenly with this agreement it is a problem. I am not sure where the Chief Minister is coming from on this.

I read out some more of what Mr Robb's office kindly provided me:

A separate memorandum of understanding with China on investment facilitation agreements reflects the IFAs, reflects the government's focus on strengthening infrastructure development and attracting investment.

Isn't that what Mr Barr said? He said that he would look at infrastructure development, high priorities of transport reform and ongoing urban renewal and attracting investment and supporting the creation of jobs and increasing the economic prosperity for all Australians.

The information on the agreement goes on:

... the IFA MOU provides Chinese companies making infrastructure investments in Australia in excess of \$150 million with greater certainty in workforce planning by ensuring that any estimated labour shortage can be met through temporary foreign workers where suitable local workers cannot be found.

So you have got to look locally before you can bring other workers in. It also states that under IFAs Australian workers will be given first opportunity and:

... employers will not be permitted to bring in overseas skilled workers unless there is clear evidence of a genuine labour market need, as determined by the Department of Immigration and Border Protection.

So the things that the Chief Minister seeks—and I just assume he is being forced by his party room to do so—are not necessary. They are already covered. The protections are there in the agreement and it is a shame we are going to attempt to modify this.

The opposition will not be supporting the modification. It is not required. I think it undermines all of the words that the minister has previously said. I think there is a legal question there as to whether, if you have got a signed agreement, you can then legislate to change and what that means to our international standing.

In a rare thing for me, I am going to finish by also quoting Gough Whitlam. It is a point that Ms Carnell made when we had this debate 15 years ago. People should go

back and read some of the transcript. It is interesting what other people said. I will leave members to go and read it. The then Chief Minister made the point when she said—let me just call it up:

In 1972 Gough Whitlam entered into the first relationship with China and it is interesting to read the joint communique that was signed. I think that it is important to quote just a little bit of it. It reads:

The two governments agree to develop diplomatic relations, friendship and cooperation between the two countries on the basis of the principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference into each other's internal affairs, equality and mutual benefit, and peaceful coexistence.

There have been many people on both sides of the political spectrum in Australia over a long period who have said that we need to acknowledge the importance of China. What we do today in this place is validate the hard work that was put in back in 2000. We celebrate the success of 15 years of working together as two cities with a lot in common and a shared future and we look forward to sharing the benefits that the future will bring both the cities.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 8

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

Question so resolved in the negative.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Urban Renewal and Minister for Tourism and Events) (4.16), by leave: I move a further amendment:

Omit paragraph (3)(c).

I have circulated that amendment. In speaking to the amendment, I am disappointed that the Assembly has not supported my previous amendment. But in the interests, I would hope, of getting a unanimous resolution in relation to a range of very important matters before us today around the sister city relationship, it is best, as there is not the maturity in this place it would seem to be able to send a message to our federal colleagues, that we remove clause 3(c) from Mr Smyth's motion. I believe there is unanimous agreement for all other elements of Mr Smyth's motion today, and it would be preferable for the Assembly to reach a unanimous conclusion in relation to

those matters. I hope that can be the case. I certainly encourage all members to support a unanimous resolution in relation to our sister city relationship. For that reason I have moved the further amendment. I thank members for granting me leave to do so.

MR SMYTH (Brindabella) (4.18): This would appear to be a unanimous resolution that is palatable only to the CFMEU. That is what this is about. The Chief Minister should stand up and tell us what he believes. He tweeted that the Australia-China preferential trade agreement would be good for Canberra exporters, but apparently he will not vote to support it. These are his words. I used his words because I thought it would make it easier for him to agree. He said in this place:

Discussion also focused on the opportunities presented following the recent completion of negotiations for a China-Australia free trade agreement. The agreement presents major trade and export opportunities in the tourism, education, health care and professional services sectors. Each of these fields present significant opportunities for the ACT's private sector and research partnerships, and they complement the ACT government's high-level priorities of transport reform, ongoing urban renewal, and our continuing work to build Canberra as Australia's premier knowledge capital.

Either the minister believed that when he tabled this statement in August or he did not. He did not believe it then, because apparently he does not believe it now. The question is: what does the Chief Minister stand for in this, or has he simply been rolled by his party room who are all looking to their pre-selections and backing their CFMEU mates? Let me read his statement again:

... and they complement the ACT government's high-level priorities of transport reform, ongoing urban renewal and our continuing work to build Canberra as Australia's premier knowledge capital.

In fact, I took his words and wrote them into clause (3)(c) which he now seeks to delete:

support ChAFTA as part of the ACT's high level priorities of transport reform, ongoing urban renewal and continuing work to build Canberra as Australia's premier knowledge capital.

When you say something in August and you vote against it in September, it would normally be called hypocrisy. What one might say is that in one of these documents the Chief Minister may have misled the Assembly by saying something he did not believe in. That is up to the Chief Minister. It will be to his eternal shame. I cannot understand how on 2 September you tweeted that the Australia-China preferential trade agreement would be good for Canberra exporters but you vote against this motion today. I cannot understand how you say in August this year—a month ago—that this is a good thing for the people of the ACT and the businesses of the ACT but you will not back it up today.

This is a chief minister who is clearly not in control or it is a chief minister who says what he thinks people will listen to at the moment but does not believe in the long term. The long-term arrangement we have with our sister city in Beijing has been

successful because we have stood by it. The Chief Minister said he wants to send a message to our federal colleagues.

The question is: what message is he sending to our Chinese friends? When he goes there he accepts their hospitality. They have the discussions and as a result of those discussions he comes back to this place and he says—I will read it again, because I am quite gobsmacked that he is walking away in this way:

This was an opportunity to brief and update the ambassador on the ACT government's high-level priorities on key developments and projects in Canberra and to discuss the Australia-China relationship as well as the specific Canberra-Beijing sister city relationship.

He goes on to say:

Discussion also focused on the opportunities presented following the recent completion of negotiations for a China-Australia free trade agreement. The agreement presents major trade and export opportunities in the tourism, education, healthcare and professional services sectors

He did not mention anything about modifying the agreement or sending messages to our federal colleagues. This is the problem with the modern Labor Party: they say what they think will suit them and will appease people on any occasion, and they simply walk away from it at the next.

This is a good motion. It should be passed in its entirety. The Chief Minister knows that. The Chief Minister has said that. The Chief Minister has tweeted that. The Chief Minister has reported that. The Chief Minister has told his Assembly that. Yet today, for reasons that he has not explained—we will give him leave to speak again to explain the reasons—he is not supporting this. There are protections in the agreement. There are protections in the IFA. This is simply in response to the CFMEU's campaign. That is all it is about. He did not stand up when I moved my motion in August and said that we should reject the xenophobic approach that the CFMEU has taken, and he is now falling prey to it today.

What message does it send to the business community when he says, "We understand the business community wants this and we will make it happen because there are opportunities"? What does it tell members of the local Chinese community when he goes to great pains to describe in his document "two per cent of the population are Chinese born"? Mandarin is the most spoken language after English in the territory—5½ thousand students. It is all in the document. He stands for something until something brings him low, and he needs to explain. We will not be supporting the amendment.

MR RATTENBURY (Molonglo) (4.24): I will be supporting Mr Barr's amendment. As I alluded to earlier, I think the broader part of Mr Smyth's motion around acknowledging the 15 years of the sister city relationship is well worth supporting. I think that those elements of Mr Smyth's motion are quite fair and accurate and I think that, as an Assembly, there is an acknowledgement that the sister city relationship has brought benefits. It has improved understanding. It has broken down barriers. And that is something we should all be striving for.

However, as I said earlier, I think paragraph (3)(c) is an unnecessary distraction in the context. Given the speech Mr Smyth has just made, he has clearly demonstrated that, in fact, he was not genuine about celebrating the 15-year relationship and he wanted to try and put Mr Barr on some sort of hook.

Mr Smyth: Ridiculous.

MR RATTENBURY: You have just made a speech entirely along those lines, Mr Smyth. So let us call it for what it is. I am quite happy to support Mr Barr's amendment and therefore support the motion that celebrates the 15 years of the sister city relationship.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Multiculturalism

DR BOURKE (Ginninderra) (4.29): I move:

That this Assembly:

(1) notes the:

- (a) wealth of cultures which make up the ACT community;
- (b) importance of cultural awareness and celebration in promoting harmony, understanding and inclusion;
- (c) contribution of members of the public, community groups, business leaders, social enterprise and political leaders to the success of multiculturalism in the ACT; and
- (d) significant contribution of multiculturalism to enhancing the social, economic, cultural and civic development of the ACT and the wellbeing of all Canberrans;

(2) welcomes the:

- (a) ACT Government's commitment to promoting multiculturalism and supporting culturally and linguistically diverse Canberrans;
- (b) ACT Government's decision to bring back the Windows to the World centenary initiative in 2015 during the Floriade festival;
- (c) opportunities for the community to engage with the Government about multiculturalism through forums such as the One Canberra Multicultural Symposium, the 2014 ACT Multicultural Summit and Capital Culture discussion paper; and
- (d) enthusiasm of Canberrans to support events that promote and celebrate our city's rich cultural diversity, such as Windows to the World, the National Multicultural Festival and the many other cultural activities throughout the year across Canberra; and

(3) calls on the ACT Government to:

- (a) continue its commitment to supporting refugees, migrants and multicultural communities; and
- (b) continue the work it's doing to promote cultural awareness, inclusion and social harmony in our community

I am proud that in Canberra we celebrate and embrace the diversity of Australia's many cultures that have come together to form our nation. It is wonderful that in Canberra, a city our nation began building 100 years ago to be a capital to represent our highest aspirations, we have people with roots in so many cultures building our future together in this welcoming community. We are also the capital of a land with 40,000 years of human history and the longest surviving continuous culture in the world. Australia's greatest achievement is not in sport, the arts, science or business—the success which we have all contributed to is our embrace of many cultures and of multiculturalism as a national philosophy.

