



Debates

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Wednesday, 8 June 2016

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.

Fiscal management

MR SMYTH (Brindabella) (10.02): I move:

That this Assembly:

(1) notes:

- (a) that when he became Treasurer, the Chief Minister inherited a \$44m surplus;
- (b) the record deficits created by the Chief Minister since he became Treasurer;
- (c) the Treasurer has never achieved a surplus for the budgets he introduced;
- (d) the deficit continued to climb by \$71m between the 2015-16 Budget and Revised Estimates;
- (e) that general government expenditures have climbed by more than \$1.1 billion during the Treasurer's incumbency;
- (f) that rates collected have more than doubled under the Treasurer's stewardship;
- (g) the increase in punitive fees and charges levied on Canberra's citizens;
- (h) the onerous cost burden this Government has imposed on the Canberra community;
- (i) the decline in quality of services and rundown in community amenity in the last five years; and
- (j) the additional burden imposed by the cost of building and operating a light rail line from Gungahlin to Civic; and

(2) calls on the Labor Government to:

- (a) cease inappropriately increasing cost burdens on the community; and
- (b) better manage its budget to reduce costs on the community and the debt burden passed onto future generations of Canberrans.

Madam Speaker, here we are, on the day after the budget the Treasurer delivered, and the world has changed very little. What we have is a high-taxing, high-spending government with high levels of debt and surpluses off somewhere in the distance.

This Treasurer is rapidly becoming the Wayne Swan of ACT treasurers in that his tax reforms have not delivered what he has promised and the surpluses that he said were coming—I think his first surplus was supposed to be 2014-15—now are still out at 2018-19, well beyond the reach of this government and well beyond the term of this government. And you have to ask: what has the Treasurer achieved?

What the motion looks at is the fact that when he became Treasurer he inherited a \$44 million surplus. So he has been able to take a surplus and he has turned it into a deficit, and the deficits continue in the outyears until we get to, hopefully, the 2018-19 year, where a very slim deficit of \$33 million is there in the distance. Is it a mirage, or can the Treasurer and Chief Minister achieve it? What he has got to do is convince people that he can constrain his spending.

When you look at the way that this Treasurer spends, spending goes up. In 2015-16 it was \$5.1 billion expenses; in 2016-17, \$5.4 billion. He is going to have us believe that in the 2017-18 year that will drop back to \$5.3 billion. But then it jumps to \$5.5 billion and then it jumps again in 2019-20 to \$5.7 billion.

We have seen this pattern of figures in the budget papers time after time and yet what has he delivered? In 2012-13 the deficit was \$273 million; in 2013-14, \$187 million; in 2014-15, \$479 million. In the 2015-16 budget it was meant to be \$407 million. But in the revised estimates it was \$478 million. It has now come in at \$332 million, and we welcome that. A reducing deficit is a good thing. Then in the following year it is meant to be \$180 million. But like everything this Treasurer promises we never seem to see that.

You have only got to look at the deficits. In 2015-16 it climbed \$71 million between the budget and the revised estimates. Now it has come down, and that is largely due to commonwealth grants and land sales. But you have to ask the question: how long can this territory survive on land sales alone?

We see that general government expenditures have climbed by more than \$1.1 billion during this Treasurer's incumbency. So it is not a revenue problem that this Treasurer and this government have. They will take your hard-earned dollars and they will spend them as they see fit. It is not the revenue; it is how they spend it and what they achieve for it.

You would not mind if things were getting better. You would not mind if the streets were cleaner, the broken pavements were fixed and the dead trees were removed in a timely fashion and if the quality of the service at the hospital was excellent—and we thank our nurses and doctors—but it is the timeliness and the ability to access that service that I think is the main gripe of people. And you would not mind if the educational outcomes were better for all students. Instead we have cages in schools. You would not mind if people felt safer. But I do not suspect that people do. And that is the hallmark of this government: big on spending, big on promises, short on delivery.