For many cultures from many lands, we have created a nation with many stories, and we have built on this foundation in Canberra. I do not want to gloss over our history, as understanding it is essential for building harmony and reconciliation. I will just say for now it has not been easy, and we are not perfect. Yet we have grown up to celebrate our diversity, especially here in Canberra, one of the most multicultural cities in one of the most multicultural nations.

I am proud to be part of a government that shares these very same sentiments and has been guided by this principle for the past 14 years. It is essential to ensuring that our city remains a welcoming, supportive, vibrant and cohesive place to be, irrespective of whether you live here, work here or are visiting. And it is not a new concept. Australia has a 40,000-year history of multiculturalism with distinctive languages and different Aboriginal and Torres Strait Islander cultures of saltwater, river and desert.

Aboriginal Australians had set the foundation for this region as a meeting place and a place of welcome long before 1788. Since its establishment as the nation's capital territory, Canberra has continued to build on this foundation and since the opening of parliament here in 1927, elected representatives from across the new nation have seen this as our national meeting place.

Post-war migration, a labour shortage in Canberra and the pull of the Snowy Mountains hydro-electric scheme well and truly cemented this region's multicultural identity. Many of the more than 100,000 people from over 30 countries who came to work on the Snowy Mountains project later decided to settle in Canberra and make this city their home. This particular project was one of the greatest post-war challenges to race relations and multiculturalism. Many of the people working on this nation-building project for Australia hailed from countries that were at war either with us or each other less than 10 years prior to when the Snowy Mountains hydro-electric scheme started.

There were also 150 tradesmen from Europe, mostly from Germany, who came to Canberra in the 1950s to work for AV Jennings and became fondly known as the Jennings Germans. When Sir Albert Jennings's company was faced with building a vast number of government houses in Canberra in the early 1950s during the critical labour shortage of the era, he recruited skilled workers from Europe. They built over 1,800 homes in O'Connor, Ainslie, Narrabundah and Yarralumla.

This post-war migration showed that people from all sorts of varying backgrounds can come together, work together, live together, celebrate together and, above all, achieve great things together. They showed we can learn and benefit from new cultures becoming part of our multicultural mix. It paved the way for refugees from conflicts around the world to settle here and be part of our nation building.

That Aussie attitude of giving others a fair go deserves credit for including respect and dignity, the basic elements of building a community. Contemporary Canberra continues to lead this nation on inclusion and equality. We have become a city of firsts. The ACT Human Rights Act, which was introduced in 2004, was the first of its kind in Australia. It forms the foundation for an effective social inclusion and equality agenda. It means we have a legal imperative, not only a moral one, to do everything we can to ensure all citizens can be active participants across all aspects of our society.

We were the first trial site under the rollout of the national disability insurance scheme that covers an entire jurisdiction. We were also the first entire state or territory jurisdiction in Australia to become a refugee welcome zone earlier this year. The generosity and support we extend to migrants, refugees and humanitarian entrants and their successful settlement and engagement across our community bear witness to our willingness and capacity to embrace difference and to flourish from it.

It is, therefore, fitting that Canberra seize every opportunity to showcase its leadership on inclusiveness and equality. This we do in so many ways. Each February we host the largest food and cultural extravaganza in our nation through our National Multicultural Festival. This is where our diversity and multicultural success are truly

celebrated. Now in its 20th year, the festival grows from strength to strength and is continually striving to ensure that all in our community are able to visit and participate fully throughout this annual three-day event.

Specialised areas throughout the festival footprint provide a welcome respite for children and older people from the popular activities happening throughout the event. The festival is not only a space for food, culture and performance but also provides an arena for dialogue and engagement for all participants. We are especially blessed that our diplomatic missions, their staff and families so enthusiastically engage with the Multicultural Festival and with the various Canberra communities with roots in another country or culture.

This year we saw the return of the much welcomed Windows to the World program of embassy and high commission open days which are held in September and October to coincide with Floriade. This will be the second Windows to the World program in Canberra. The inaugural Windows to the World program in 2013 was a wonderful success and again highlighted the uniqueness of our city and especially our connectedness, with more than 100 embassies and high commissions here in Canberra.

While we admire our glimpse of the world through his unique Windows to the World program, we are also mindful that these international diplomatic missions mean that our city is also the window through which the rest of the world gets a glimpse of what Canberra and the rest of Australia has to offer. Spectaculars such as the AFC Asian Cup and the ICC Cricket World Cup 2015 provided a recent international platform whereby we were able to showcase Canberra and what it has to offer to the rest of the country and the world.

As well as being a government that promotes events and celebrates our rich cultural diversity, we are a government dedicated to providing accessible and responsive services for all Canberrans, and this is reflected in our government's multicultural framework. This guides and supports ACT government directorates to incorporate multicultural objectives into government policies and to place greater emphasis on Canberra's ever growing and diverse multicultural community.

There has been extensive consultation with local multicultural communities. Consultations for the next multicultural framework included submissions for the capital culture discussion paper and consultations through the 2014 one Canberra multicultural symposium and the 2014 ACT multicultural summit. Implementation of the actions identified in the framework will ensure Canberra continues to be an inclusive and cohesive society, a society which draws on its cultural and linguistic diversity to enhance the social, cultural, economic and civic development of the ACT and the wellbeing of all Canberrans.

There were many achievements under the last ACT multicultural strategy with some highlights including: the development of the many voices ACT language policy, which supports ACT government directorates in developing effective communication between staff and clients to improve service delivery to all Canberrans; an Australian first, the ACT services access card, was launched on 5 September 2011 and provides improved and easier access to a range of ACT government services, including concessional public transport, education, legal and healthcare services to asylum

seekers residing in the ACT; the extension of the Tuggeranong introductory English centre for children from non-English-speaking backgrounds to help them adjust into Australian school life for which the 2013-14 budget allocated \$1.8 million at Wanniasa Hills primary; the community languages and multicultural grants program continues to support groups and individuals in the ACT funding community language classes, multicultural radio programs and contributing to projects which enhance social cohesion and harmony in our city; and the work experience and support program which continues to support people from culturally and linguistically diverse backgrounds, specifically those with a refugee background, to gain meaningful work experience, establish networks and develop professional confidence.

Our multicultural frameworks aim to support the ACT's multicultural communities to ensure everyone has the ability to reach their full potential and that the ACT embraces the benefits of our city's culturally diverse community. Indeed, any of us who left the Assembly at lunchtime today would have noticed the group from the Solomon Islands performing in Civic Square serenading us with their pan pipes as part of the Windows to the World event. I was able to stay there for a little time, and I admired their bravery in standing in their traditional dress in a cold Canberra spring afternoon.

MRS JONES (Molonglo) (4.40): As the shadow minister for multicultural affairs, I am really pleased to speak to Dr Bourke's motion on multiculturalism, and I thank him for bringing this motion today. There is no doubt that we as a nation have benefited from the many cultures and ethnic groups who now call Australia home. It has been since the very foundations of our nation that migrants who brought such a diverse array of perspectives and hard work to this country have built this nation and have learned to call it home, not to mention the varying food that are fortunate enough to experience in our country which we have due to the multicultural weave Australia has become.

In Australia we have over 30 language groups and we are home to innumerable ethnic clubs and schools and societies and organisations which make our city and our country great. The Scanlon Foundation's annual mapping social cohesion report demonstrated the strong, entrenched public support for our unique Australian multicultural nature. Some 85 per cent of people surveyed agreed that cultural diversity is good for Australia; 92 per cent felt a sense of belonging; and 88 per cent expressed pride in our Australian way of life.

Of particular interest—and highly encouraging—was concern about immigration being at its lowest since the survey began in 2007. That is a good outcome. People do not fear; people are feeling confident. About 58 per cent of those surveyed said the immigration intake was roughly right, and Australians in general and Canberrans in particular really welcome people from all over the world.

I am really pleased that Dr Bourke is committed to supporting refugees, migrants and multicultural communities. Here in Canberra we have welcomed many refugees to our city over the last few years, and I will give the numbers in a moment. Our migrant population has contributed to business, the arts, strong families, education and sport. Even in this place are people who started out life as refugees. Our multicultural communities offer support, understanding and inclusion for those new to Australia as well as offering a vast range of experiences to other Australians.

I am pleased to be an Australian as we are, on a per capita basis, one of the most generous countries in the world for resettling and providing permanent protection for UNHCR referred refugees. Under the federal Labor government in 2012-13 there were 98 Syrian refugees accepted as part of our offshore refugee program. Last year in 2014-15 under the federal Liberal government 2,232 Syrians were granted places, and that was ahead of the current people movement we are seeing across Europe. The government has pledged to permanently resettle 12,000 more.

Australia has a long and proud tradition of resettling refugees and vulnerable people in humanitarian need. Here in Canberra, according to Department of Immigration and Border Protection data, we welcomed 218 humanitarian placements in 2013-14, 204 in 2012-13 and 192 in 2011-12. Since the end of World War II Australia has welcomed around 7.5 million migrants, including nearly a million under our humanitarian program. Australia has consistently ranked in the top three resettlement countries, along with the USA and Canada. These three countries offer around 80 per cent of global resettlement places each year with the UNHCR. With one in four Australians born overseas, we are now one of the most diverse and accepting and prosperous nations on the planet.

Across our nation we share about 300 ethnic backgrounds, speak many languages and observe many of the world's faiths, all within a cohesive and prosperous society. Some 45 per cent of Australians were either born overseas or have at least one parent who was born overseas. That is incredible when you think about how we were 100 years ago. The Australian government through the Department of Social Services will spend about \$660 million on multicultural affairs assisting migrants to settle, social cohesion and countering extremism and assisting young people at risk.

Community cohesion does not happen by itself, and the ACT government commits some resources to assisting new arrivals, particularly the children of new arrivals in their school environment to be able to complete their homework and work their way towards a successful future in our nation. The ACT government also supports language education other than the federal program in order to assist people who arrive here to learn the language, which is so vital to accessing the benefits this country has to offer.

Australia's successful multicultural society, as I said, did not happen by itself. The reason it works is the efforts of individuals and locally based Australians reaching out and vice versa. When my grandfather first arrived in Australia as a migrant, he had nothing. His neighbour, as I have mentioned in this place before, noticed that his roof was rusting, and he said to him, "Joe, I'll help you paint your roof." And my grandfather said, "I don't have the money." And he said, "Don't worry about the money. You can pay me back later." And the next day he turned up with ladders and buckets of paint and he said, "Come on, Joe, we're going to paint your roof."

These are the types of actions that have created the social cohesion we enjoy today in our country. It is up to each of us to play a part in strengthening this multicultural society that we are all so proud of.

As a nation, we have found unity and prosperity in our diversity and respect our differences. While our cultural diversity is a source of great and social economic strength, the contributions of different migrant groups and their families spanning the generations have helped create the Australia we enjoy today. Our success has been built through the efforts and commitment of millions of Australians, unified by our goal of wanting a prosperous future for everyone.

Our sustained success takes effort from individuals, from civil society and from government—we join together to build this prosperity—and from normal people of no particular rank reaching out in kindness and decency towards different types of people. We work best when we work hand in hand. Every day commonwealth and territory agencies are engaging here with communities and forming the vital partnerships we need to continue these partnerships and strengthen and support all Australian communities.

I particularly thank Dr Bourke for this motion. It is a bipartisan area—we both agree basically. In the spirit of respecting and reaching out to diverse groups, I thank him for the grace with which he welcomed a recent group of outstation and rural community Aboriginal people who visited this place recently. As he said, they represent 40,000 years of settlement and are the oldest continuing culture in the world. He did not shut them out or disrespect their unique point of view. I thank you for this motion, Dr Bourke and we support it.

MS BERRY (Ginninderra—Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Community Services, Minister for Multicultural Affairs, Minister for Women and Minister assisting the Chief Minister on Social Inclusion and Equality) (4.47): I thank Dr Bourke for bringing on this motion and also acknowledge and thank Mrs Jones for her contribution. It is one of those conversations that we have in this place where generally we have agreement. I think that is what makes this particular subject something good to talk about in the chamber.

Canberra is a really great multicultural community. Migrants are central to our city's make-up, and today people moving here from overseas continue to strengthen Canberra. We have residents from nearly 200 different countries, with almost a quarter of Canberra's total population born overseas. In the ACT we have a proud history of welcoming overseas visitors, migrants, refugees and asylum seekers. We value and enjoy cultural diversity and recognise the contribution each person makes to the strength, harmony and vigour of our Canberra's social, cultural and economic life.

There is no better example of this than our official declaration of Canberra as a refugee welcome zone, the first state or territory jurisdiction to do so. Our declaration builds on many existing government initiatives to support an inclusive community by providing accessible and responsive services to all Canberrans.

This work is reflected in our government's last multicultural strategy, which sought to ensure that everybody has the ability to reach their full potential and that the ACT embraces the benefits of our city's culturally diverse community. This strategy supported the ACT government's directorates to incorporate mainstream multicultural objectives into government policies and to place greater emphasis on Canberra's ever growing and diverse multicultural community.

I would like to acknowledge Minister Joy Burch, the former minister for multicultural affairs, who delivered the last multicultural strategy and, through it, delivered more effective services to people from culturally and linguistically diverse backgrounds, promoted an inclusive and harmonious community and provided genuine opportunities to assist Canberrans to reach their full potential.

Since the last multicultural strategy, there have been significant and meaningful opportunities for the community to engage with the government about multiculturalism through the Canberra culture discussion paper and through forums such as the one Canberra multicultural symposium, which 110 people attended, including representatives from the human rights and discrimination commission, community councils, the Student Congress, the Australian Red Cross and many interfaith organisations. This symposium resulted in 20 action items, the implementation of which has been overseen by the one Canberra reference group.

The 2014 ACT multicultural summit had more than 100 people from local organisations, including Migrant and Refugee Resettlement Services, Legal Aid, the Canberra Islamic Centre, Canberra Refugee Support, the Canberra Interfaith Forum and the Australian National University.

I am pleased to advise that these forums have informed our next multicultural framework and the associated action plan, which I look forward to releasing in the near future. This work will ensure that Canberra continues to be an inclusive and cohesive society which draws on its cultural and linguistic diversity to enhance the social, cultural, economic and civil development of the ACT and the wellbeing of all Canberrans.

There are many events that complement this work and promote harmony and celebrate our rich cultural diversity by allowing and encouraging people to interact and learn about each other's cultural heritage, religious beliefs and languages.

One of the best demonstrations of how cultural acceptance and community participation have developed is the massive growth and expansion of our annual National Multicultural Festival, which has become Australia's premier celebration of cultural diversity. This year more than 270,000 people attended the event over three days in February, proving that our community's acceptance of multiculturalism and cultural diversity is at an all-time high. In 2016 we will celebrate the 20th anniversary of the National Multicultural Festival.

Another event is windows to the world, which was first held during 2013 as part of our city's centenary celebrations. In that year, 35 diplomatic missions participated and visitor numbers were estimated to be around 35,000 over the four weekends. The ACT government is very pleased to have supported the return of the program in 2015. The number of participating missions has increased significantly, to 50, and the response from the public has been extremely positive.

These events are a wonderful showcase of our city and connect people through new experiences of all of our diverse cultures.

As Minister for Multicultural Affairs, I am proud and enormously privileged to be able to preside over the many ceremonies in the ACT conferring Australian citizenship. They are great events for people becoming Australian citizens, but also for Canberra, as these new citizens have chosen to make our community their home. The ceremonies are filled with fun, hope and excitement. I really enjoy presiding over them and sharing this time with our newest citizens, along with their families and their friends. Each new citizen brings new ideas and experiences which strengthen our community. Irrespective of our differences, I see just how much we hold common hopes and goals for the future for ourselves and our families and how together we can make this city stronger.

The ACT government plays an important role in providing services to support and assist refugees, asylum seekers and culturally and linguistically diverse communities to settle in our city. But, of course, we cannot do this alone. We are proud of those organisations and leaders in our community who share our passion and our commitment to help every person to reach their full potential. Through our work we are showing that we stand for unity, inclusion and hope against fear, intolerance and racism.

I again thank Dr Bourke for this motion, and I thank Canberrans for being part of a community that takes each other as we are, where our differences are respected and celebrated, where we say, “Welcome”, regardless of our backgrounds. Our government is committed to ensuring that this work continues, through protective laws, enabling policies and community connectedness. We recognise that the contribution of each person makes the strength, harmony and vigour of Canberra’s social, cultural and economic life so important. We will continue to support refugees and we will continue to celebrate our differences and acknowledge that it is these differences that make us wonderful and make our community strong. It is what makes Canberra a great place to live.

MR RATTENBURY (Molonglo) (4.55): I welcome this motion brought forward by Dr Bourke. He has made some very good points in the text he has laid out before the Assembly today. I agree with many of the points he has made and with the broader sentiment of the motion he has brought forward. His motion underlines the strength that cultural diversity brings to our city, the way the community values that diversity so strongly, and the many positive benefits that arise from it.

There are many examples we could all cite. Dr Bourke has particularly noted the windows to the world centenary initiative coming back during the 2015 Floriade festival. That is something that will bring a lot of enjoyment to the community. I was very pleased late last week to join a number of the embassies from the European Union who have brought a climate theme to their windows to the world program. They were focusing on the upcoming Paris climate conference with a countdown timer on how many days to go to the conference. I welcome both the EU’s leadership in the build-up to that conference in Paris in December and also their putting it on the agenda for windows to the world in the ACT to help bring the Australian community a broader understanding of the role of the climate talks, the importance of them and what is needed in terms of outcomes at those talks. I thank the European Union embassies in Canberra for putting on that particular initiative.

I am proud that Canberra is a welcoming place for migrants and refugees, and I really value the work of many in our community in helping to settle refugees and new migrants to our city. We can point to many places where people are doing that. Some of them are high profile; others are simple acts of kindness, generosity and welcome that make it that bit easier for somebody to settle in, whether they have come as a relatively fortunate migrant who simply prefers to live in Australia or whether they are somebody who has come from great hardship, fleeing persecution as a refugee who needs to come somewhere safer.

I have been saddened and disappointed by the tone of the national debate on asylum seekers over the past few years and the responses of the two major parties that have led to measures like offshore mandatory detention by both Labor and Liberal governments nationally. The language around asylum seekers and the lack of generosity that has been displayed at a national level are something of shame to this nation. Here in Canberra, we have taken a much more enlightened approach, and I welcome the fact that we live in a city that has a greater level of compassion and a broader perspective on these matters.

Like all Australians, I have been shocked by the images of so many people in desperate need fleeing the crisis in Syria. The extraordinary images we have seen in recent times of a tide of humanity flowing across Europe are something that, in Australia as an island nation, it is hard for us to comprehend. It certainly puts in perspective the issues we face in terms of perhaps several hundred or even several thousand people seeking to reach Australia by boat.