The only thing that they count as vision is a tram, a tram which they said in this term they would spend \$30 million on, but I suspect they have probably spent something more like \$130 million. We certainly know that there is lots of spending not in the capital metro line but by other departments. And you only have to remember, as you well would, Madam Speaker, the debacle that was this government's management of the Gungahlin Drive extension to know that they cannot deliver capital works. We have Auditor-General's reports that say they cannot deliver capital works, and we know that.

Then we go to rates. The rate of growth in rates will slow. We have all seen, as we approach the speed cameras on the highway, people speed along and then they know there is a speed camera so they slow down. The Chief Minister has seen the speed camera—it is called the ACT election in under 130 days—and he has taken his foot off the pedal for a little to just get past that little hurdle of the election. He thinks he can dupe people by saying that the rate of increase is only 4½ per cent this year, but it goes back up to seven per cent.

Mrs Jones: They are not that dumb.

MR SMYTH: And the public, as Mrs Jones pointed out, are not that dumb. They are hurting. They know their rates are well and truly going to double and then triple, because that is the only way the government can get rid of conveyancing. And they know the amounts. It is just the timing.

The Treasurer should be honest about what his expectation would be. He should have said, "Here is the 20-year program, here is the 15, here is the 10." But even when we were discussing rates and rate reform he could not tell us the full picture. His initial answer in estimates was: "Go and read the Quinlan review." The Quinlan review makes it quite plain. Rates will triple. Then he was forced ultimately to table some workings which make it quite clear that, after 11 years of these sorts of increases, rates will triple. Have no doubt, members, rates are well and truly tripling. He might have taken the foot off the pedal just for this budget but I do not think anybody is fooled and I do not think anybody is duped by the approach that this Treasurer is taking.

The other thing there is that at a time when the government says that housing affordability is a big issue for the government—it is certainly a big issue for those trying to get into the market—we have got a government that is totally dependent on land and the proceeds of land sales and taxes on land. And what they have done is to force people to reassess what they are doing and look at the units market. But there is a little sting in the tail with units. Apart from the increases this year, for units only, a change in the rates methodology will also add around \$150 on average in 2017-18 and \$115 on average in 2018-19.

The government said government policy is that 50 per cent of new dwellings should be infill. The majority of that, one would think, is going to be units in the town centres. So then they put a tax on it called lease variation charge; and we will get to lease variation charge in a minute. Then, because people are actually trying to get into units,

they tax them more. And this is to somehow give parity so that all dwellings are paying, it would seem, the same amount of rates. But all dwellings do not have the same amount of amenity and do not have the same number of features. Units are entirely different to your standard quarter-acre block. Again, this is a treasurer who does not get how the average family is living. This is a treasurer who does not get the average family's budget. And you can see that he casts his budgets accordingly.

Let us go to the lease variation charge. It was going to fund improved urban amenity. It was going to make a motza for the government. It is rapidly looking more and more like Andrew Barr's, the Chief Minister's, mining tax. And lease variation charge this year was meant to raise \$16 million. Instead it has raised \$5 million. That is the estimate for the year. This is a tax that constantly fails. At this stage, I think after the original estimates, it was to be close to up to \$30 million a year.

What it has done is stifle growth, particularly in Civic and certainly in the town centres. Only two buildings, the Manhattan and the old Canberra Club project, were all approved under the old regime. And there is study after study that shows quite clearly that what they have done is kill the golden goose, particularly in the town centres. I think the average lease variation collection in the past five years is about \$1¼ million in Civic and the town centres because people are not building there because they cannot afford it. They cannot take the product to market because the banks will not lend because the banks know it is unaffordable. And that is a problem created by this Treasurer who is so out of touch with the reality of life in the ACT.

Lease variation magically will jump from the \$5 million expected this year to \$17,744,000 next year, an increase of 251 per cent, and then blithely in the outyears it is \$18 million, \$19 million, \$20 million. What the Treasurer should do is admit that this is a failed tax, that it is flawed. What it is doing is actually increasing the size of the city. If you want to buy a block of land or get a dwelling you have got to go further and further afield because you cannot afford to purchase in the inner city. And what he is doing is locking the younger generations out of home ownership. He is forcing them to go further and further afield and often away from where they particularly want to be. Yet again this is a treasurer that has failed.