We are lucky enough to live in a wealthy country that can offer support and refuge for some of the desperate people that are fleeing Syria. I welcome the fact that one of the last acts of the Abbott government was to listen to calls from the community to take some of those Syrian refugees. They agreed to take 12,000. The Greens argued for 20,000, but 12,000 is a great start. Let us get those people here and get them settled. Then, if we need to make a further contribution, we can have that discussion. As I noted last week, the great irony was that that came in the same breath as announcing that we were going to expand our military contribution and involvement in the Middle East. It strikes me that at least the previous Prime Minister was very happy to go to war—quick to go to war, but not so quick in reaching out with humanitarian support. But we did get to a place where some refugees will be taken into Australia, and that is a good thing.

I am also glad to be part of a government that welcomes refugees and supports calls on the federal government to continue to work in supporting refugees, migrants and multicultural communities and promoting cultural awareness and social harmony. As government, I think we can do a lot here in the ACT in leading the debate and helping to frame the debate and the discussion and the way our community views the arrival of refugees.

I am pleased to support Dr Bourke's motion today. As I say, I think he has made some very good points. I urge the Canberra community to continue to be welcoming and support particularly those who arrive as refugees in need of safety and compassion as they flee persecution in their home countries.

DR BOURKE (Ginninderra) (5.01), in reply: I would like to thank members for their support for my motion, in particular Mrs Jones and ministers Berry and Rattenbury. This motion is a particularly important one that allows us to remind ourselves here in Canberra about, as I said in the motion, the wealth of culture that makes up our community; the real importance of needing to maintain our understanding and appreciation of that wealth to promote harmony and further inclusion into the future; the need to acknowledge the contribution to that multiculturalism by all of us in our community, not just government; and that this is particularly important for the wellbeing of Canberra as a community. It is acknowledging the role of government in its commitment to promoting multiculturalism, particularly through the two events that I mentioned: windows to the world and the National Multicultural Festival which we enjoy so much. And, of course, it is calling on the government to continue that commitment.

In the few moments I have left, I would like to talk a bit more about multiculturalism and why I like to say it is Australia's greatest achievement. The brand of multiculturalism that we have here in our country is a bit different. We say that you can come to our country, you can bring your culture, your language and your differences with you and enjoy and practise them there, and we will enjoy and celebrate that. Many countries do that, but what we do differently in Australia is to say, "If we like something that you are doing, we are going to take it and make it part of our Australian culture too." That is what is different about Australian multiculturalism, and it is something we should be very proud of.

Motion agreed to.

Distinguished visitors

MADAM ASSISTANT SPEAKER (5.03): Before I call the next motion, I would like to acknowledge the presence in the gallery of Mr Manuel Gutierrez Ruiz, the ambassador for El Salvador in Australia; the deputy minister for foreign affairs for El Salvador, Liduvina Margarín; and some other members of the El Salvadorian community in the ACT. Welcome to the Assembly.

Planning—solar access

MR COE (Ginninderra) (5.03): I move:

That this Assembly:

(1) notes, regarding the Government's solar access rules, that:

- (a) the controversial rules were brought in with strong concerns raised by many in the community, including the Planning Institute, Property Council, Institute of Architects, Institute of Landscape Architects, Housing Industry Association and Master Builders Australia;
- (b) as a result of the variation, estate plans are sub-optimally designed featuring energy inefficient houses;

- (c) many new homes cannot be positioned with a northerly aspect;
 - (d) many home owners are spending large sums of money to excavate blocks so that houses are lowered below the natural ground-level in order to comply with the rules;
 - (e) the impact of the variation will be permanent due to the influence it has had on estate plans; and
 - (f) the cost of the solar rules is estimated to be between \$15 000 and \$50 000 per house; and
- (2) calls on the Government to repeal the solar access rules and replace it with:
- (a) a simple building envelope; or
 - (b) a significantly increased solar fence.

I am delighted to move this motion today to discuss the government's poor solar access rules. The current solar access rules were brought in when the government approved variation 306 to the territory plan. The variation was highly controversial, and prompted significant debate and concern in the industry and also in the broader community.

The planning committee received submissions and heard from witnesses from across the community. The overwhelming view of the community was that the solar rules were poorly considered and would lead to unintended consequences. While many witnesses sympathised with the intention of the rules, the vast majority of them warned the government that the proposed rules were not workable and would lead to bad outcomes.

The Master Builders Association of the ACT described variation 306 as follows:

Draft Variation 306 is a recent example of a failure by government to understand the implications of a positive objective ill-framed in legislation and almost guaranteed to fail ... the draft variation hampered the delivery of excellent strategic policy objectives for urban infill, limited the potential for contemporary and diverse dwellings through the replacement dwelling rule and bred ill-feeling and a lack of confidence.

The overwhelming view in the community was that the government was not considering the implications of the rules and it should try to achieve solar access in another way. Let me also remind members of some of the other people who contributed to the debate at the time. The Institute of Architects said that the changes:

... will fail to adequately improve the planning and development of Canberra's residential suburbs, and in many cases may result in poorer built form outcomes than is currently typical.

They also said:

The single dwelling housing development code continues to have a series of irrational side setback requirements that will lead to very poor on block site planning outcomes.

Mr Tony Trove from the Institute of Architects called the solar access rules “policy on the run”, and said:

It is not policy born out of a clear and intellectual review of where we are at.

Mr Hamish Sinclair from the Planning Institute of Australia said:

... in many respects, we did find ourselves in the position of recommending this variation be withdrawn and recommenced from the start, mainly because it does not achieve good planning outcomes.

Not only did people in the community say that the rules were bad planning; they also pointed out that they were complicated and would make it very difficult to unravel.

Mr Jerry Howard from the MBA said in March of 2013:

It is the most complex, confusing thing on earth. When they—the planning authority—see the results on the ground, we’ll spend another two years trying to iron all this out.

Well, that is exactly where we are. Let me repeat:

It is the most complex, confusing thing on earth. When they see the results on the ground, we’ll spend another two years trying to iron all this out.

Here we are, two years on, and we are trying to iron it out right now. Mr Glenn Dowse from DNA Architects said:

So what we are doing is compromising northern space, and we think that is a particularly bad result of 306.

The government was warned about the impact of variation 306. However, despite all the experts who raised serious issues, the government was determined to proceed with it. Since variation 306 was introduced, people in the industry have continued to raise solar access rules as a major problem in the planning system, and the committee hear about it on a regular basis. The concerns are not going away.

Now that we are seeing suburbs which were designed to comply with the solar access requirements, we are starting to understand the extent of the problem. Some suburbs have entire streets where every house has been built below the level of the road so they do not overshadow their neighbour. There are many houses that are the wrong way on the block. Many are expensive to heat and expensive to cool. Many houses cannot have a decent backyard due to the way the blocks have to be positioned under solar access rules.

These problems will not go away quickly, even if the government removes the solar access provisions. People are going to be stuck with these poorly designed houses forever. It is not the fault of the architects, it is not the fault of the builders, it is not the fault of the owners. The facts are these solar access rules have had many unintended consequences, and this government is too stubborn to do anything about it.

If you look at the new suburbs designed to comply with the solar access rules, many of the blocks do not allow houses to be positioned with a northern aspect. In fact, there are many houses that have to, in effect, face east or face west because of the way that variation 306 plays out.

The best example of this is the suburb of Moncrieff, a suburb in which pretty much no houses in the entire suburb face north. You pretty much have an entire suburb where every single house faces east or faces west. In most instances houses simply have a garage facing north and one front room, or the opposite—they have one or two back rooms which face north but not the long side of the house. There is little that can be done to fix the problems with these houses; however, to prevent more suburbs from becoming planning mistakes variation 306, especially the solar access provisions, needs to be repealed or considerably reworked.

Not only do the solar access rules lead to poor outcomes; they also add to the cost of building a home. It is expensive to excavate a block and home owners are often surprised by unexpected costs when problems arise. Glen Dowse pointed out that Molonglo residents pay an average of \$100,000 more for a block than residents in Gungahlin. He also pointed out that it is becoming even more difficult to comply with the requirements of variation 306. This is not a good outcome for housing affordability, and it is a \$100,000 premium but you can do less with your land.

The solar access rules are complicated. They have unintended consequences and they are yet another example of the government interfering for the worse in the construction industry. The new executive director of the MBA, Kirk Coningham, said:

Our government believes the investment in the solar envelope will be realised over the life of the house. Better, they say, to invest \$20k to \$50k now in site costs (ie: dig a hole to put your house in) to secure your neighbour's sunshine. Or, if you prefer to live above ground, it's better to sacrifice a room or two from your new home and require all of your neighbours to do the same. The costs are huge yet they are imposed, with zero consideration for the broader consequences, because apparently they are "good for us". Apparently we Canberrans don't know what is good for us so it is incumbent upon the government to deliver planning "tough love".

Mr Coningham is correct. Why can't the government trust the planners, architects and builders to design and build energy efficient houses that provide access to sunlight?

The Canberra Liberals understand the impact of the solar access rules on homes and suburbs in the ACT and one only need look at the estate plan for Moncrieff to see just how diabolical variation 306 has been. We have what seems to be an entire suburb of energy inefficient homes, where the long sides of houses face east and they face west.

They do not face north. The solar access rules are a failure. They lead to poor outcomes and have failed to achieve what they were designed to. We believe, as do people in the industry, that a simple building envelope or an increased solar fence will provide a much better outcome.

Planners and architects in the ACT are well able to design houses that take advantage of the environment without unnecessarily impacting on their neighbours. The government should not be trying to over-regulate this area. The facts are the vast majority of houses that have come to market—that is, greenfield houses—over the course of this government's life have been done by the LDA, so there is a problem. If there is a problem with estate plans, if Mr Rattenbury or Mr Gentleman has a problem with estate plans, then they are the ones who are responsible. This government is responsible for estate plans here in the territory.

The government has been consistently warned that the solar access rules are bad planning. Their arrogance in refusing to listen to the community has led to so many negative outcomes for the territory. It is time for them to accept that they got it wrong with the solar access rules in variation 306. I therefore call on the government to join the opposition by agreeing to remove the solar access laws and bring some common sense back to the planning system of the ACT by either returning to a simple building envelope or by significantly increasing the solar fence.

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) (5.14): I thank Mr Coe for bringing this motion here today. As has been stated previously in the Assembly, variation 306 introduced changes to policies around solar access for residential development. These changes were about addressing the serious issues of energy consumption, greenhouse gas emissions and climate change. They were also about providing certainty to home owners and ensuring that opportunities for passive solar design would be available to every residential block despite the likelihood of the house being on a sloping site.

The variation not only improved the solar access rules that apply to individual blocks, but it made changes to the Estate Development Code. The code specifies the requirements of a new subdivision such as entity requirements and provisions for shared paths, public transport and open space areas. The estate code also updated the provisions relating to block width and orientation on various slopes. Prior to variation 306, detached residential blocks were required to comply with an energy audit rating tool rating blocks from zero to five stars. While this tool worked well in some situations, it did not apply to compact blocks with an attached party wall and relied upon the setbacks of future dwellings to determine the energy rating for each block.

The introduction of the block compliance tables with variation 306 means that the slope, orientation and width of a block are taken into consideration in the design of the subdivision. Adherence with these tables ensures residential blocks are oriented and proportioned so that houses can be built with daytime living areas facing north with sunlit, private open access and spaces. Adherence with these tables and, in turn,

compliance with the solar envelope provisions mean the new dwelling will limit the overshadowing of adjoining residential blocks. This improvement with variation 306 is that 95 per cent of all single dwelling blocks must meet the requirements of the block compliance tables or be contained within an integrated housing development parcel. Under the previous residential subdivision development code just 75 per cent of detached residential blocks needed an energy rating of three stars or above.

Since the commencement of variation 306, issues have been raised by the building industry regarding the outcomes that have been observed. These issues include the supposed need for a house to be dug into a site—wedding cake styled homes—in order to comply with the solar envelope and that blocks have their longer boundaries facing east or west. As I have mentioned before to this Assembly, adherence to the solar envelope does not require garages or any other part of the house to be dug into a site. A block that meets the requirements of the compliance tables means it is capable of having a reasonable sized home on it.

If a house is sunk into the ground it can be for a variety of reasons such as digging until the foundations can sit on a rock, catering for a garage to be located below living areas or that the design of the house is not appropriate to the slope of the site. The Estate Development Code allows for blocks to have their longer side to the north but also allows the northern boundary to face the street or rear yard. This delivers a good outcome for the residents. I do not deny that a long northern boundary enables a house to have a greater amount of northern glazing. However unless the house is on a wide block, it needs to be acknowledged that this creates a narrow open space area that relates to the living area and it is often not suitable on sloping sites.

New greenfield estates will be developed on steeper land than in many established areas. For this reason a different way of approaching estate development is needed as is a new approach to building designs. Industry could also look to provide better information to homebuyers about choosing the appropriate block to suit a particular size and type of house. If the longer boundary of a block faces north, the blocks need to be wider to avoid overshadowing the neighbours. If the longer boundary faces east or west, a house is still able to be positioned with a northerly aspect. This also enables a comfortably proportioned open space area to be located directly to the north of the living areas in the front or rear yard. That is not necessarily as achievable when north is to the side. Another advantage of living areas having a northern front facade is that it promotes passive surveillance of the street and encourages a stronger relationship with the public realm.

Mr Coe in his motion fails to acknowledge that there was and still is strong community support for the initiatives that were introduced with variation 306. The community has embraced the policies that were introduced with variation 306, particularly the solar access policies. These were moderate and sensible policies which built largely on provisions which previously existed.

I cannot support Mr Coe's motion. With that, I have circulated an amendment to that motion, and I now move:

Omit all words after "notes", substitute:

- “(1) the Government reaffirms its support for the principle of solar access in residential planning codes;
- (2) the changes introduced under Variation 306 sought to significantly improve solar access and provide certainty to homeowners that opportunities for passive solar design and active solar technologies would be available to all residential blocks; and
- (3) a process of review is underway to refine the solar access requirements whilst maintaining the important policy objective. This will include consultation with key industry bodies, including the Planning Institute, Property Council of the ACT, Institute of Landscape Architects, Housing Industry Association and Master Builders Australia.”.

Notwithstanding the broad community support I have talked about, within industry a range of differing, often conflicting views have been expressed about the way the policy should be delivered. The government has been listening, and the Environment and Planning Directorate has been working with industry and community representatives and considering adjustments to the provisions across the relevant parts of the territory plan. This process has included a workshop session with participants including builders, architects, planners, building certifiers and community council representatives where matters regarding the solar provisions were discussed.

At this workshop the participants agreed that the principle of protecting the solar access of a block was sound and robust and that any amendments to the provisions should be in keeping with this principle. A subgroup was formed from the workshop membership to further discuss and develop further improvements. This group, consisting of members representing the main workshop, acknowledged that while the solar provision are achievable on many blocks, the difficult blocks were the smaller ones, particularly compact blocks, and the steep ones.

It was also agreed that the solar provisions should not totally exclude overshadowing to the southern neighbour but, rather, allow a modest yet reasonable amount of overshadowing over the boundary. When the suggested amount of overshadowing was modelled, it was revealed that this was the same amount of overshadowing permitted within the solar envelope introduced with variation 306.

In response to industry comments and the outcomes of the workshop, EPD is currently finalising options for revised solar access provisions for consideration by government. More than one option has been developed for some of the proposed changes, with particular attention being given to small blocks and those in steeper areas. The updates being proposed will affect the building envelope rules in the single dwelling housing development code and the multiunit housing development code as well as parts of the Estate Development Code including the block compliance tables.

These options will be provided to the workshop group as well as industry and community representatives in the near future. This will include groups such as the Planning Institute of Australia, the Australian Institute of Architects, the Property Council of Australia, Australian Institute of Landscape Architects, the Housing

Industry Association, the Master Builders Association, and community council representatives. These groups will have the opportunity to test the proposed updates and make suggestions for changes prior to the changes being released for formal consultation. Following the finalisation of the pre-consultation process, a draft variation to the Territory Plan will be prepared and released for formal public consultation in accordance with the Planning and Development Act 2007.

As the Assembly will note from the issues I have raised in regards to estate design, residential development and solar access provisions, addressing the issue is not as simple as by Mr Coe in his motion. We do not intend to make changes that result in a backward step and poor outcomes. Mr Coe's suggestion for a simple building envelope would not allow for differences between block sizes and slope to be taken into consideration. This was acknowledged by the industry and community subgroup that considered these issues.

Likewise, a suggestion to significantly increase the solar fence will result in poorer design outcome and create more overshadowing to neighbourhood blocks than exists now or, indeed, existed prior to variation 306. This is particularly the case on larger blocks prior to variation 306. A common objection to development applications for new dwellings and single dwelling and multiunit redevelopment was overshadowing of neighbourhood blocks. If the solar envelope is raised significantly higher, as recommended by Mr Coe, the potential for overshadowing of neighbourhood blocks will increase and make the situation worse for neighbours than it was prior to variation 306.

The ACT government is committed to improving the energy efficiency of homes and, by doing so, minimising energy consumption and reducing greenhouse gas emissions. Houses that integrate sound environmental design—such as proper insulation, northerly orientation, and shadowing of windows and walls in summer—are more likely to achieve this target.

Energy efficient options are cost effective to implement at the design and construction stage yet offer significant long-term benefits both to the home owner and to the environment. The solar access provisions were amended in the territory plan through variation 306 to help support these principles. Community and industry representatives have been keen to work with the government and EPD to ensure these provisions achieve all they intend to achieve without any unintended adverse outcomes. While I believe the current solar provisions are sound, the amendments to the provisions being developed by EPD will enable the solar provisions to even better achieve that goal. I commend the amendment to the Assembly.

MR RATTENBURY (Molonglo) (5.26): I welcome the opportunity to discuss this matter today. This is an important issue. The Greens fully support the principle of securing solar access for each block and we encourage home owners, architects and builders to utilise this in the design and construction of their houses. Indeed, it was part of the previous Labor-Greens parliamentary agreement of 2008 to mandate passive solar orientation for all new residential homes and subdivisions and to legislate for improved solar access rights. These were incorporated into the agreement as climate change and rising energy costs are such important issues for the community.

Too many of Canberra's existing suburbs were built without consideration of modern design principles, making it harder to build energy efficient homes. The Canberra of the future has to be designed in a smart and sustainable way, with an awareness of the challenges we face from our changing environment and rising energy costs. I invite Mr Coe to join with his national leader, Mr Turnbull, to embrace innovation and to embrace the future, and resist the temptation to hang out with Tony Abbott's negativity, fear of the future and climate change scepticism.

The Greens are pleased that solar considerations have been embedded in our planning laws. We need to design our homes in a way that makes sense in their environmental context, to maximise solar gain in winter and reduce our energy use. There are now great examples of builders that have been doing this successfully, and industry is learning how to do this better. In some cases the conversion of the principle of solar access into a set of rules has led to undesirable outcomes. We would always welcome practical refinement to the rules to achieve the desired outcomes, after careful consideration.