What the Treasurer must do is cease inappropriately increasing the cost burdens on the community, and that is what this motion calls for. We all understand that some things must go up. We all know that, if you have a three-year rolling average on the land value, it generates the rates assessment notice. We get that. But to put another \$4½ million and then \$7 million, \$7 million and \$7 million in the outyears is, I think, not what people expected.

The rates take just continues to grow. It is 10 per cent in 2017-18; it is nine per cent in 2018-19 and eight per cent in 2019-20. And that is just the residential. The commercials go up a whopping 10 per cent and go up something like eight per cent in each of the outyears, the total take. Some of that, of course, is increased numbers of dwellings or offices to be taxed. But you can see that it continues.

The Treasurer thinks that splitting it into commercial and residential rates will ease the pain but people know that a 4½ per cent increase is way beyond the pale. It is

much larger than any of the economic measures of growth, and people are really wondering what this government is doing. So it is about ceasing the inappropriately increasing cost burden on the community.

We know what the other taxes and fees and charges are doing. They are going up enormously. The general tax take goes up six per cent in total. Duties come down four per cent and that is because—yes, congratulations—two taxes are finishing. Well done on that score. But we then look at the other areas where we know that total other taxes go up 19 per cent, and this Treasurer thinks that is fair. That is before you get to things like the fees and charges. And when we look at the fees and charges, drivers licences are going to go up four per cent. For parking fees, the take is 22 per cent. This is a government with its hand in your pocket at every opportunity.

Then we look a bit further and we look at the other revenue. Traffic infringement notices are meant to go up 24 per cent. He gets you coming; he gets you going. Parking fines: we put the cost of parking up and we have more paid parking—I note there is a motion from Mr Wall this afternoon looking at what is being done in Phillip—and then we put the parking fines up as well and expect to collect more.

This is a government without a clear vision for where to go. This is a government that has failed to budget properly and to reduce the costs on the community. This is a government that is now looking at passing the debt burden onto future generations. And we see that this year's outcome in the general government sector, chart 8.1.1, is \$1.8 billion in debt. It is \$2 billion in the coming year, then \$2.1 billion, \$2.9 billion in 2018-19 and then it eases to \$2.5 billion—again a huge growth in the debt and all at a time when, as is neatly explained on page 46 of budget paper 3:

The increase in net debt as a percentage of GSP in 2016-17 is influenced by a decrease in investments to meet forecast cash flow requirements.

That sounds to me like you are taking capital and you are spending it on recurrent because you have outgrown your revenue. You have got enormous growth in revenue, as we have seen, since this Treasurer came to office.

But now what we are doing is having a decrease in investments. So we are taking the capital that we have managed to accumulate and we are going to put it back into cash flow. That is bad budgeting, that is dreadful budgeting, because that is the slippery slope that all treasurers should avoid. But this Treasurer, this Chief Minister, in his endeavour to dupe the people of the ACT that this is a budget for them, has taken his foot off the pedal a little. "Trust me, the rate increases are easing." Yes but they are still double any of the economic measures in most cases. Then you just revert to kind. The expression a leopard does not change its spots springs to mind, and this tired moggy certainly has not changed his spots.

The problem is the people of the ACT pay. They pay and they pay and they pay and they seem to get less and less and less. Unless, of course, you live on Northbourne Avenue where, for an expenditure of \$1.65 billion over 20 years, three per cent of the population will get a tram! I do not think anybody thinks that is a good deal. Certainly the people of Tuggeranong do not when they talk to me. And they are looking at their rates bills and they are seeing them triple under this government. (*Time expired.*)

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (10.17): I move the following amendment circulated in my name:

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

“(1) notes that:

- (a) in the 2016-17 ACT Budget the Government is returning the Budget to surplus;
- (b) the Headline Net Operating Balance in 2015-16 has more than halved since the 2015-16 Budget review, with a deficit of \$94.3 million in 2016-17, before the Budget returns to balance in 2017-18 and 2018-19, with a strong surplus in 2019-20;
- (c) the ACT Government ran strong surpluses in the early 2000s, which gave the Government the capacity to respond effectively to external shocks, such as the deep job cuts by the Federal Liberal Government and the need to rid Canberra of the legacy of loose-fill asbestos;
- (d) the ACT Government used the Budget to support the local economy, and to support jobs, during the Commonwealth’s cuts;
- (e) this strategy worked, as evidenced by recent economic data showing the strength of the economy:
 - (i) the ACT’s unemployment rate is the lowest in the nation, at 4.1 per cent;
 - (ii) that retail trade is the strongest in the country;
 - (iii) commercial building approvals and residential building approvals are increasing;
 - (iv) service exports have increased by 65 per cent since 2010, which is well above the national average of 25 per cent; and
 - (v) growth in economic activity, as measured by State Final Demand, in the Territory was the highest in the nation;
- (f) net debt in the ACT is falling in the coming years, and that the Territory retains a stable AAA credit rating; one of only three jurisdictions in Australia to have this highest possible credit rating;
- (g) Net Financial Liabilities to Gross State Product in the ACT is in line with the other AAA rated states of Victoria and NSW;
- (h) the capital works program in the coming four years will be \$2.9 billion;
- (i) the Territory is leading the nation in delivering taxation reform, through abolishing unfair and inefficient taxes;

- (j) rates increasing are moderating in the 2016-17 Budget due to Stage 1 of taxation reform concluding in this Budget;
 - (k) insurance duty will be abolished on 1 July 2016;
 - (l) commercial stamp duty will be abolished for property transactions valued under \$1.5 million from 1 July 2018;
 - (m) by the end of the second stage of taxation reform in 2021-22 stamp duty will be halved for the buyer of a \$500 000 home;
 - (n) the Government has increased the payroll tax threshold to \$2 million, ensuring the ACT has the lowest payroll tax rates in Australia for businesses with a payroll of up to \$5.6 million, exempting up to 200 local businesses from payroll tax and giving a \$34 250 a year tax cut to businesses with a payroll of more than \$2 million; and
 - (o) the 2016-17 ACT Budget funds the first stage of the city-wide light rail network while delivering balanced budgets and budget surpluses, and that the cost of the first stage will be less than 1 per cent of the Budget; and
- (2) calls on the Government to continue:
- (a) supporting the Canberra economy and encouraging growth;
 - (b) supporting local businesses to grow and create jobs;
 - (c) its responsible economic management and return the budget to surplus;
 - (d) taxation reform to make taxes fairer, simpler and more efficient;
 - (e) providing funding for the world-class services Canberrans deserve and expect, particularly in education and health;
 - (f) delivering the municipal services Canberrans deserve and expect; and
 - (g) to support vulnerable Canberrans, particularly Canberrans experiencing family violence.”.

As the amendment I have circulated makes clear, the 2016-17 territory budget delivers for Canberrans today and secures an even better future for our city. The 2016-17 budget charts a clear path to surplus. The headline net operating balance in the 2015-16 fiscal year has more than halved since the budget review. There will be a deficit of around \$95 million in 2016-17 before the budget returns to balance in 2017-18 and 2018-19, with a strong surplus in 2019-20.

This government’s responsible economic management during the first part of this century, when we ran strong surpluses, gave the government the capacity to respond effectively to a range of external shocks, such as the deep cuts to this city by the federal Liberal government and the need to rid Canberra of the legacy of loose-fill asbestos.

In response to these shocks, we used the territory budget to support our local economy, to support jobs and to support our community. This strategy has worked, as is evidenced by the recent economic data. To cite some examples, we have the lowest unemployment rate in the nation, at 4.1 per cent. Retail trade growth is the strongest in the country. Commercial building approvals and residential building approvals are increasing. Service exports have increased by 65 per cent since 2010, which is well above the national average of 25 per cent. Growth in economic activity, as measured by state final demand, in the territory in the March quarter was the highest in the nation and over the last 12 months it has been above the national average.