My office has had discussions with Minister Gentleman's office and ACTPLA about issues relating to the implementation of the solar requirements, as we have received extensive community and industry feedback since they came into effect. It is clear that in addition to positive outcomes, there have also been a number of unintended outcomes that need reviewing.

It seems that most of the specific concerns that have been raised with me appear to be along the lines of unintended consequences, not substantial policy disagreement. That is a very important point to make, because we do not need to throw the whole thing out; we need to look at refinement to make sure that we are getting absolutely the outcomes that we are seeking.

Generally, conversations I have had with stakeholders have suggested that rejecting solar provisions completely is not the answer. We need to learn from our earlier experiences and analyse any problems so that we can adjust accordingly. My office has spoken with and met a broad range of stakeholders, including the Master Builders Association, the Australian Institute of Architects, the Australian Institute of Landscape Architects, the Property Council and a range of other industry and community members. I have passed the feedback I have received from these groups on to Minister Gentleman's office, as the government has committed to seeking further feedback on specific areas of concern with a view to further amendments.

It is important to note that, despite complaints from some sections of the building industry, many home owners are grateful to know that they can build a passive solar house in the knowledge that they cannot be overshadowed by a neighbour to the north.

I believe more information is required from developers to inform purchasers on appropriate blocks for their desired house type. There are examples where people have tried to fit a very large house on a small block and in some places chosen to dig their house into the ground to avoid overshadowing their neighbour to the south. This is a poor outcome, leading to excessive earthworks, drainage problems and reduction in solar access to their own home.

This issue could be avoided with more intelligent design for the site, or if people want to build a very large home they need to choose a more appropriate block. They may need a larger block or could choose a block that is not impacted by the solar access requirement; for example, if there is a road to the south rather than a neighbouring house. There is an important role for developers to communicate to purchasers what sort of house can fit on each particular block, and purchasers need to be able to choose a block that is appropriate for the size and type of house they intend to build.

The building industry also needs to adapt to changing conditions. Apart from the solar access requirements, many of the new developments in Canberra are on steeper slopes and block sizes are tending to get smaller. In many areas the days of just putting down a concrete slab on a flat block and building a standard house are over. Builders and architects need to put more thought into design and construct houses that suit the particular block and topography.

I have taken particular interest in observing the outcomes of the solar requirements in the new suburbs and in talking to residents. It is worth noting that many residents are extremely grateful that their homes cannot be overshadowed by a neighbour to the north, and that is what this policy is about. They do not necessarily come knocking on the door of MLAs, like some of the industry groups, when they want to express their gratitude. That said, solar requirements have now been in place for long enough in some suburbs, like Coombs and Wright, and it is time to review the impacts and identify some lessons and areas for improvement in future estates.

When designing an estate, there are a wide range of considerations including topography. Compact blocks should be developed where possible on the flatter land, leaving steeper sections for larger blocks. Where possible, blocks should have longer northern and southern boundaries to facilitate the construction of solar passive houses. Although in very compact housing, rows of attached houses such as terraces can be created with longer eastern and western boundaries, ideally located on flat areas.

Corner blocks need to be considered slightly differently. Corner blocks with a north-facing long boundary need to be deeper to allow for minimum setbacks for secondary street frontages. Corner blocks with a south-facing long boundary can be shallower as any overshadowing would be on a street rather than a neighbour to the south.

It is not always possible to have east-west running house blocks, and sometimes there will be building blocks that face north or south. To ensure reasonable solar access in these circumstances, the blocks with the northern aspect could be wider than the blocks with a southern aspect to ensure there is sufficient room for both garages and sunlight to north-facing living areas.

I have seen examples of narrow blocks facing the street to the north where, unless accessed by a rear lane, they are dominated by a double garage and a front door, gaining little benefit from the solar access. These blocks, therefore, need to be wider to allow for sunlight for north-facing living areas. By contrast, blocks facing the street to the south can be narrower, with a double garage and front door in the shade, with sunny living areas facing north overlooking the backyard. In some situations,

driveway positions can help encourage builders and buyers to locate garages or car parking on the southern side of their block. This will help ensure living areas are located to the north where they will receive sunlight.

These are just a few observations of how estate layout could improve design outcomes of individual houses. There is more work to do in the area of education to home owners and industry about basic design principles for homes. It surprises me as I move around our new suburbs that people do not take advantage of the opportunities available to them with good design for solar access. For example, some houses are designed that do not include living areas to the north with large windows to maximise winter sunshine. Basic principles like eaves wide enough to exclude summer sun and allow winter sun are often not applied.

Although there is a provision for integrated developments, one area that is not covered well in the current rules is how we design groups of neighbouring houses in an integrated way so that good solar access, natural ventilation, privacy and useable open space are achieved in compact blocks.

It would be good if we could have some demonstration projects in Canberra to showcase this. Many government land organisations in other states have demonstration projects to help lead industry in innovation and sustainability. It would be terrific if such projects could be developed in Canberra to work with industry to demonstrate excellence in passive solar design and construction of energy efficient homes.

The Greens would certainly welcome an approach that worked with industry to demonstrate these sorts of outcomes based on first principles without the need for a strict set of rules that can lead to undesirable outcomes and stifle innovation. There are particular challenges in established areas and special attention is needed to ensure solar access is maintained where urban infill and dual occupancies are occurring. This includes the redevelopment of Mr Fluffy blocks where there may be some great opportunities to showcase design excellence in relation to solar access.

There are also challenges in relation to multi-unit apartments. I note that in New South Wales, under the residential flat design code, a higher standard is required than in the ACT in terms of solar access and cross-ventilation. As we move towards greater urban infill in key locations such as city to the lake and along Northbourne Avenue corridor and in our town centres, it would be nice to think that the requirements for solar access in apartments are at least as good as those in other states.

In conclusion, it is timely to review the outcomes of the solar access requirements in new estates and to work with developers, estate planners and industry bodies to ensure ongoing improvement. Thus, rather than dismissing the entire solar process requirement and abandoning all improvements, as Mr Coe suggests, I will support the amendment moved by Mr Gentleman to reflect the government's commitment to further refining the ACT's residential and estate development codes. At the end of the day, this is about making sure that people live in homes that are comfortable and have good solar access. To throw out the entire system, as Mr Coe wishes, ignores the fact that this has achieved good outcomes in many places. Clearly, we can all identify an

example where it has not worked. But that does not mean we get rid of the entire system. It means we need to keep working with the industry to make sure we get the underlying policy outcomes, as well as the outcomes for people that we are seeking with improvements to solar access rules.

MR WALL (Brindabella) (5.36): I feel compelled to contribute to this debate, although I was not intending to. It is the rhetoric and comments from those members opposite—Mr Rattenbury and Mr Gentleman—that drive the construction industry in this town absolutely bonkers. As the only member in this chamber who has worked with this document in industry, I can say the lip service those members opposite continue to pay to the industry by saying, “Oh, yes, we understand those issues. We’re working to try and fix them. It does some good things and they outweigh the negative,” is simply preposterous.

It was the implementation of the territory plan as it stands today and the Building Act and building regulations that drew me to join a political party. When they were implemented in 2008, people whom I grew up around in the construction industry in this city hung up their nail bags for the first time for many of them since they finished their studies at a very young age and said, “It is simply too hard to work as a builder in the ACT industry.” They either retired and left the industry, and with that people they had working for them were out of a job, or they took the other option and said, “I’m not going to put up with the headache of the bureaucracy, paperwork, rules, regulations and the ever-moving goal posts that are the ACT planning system,” and they went and worked for someone else.

It is about time some genuine discussions were had about how this document can be changed to work effectively. In principle, all of us agree with Mr Rattenbury’s comments that solar access is important. For planning academics it works well on paper, but it fails dismally in practice. Homes in Wright have been dug into holes, and that is common across all greenfield areas.

The area I think that has least been touched on specifically about solar access since its inception in DV306 is the impact it has on established properties within the ACT. There are homes on blocks that were gazetted and designed well before solar access, solar passive design and energy efficiency were ever conceived through the 60s, 70s and into the 80s, and those rules now apply to those homes as well. Mr Rattenbury was quick to point to people trying to build huge homes—the McMansion-style property—on small blocks. The comments I am making relate to people who are on generous sized, old-style Canberra blocks with modest homes that were simply poorly oriented when they were built in the early days. They are now restricted and hamstrung in what kinds of work they can do—the additions, alterations, extensions, the pergola, the new bedroom, the renovation—by these overbearing and ill-conceived solar access rules.

To go to the other extreme—the new home market—people are trying to build good sized homes for their families on the best blocks they can afford. In the territory the land supply has been choked and strangled by those opposite during their 15-plus years in office; they have been deriving an absolute premium and gouging the market on all new land sales. We are now undersupplied and unable to meet the demand of

the market of families that want to build and industry to give them confidence and a pipeline of work. And Mr Rattenbury has the hide to say, “They should buy a bigger block of land.” If you show them a way to afford it and you can show them a way to make the payments to afford that bigger block of land that you preach they should be buying, I am all ears, and so are all those homebuyers out there in the community, Mr Rattenbury.

It is about time we genuinely considered the impact these changes have—not in theory but in actual built form, when they are implemented out in the suburbs, on the homes in the greenfield developments and in our established suburbs—on the rights and abilities of home owners in this territory—the ratepayers, the people that pay our salaries—to fulfil their dreams of building and acquiring the homes they so truly deserve.

MR COE (Ginninderra) (5.41): The arrogance of those opposite is truly worrying. I believe Mr Gentleman knows these rules are a failure and not working, but he is stubbornly going ahead with them. Then you have Mr Rattenbury who knows about all these consequences and these failures, but he is happy for that to be the case. One is too stubborn to do anything about it and the other is revelling in the consequences of this failed policy.

Mr Rattenbury came into this place and said architects need to put more thought into design. That is what he said. Builders and architects need to put more thought into the design of houses in Canberra. Mr Rattenbury often has a go at other people in this place for being bush lawyers or bush engineers. Mr Rattenbury is apparently an architect now and is telling the architecture profession in Canberra that they need to put more thought into the design of houses in the ACT. What the people of the ACT need is for Mr Rattenbury and Mr Gentleman and those opposite to come to the realisation that their solar access rules have failed.

The estate plan of Moncrieff is this government’s legacy and Mr Rattenbury’s legacy in this place. For decades Mr Rattenbury can drive around Moncrieff and see all the houses there that face east and west or have double garages facing north and that is it. That will be his legacy. That will be the Labor legacy. It will be a solar-inefficient suburb five kilometres away from the nearest tram stop with people that may well struggle to ever get any reasonable energy efficiency.

It is all very well for Mr Rattenbury to come in here and preach about solar access, better architects and the like, but the fact is that, under his watch, we have seen a huge amount of greenfield development in the ACT. He has been a part of a cabinet that has seen a remarkable amount of greenfield development in the ACT, none of which is within walking distance of a proposed tram stop: none of it. We do not have a problem with greenfield development; we think suburbia is a good thing. We think a lot of people like living in suburbs and living on a large block. But, unfortunately, due to this government’s poor solar access rules, you get the worst of both worlds—you get solar inefficient homes and you get small blocks. There is nothing satisfying about that.

I doubt Mr Rattenbury and Mr Gentleman have even glanced at the estate plan for Moncrieff. Mr Rattenbury certainly is not aware of the fact that the MBA is doing an energy efficiency display village at Moncrieff. He came in here and suggested, "Wouldn't it be a great idea if somebody did this at some point?" Well, it is happening right now. It just goes to show that other than the few glib lines they have regarding solar access they really do not care how the policies play out in reality.

Mr Rattenbury also said the government should be working with industry. The facts are that this government rejected the views of the MBA, the HIA, the Planning Institute, the Property Council, the Institute of Architects, the Institute of Landscape Architects and many, many others. Now Mr Gentleman and Mr Rattenbury come into this place and say they are going to work with industry. All those quotes I gave out earlier were from industry two years ago. In 2013 Mr Jerry Howard said:

When they see the results on the ground, we'll spend another two years trying to iron all this out.

That is exactly where we are today. Because of the Labor and Greens' ideology we have solar access rules which are absolutely unworkable and we have energy inefficient homes that face east and west. In many instances the only parts of houses that face north are the double garage doors. Mr Rattenbury's advice to somebody who has just bought a \$450,000 block of land is to build a small home. Try to get a loan for a 130-square-metre house when you have just paid \$450,000 for your land. You go into negative equity pretty quickly there, Mr Rattenbury. Then you get bankruptcies, repossessions and all the misery that comes as a result.

All these problems are of this government's creation. This is not just a point in time; this will go on forever because the poorly designed estates in Molonglo and in Gungahlin will be there for hundreds of years. They will forever be the legacy of this government and their alliance with the Greens.

I am disappointed Mr Gentleman is so stubborn that, despite all the experts saying this policy is a failure, he refuses to accept it. I would not be at all surprised that if, in a few months' time, very quietly he releases a variation to the territory plan that increases the solar fence. I fully expect that will happen, but it will be three years too late. It will be too late for the hundreds of dwellings in Moncrieff and Wright that are energy inefficient, have poor drainage systems and have poor quality of life for the inhabitants. I urge those in the chamber and those with an interest in future of Canberra to support the motion.

Visitors

MADAM SPEAKER: I acknowledge the presence in the gallery of members of the Prostate Cancer Support Group of the ACT Region, who are guests of the Speaker this evening at a function. Welcome to your Assembly.

Energy—solar

Question put:

That the amendment be agreed to.

A division being called and the bells being rung—

The Assembly voted—

Ayes 6

Noes 5

Ms Berry
Dr Bourke
Ms Burch

Mr Corbell
Mr Gentleman
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne

Ms Lawder
Mr Wall

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Adjournment

Motion by **Ms Burch** proposed:

That the Assembly do now adjourn.

John Brooks

MR DOSZPOT (Molonglo) (5.52): I rise tonight to bring a brief focus to the life of a much respected and widely valued contributor to the ACT sporting community. I refer to John Brooks, who lost his battle against cancer at the age of 57 on 3 June 2015.

Judith, Megan, Libby, Emily and Adam, you have been a tremendously close-knit and loving family unit, and we welcome you here tonight for this adjournment speech. It is all too easy at times like this to overlook the strength required for families to deal with long-term chronic illness. In particular, Judith, your love and care for John at difficult times, coming to terms with the uncertainty of the future, maintaining your own profession and managing a family at critical times of their lives are remarkable and something which John often spoke to many of us about.

John and Judith married in 1987 and they have been a fixture in Garran for most of their married life, with all four children attending Garran Primary School, Alfred Deakin High School and Narrabundah College. All four children were members of Garran Scout Group and played soccer at Woden valley.

John and Judith were highly committed to public education. Given that Megan has recently graduated with two degrees, Libby and Adam are currently studying at ANU and Emily is at the University of Melbourne, their commitment has been rewarded.

I had the great pleasure of knowing John and working with him on matters of football. My one regret is that it was only in the past five years that I came to know John better. But the man I came to know was a solid contributor, always willing to pitch in, never one to complain, and always concerned for the welfare of others.

His humility is demonstrated by the comments Judith provided to me for these remarks tonight. She said John would want the focus to be not on him but on the importance of volunteering in the community. That epitomised John. He was truly never one to sit in the grandstand and watch. What I am told and I came to learn and appreciate about John in the past five years is how he lived all his life. Whether it was getting involved in what his children were doing or what others were doing, John was always willing to help out.

As his children began to get more involved in soccer, football, he also became more involved, originally coaching or managing some of his daughter's teams, moving on to the position of vice-president at the Woden valley football club and then taking over as president only a month or so before being diagnosed with cancer. While struggling with his illness, he soldiered on, supporting the club, and was one of the key organisers of the innovative merger of Woden and Weston Creek football clubs, which created an enhanced pathway for talented junior football players to develop their skills.

As John's wife, Judith, said to me, "John was a little different to many that you meet in the soccer community—he wasn't a one-eyed soccer fan (he was a Victorian after all!). What he became passionate about was sports administration—trying to make sure that kids had access to well organised and quality sporting facilities and coaching so that they could develop their potential both on and off the field." This passion became a full-time unpaid occupation for the last few years of his life. Unlike the larger poker machine financed clubs, players at Woden and Weston Creek, and the Woden-Weston entity, from first grade down, participate in fundraising to help the club raise much-needed funds. John was a key driver of Woden's home grounds at Mawson playing fields. He was the sort of parent who was at the grounds in the mornings to make sure the fields were ready for the weekend ahead.

As a mark of the quality of the man, in my association with John I can honestly say that I never heard him speak a bad word about anyone and never saw him lose his temper. And remarkably, in view of his personal health issues, I never heard him complain about his failing health.

John believed passionately in the importance of volunteering, and he demonstrated that commitment every day of his life. John Brooks's contribution to Woden valley football club is evident in many areas—the website, the design of the merchandise, the partnership with Weston, the motto "Reach your potential". A close friend of John and Judith, Meredith Ashton, relates John's often-quoted football philosophy. In problematic situations, he would say, "Let's just stop and see how this can be reasonably worked out. What is the real issue here? What we want is for everyone to enjoy their football."

He is probably watching us from somewhere up there today and saying to himself, “What is the real issue here? What we want is for everyone just to enjoy their football.” He would probably add, “Woden Weston Football Club, reach your potential.”

I trust that John’s legacy is that more parents make the effort to be involved, not just for their own children but for the betterment of the community. John did not let his illness prevent his contribution. I thank him for his selfless contribution to sport in the ACT. I know there are many football players in this town and the wider Australian community who owe a debt of gratitude to John Brooks, who selflessly gave up his time to make a difference. I am grateful to have had the privilege of knowing him and being regarded as a friend. Vale John Brooks.

Battle for Australia

DR BOURKE (Ginninderra) (5.58): Earlier this month I was privileged to attend a ceremony at the Australian War Memorial commemorating the Battle for Australia. The Battle for Australia commemorates the time during World War II in which Australia, with the help of its allies, defended itself against imperial Japan. The commemoration is held on the first Wednesday in September to mark the first significant defeat of Japanese forces on land by Australian forces in the battle of Milne Bay in 1942.

The two world wars drew Australia into the chaos of Europe, but in 1942 and 1943 the Australian continent itself was directly threatened. Darwin and other northern towns were bombed and strafed. Enemy submarines sank dozens of merchant ships off the Australian coast. Mini-sub subs even entered Sydney Harbour. Many Australians lost their lives defending their country only a short distance from home on the Kokoda Trail, at Milne Bay and in many other lesser known theatres of conflict in the region. Allied servicemen and women likewise suffered heavy losses fighting to keep Japanese forces from advancing on Australia.

At this year’s ceremony, organised by the Battle for Australia Commemoration National Council, it was great to see so many veterans, schoolchildren, members of the military community and members of the diplomatic community all gathered at our national memorial to reflect on the courage and sacrifice of those who defended Australia at the most dire of times. A very moving part of the ceremony was that while the Australian Rugby Choir sang *I Am Australian*, accompanied by the Royal Military College band, local students, including those from St Francis Xavier College in Florey, constructed a wattle wreath on behalf of the youth of Australia.

The Battle for Australia takes on a particular poignancy by virtue of just how close Australia would have come to domination by imperial Japan had events transpired differently. The lessons of war and history will always demand our attention—the fragility of peace, the unpredictability of war, the value of strategic thinking. But even leaving that aside, it is important on a national and communal level to reflect on moments of national trauma, sacrifice and courage. When children are taught at school about the wars of the 20th century, it is not just history for history’s sake; it is about encouraging that reflection and appreciation of the gravity of war.

I pay tribute to the work of the Battle for Australia Commemoration National Council and acknowledge the role of the Australian War Memorial in commemorating this time in our history and educating Australians about it. It is an essential part of making Australia's 20th century history meaningful and relevant to its modern citizenry.

R U OK? Day

MRS JONES (Molonglo) (6.00): On Thursday, 10 September I was pleased to host in the Speaker's hospitality room a morning tea to raise funds and awareness for R U OK? Day. R U OK? is a not-for-profit organisation founded in 2009 whose vision is a world where we are connected to each other and protected from suicide. Suicide prevention is rather complex but we also know that there is power in the simple question: "Are you okay?" People suffering from a lack of connection and belonging is what R U OK? aims to work towards. By inspiring people to ask the question and to listen and follow up, we can help people struggling with life to feel connected long before they think about suicide. Regular, meaningful, face-to-face conversations are essential and asking "Are you okay?" is a good place to start.

Thank you to all the MLAs and staff who attended the morning tea. I made a speech to attendees explaining how important it is for us to be aware of how people may be feeling and how asking the simplest questions can change the course of somebody's life. A special thank you goes to Amber Gale and Liam Develin for their hard work in baking the food for the morning tea. I really loved the yellow themed cupcakes and the sugar-free banana and raspberry cake. They were winners.

As shadow minister for mental health I am very happy to have been involved in supporting such a great organisation and helping to raise awareness about asking, "Are you okay?" I encourage anyone who wants to know more about the good work of R U OK? to go to their website at www.ruok.org.au.

Girl Guides Youth Presentation Day

MR WALL (Brindabella) (6.02): I rise this evening to speak about the ACT and South East New South Wales Region Girl Guides Youth Presentation Day held on Sunday, 30 August at Majura Primary School in Watson. I was pleased to present the awards this year at the presentation day and I thank Mrs Fiona Longford, the ACT and south-eastern New South Wales region manager, for the opportunity to participate on the day.

The Girl Guides program provides girls and young women with a sense of purpose, belonging and achievement and helps to develop skills for life. For guides, a challenge is a goal or an aim that you set yourself and carry out to the best of your ability. The Australian guide program provides guides with lots of opportunities to challenge themselves.

There were three categories of awards presented this year. The junior BP award is typically earned by junior guides who complete 12 challenges from the six fundamental areas of guiding, being: service to the community, outdoors, working in small groups or the patrol system, guiding traditions, international perspectives or

world guiding as well as promise and law. They also work to develop their leadership skills and take part in informal and often formal leadership training.

Congratulations this year must go to Caitlyn Hitchins, Alpen district; Rachael Page, Gungahlin district; Jess Freeman, Murrumbidgee district; Sophie Cahill, Murrumbidgee district; Elizabeth Andersen, north Canberra district; Natalie Neshev, north Canberra district; Haley Parker, north Canberra district; Caitlin Weaver, north Canberra district; Skyla Robinson McEvoy, Queanbeyan district; and Kaitlin Luff, Yass district. Congratulations to all of them on achieving the junior BP award this year.

One of the other awards presented on the day was the BP award. This is often completed by guides aged up to 14 years old. A guide has to challenge herself in the same six core areas but at a higher level and complete 18 challenges and continue to develop leadership skills. This year's recipients of the BP award were: Nicole Georgopoulos, Ginninderra district; Bronte Sheaves, Murrumbidgee district; and Clare Hoadley, Queanbeyan district.

The peak achievement award for young members of the Girl Guides movement is the Queen's guide award. Senior guides are challenged once again to the six fundamental areas of guiding as well as attending formal state leadership training. Senior guides also develop a new or existing area of interest and choose a focus area to develop even further. Angela Christian-Wilkes from the Gungahlin district and Gabby Matthews from the Queanbeyan district were this year's recipients of the awards.

I pass on my heartfelt congratulations for all of their achievements this year and hope they continue many more happy years in the guiding movement to come.

Hall School Museum and Heritage Centre

MR COE (Ginninderra) (6.05): I rise this evening to speak about the Hall School Museum and Heritage Centre. The Hall school museum is located in the village of Hall, close to the ACT-New South Wales border near the Barton Highway. Hall was named after Henry Hall, the owner of the 3,492 acre property called Charnwood, which he was granted in 1833. The village was first gazetted in 1882. The first land in the village was sold in 1886, but development was slow. The Hall school building was constructed in 1910 and opened in 1911, with just 37 students. The school grew slowly and reached a peak enrolment of 189 students in 1981.

The idea of the school museum was first raised at the diamond jubilee of the school in 1961. The original school building was set up with old furniture and memorabilia and visitors were so impressed that they suggested the display should be maintained. In 1980 the use of the building as a museum was officially approved and support from the ACT Schools Authority was received in 1984.

The first honorary curator was Laurie Copping, who had retired in 1981 after 20 years as principal of the school. The museum was officially opened on 19 April 1986 by the then Governor-General, Sir Ninian Stephen. In 2004 the then Governor-General, Michael Jeffery, dedicated the museum to Laurie Copping as the "Laurie Copping heritage centre".

After the school was closed in 2006, the Village of Hall and District Progress Association worked to protect and promote the museum. The museum is set up to replicate a small school of the inter-war period. The museum has a large collection of material relating to the Hall-Ginninderra district. It also holds an extensive collection of school text books and primary school library books dating back from the late 19th century.

As well as its regular exhibitions, the museum also puts together special exhibitions, including wonderful exhibitions to commemorate the centenary of Anzac earlier this year. The Hall school museum is managed by the honorary curator, Phil Robson. Phil is assisted by an enthusiastic group of volunteers from the friends of Hall school museum as well as the Hall progress association. I also acknowledge that the community has a special relationship with the Hall Rotary Club.

Members may be aware of the recent difficulties faced by the Hall school museum. It appears that the government may want to charge an exorbitant amount for the museum to continue in the school building. I urge the government to work with the museum to ensure that it can continue to provide a wonderful community resource for the people of Hall and the whole of the ACT at a reasonable expense. It is a very special precinct, and I think it is yet to reach its potential.

I recommend members who have not already taken the trip out to Hall to visit the museum and experience the very special village. For more information about the Hall school museum, I recommend members visit their very informative website at www.museum.hall.act.gov.au.

Ausdance ACT Youth Dance Festival

MS LAWDER (Brindabella) (6.08): On Friday, 18 September I was pleased to attend the Ausdance ACT Youth Dance Festival 2015, called "Explorations", which was held over three nights at the Canberra Theatre. This was the 31st annual youth dance festival, and over 32,000 students have participated since its inception. The Ausdance ACT Youth Dance Festival has been providing young people in Canberra with the opportunity to dance in a professional theatre environment since 1985. For many young people, this amazing event will live with them as perhaps their only opportunity to experience a full theatre production. It works with them in many ways: it builds self-esteem and teamwork and supports their expression of how they are feeling.

But it is more than the show itself; it supports the dancers all the way through from when they come up with their concept, through the design work and the choice of music as well as the actual dance. There were works from 35 of our region's high schools and colleges, and I take this opportunity to acknowledge all their hard work and dedication. Firstly, to Danielle White, youth dance festival director; Emma Dykes, Ausdance ACT's PR and marketing; Lauren Honcope, president, Ausdance ACT board; Laura Pearce, vice-president, Ausdance ACT board; Nicole Price, treasurer, Ausdance ACT board; Emily Appleton, secretary, Ausdance ACT board; and Ausdance ACT board members Kim Degenhart, Bianca Gomez and Sue Jones. Also

Jamie Winbank, creative director and choreographic mentor; Olivia Fyffe, rehearsal director; Cam Walter, stage manager; Cherry Murphy, Matt Guard and Eamonn Cross, assistant stage managers; and Neil Roach, former Ausdance ACT director.

The ACT high schools and colleges that participated included Alfred Deakin High School, Amaroo School, Black Mountain School, Brindabella Christian College, Burgmann Anglican College, Calwell High School, Campbell High School, Canberra College, Canberra Girls Grammar School, Canberra High School, Caroline Chisholm School, Daramalan College, Dickson College, Erindale College, Goulburn High School, Gungahlin College, Hawker College, Lake Tuggeranong College, Lanyon High School, Lyneham High School, Marist College, Melba Copland Secondary School, Melrose High School, Merici College, Mount Stromlo High School, Namadji School, Narrabundah College, Queanbeyan High School, Radford College, St Clare's College, St Francis Xavier College, St Mary MacKillop College, Telopea Park School, Trinity Catholic College and UCSSC Lake Ginninderra.

My congratulations go to all the students, teachers, choreographers, back of stage assistants, wardrobe assistants, parents and everyone involved with the preparation and delivery of the 2015 youth dance festival. You could feel the energy in the theatre. You could see that the young people involved were enjoying themselves immensely. There were some nerves and a lot of anticipation, but they were all very excited to be there on the night. You can find out more about Ausdance, including the youth dance festival, at www.ausdanceact.org.au.

Question resolved in the affirmative.

The Assembly adjourned at 6.12 pm.