The one thing that has tripled in this city in the last three years is the rate of economic growth. These indicators are a testament to the local business community, who have responded to the economic challenge that the federal Liberal government has created for this city. It is pleasing to note that the majority of jobs created since January 2015 have been in the private sector.

In regard to debt, it is important to note that the ACT has one of the few regional governments in the world with a stable AAA credit rating and it is one of only three states or territories in this country that has a stable AAA credit rating, the others being Victoria and New South Wales. Net financial liabilities to gross state product in the ACT are in line with those other AAA rated states, Victoria and New South Wales.

As the shadow treasurer has reluctantly acknowledged, net debt in the ACT is falling in the coming years. Compared to the 2015-16 budget, net debt falls in each year from 2015-16 to 2017-18, which largely reflects lower borrowings due to the removal of the capital provision for light rail as well as higher capital distributions from forecast sales under the land rent scheme.

With our very strong balance sheet, our excellent credit rating and with interest rates at all-time lows, now is a good time for governments to be investing in infrastructure. The 2016-17 territory budget outlines a \$2.9 billion capital works program over the coming four years. This supports jobs and activity in our economy, and it supports our city's needs as we continue to grow.

As I pointed out in my budget speech yesterday, our city population will reach 400,000 this year, and over the forward estimates period of this budget it is anticipated to grow to 420,000 people. We need to continue to invest in our city's infrastructure to maintain quality of life as our population grows.

The 2016-17 budget continues the territory's nation-leading taxation reforms of abolishing unfair and inefficient taxes. This budget marks the conclusion of the first stage of tax reform. From 1 July this year insurance tax will be gone—completely abolished. I welcome the reluctant approval of the shadow treasurer for the abolition of that tax, although I do note that he has opposed its removal and the government's tax reforms all the way through. You cannot oppose it all the way through and then say it was a good decision at this point when it is abolished. What you have said every year for the last five years is that we should have kept this tax on insurance products. I am pleased to have delivered its abolition.

This budget, as I say, marks the conclusion of the first stage of tax reform. Stamp duty has been cut considerably. From today, a Canberra home at around \$500,000 will save \$7,040 in stamp duty compared to before tax reform began. The stamp duty cuts will continue in coming years. I am pleased that from 1 July 2018 commercial stamp duty will be abolished for property transactions valued at under \$1.5 million, and by 2021-22 stamp duty will have been halved for a buyer of an average Canberra home.

In addition, the government has increased the payroll tax free threshold to \$2 million, the highest tax-free threshold in Australia. It ensures that the ACT has the lowest payroll tax rates in the country for small and medium-sized businesses with payrolls of up to \$5.6 million. Over the course of the tax reforms that have been opposed by those opposite, this payroll tax cut has exempted 200 local businesses from paying any payroll tax and has given a \$34,250 a year tax cut to businesses with payrolls of more than \$2 million. The government continues to support local businesses, helping them to grow and create jobs, including through the continued implementation of the confident and business ready strategy.

The budget also, as is attracting a great deal of interest from those opposite, funds the first stage of our city-wide light rail network. It does so whilst delivering balanced budgets and budget surpluses, and it is important to note that the cost of the first stage will be less than one per cent of the budget. As I noted yesterday, I look forward, prior to the election in October, to announcing the details of stage 2 of light rail.

The budget also delivers on a range of very important community priorities, including funding world-class services, caring for vulnerable Canberrans, delivering more municipal services and investing in our city's transport networks.

The budget makes an unprecedented investment in family violence prevention—a \$21½ million community response—because we know that every Canberran deserves to be safe in their own home. The budget also builds new homes for our public housing tenants and increases the funding for concessions. It makes record investments in our health and education systems, delivering more doctors, more nurses, more emergency department staff, upgrades to our city's hospitals, and of course the ongoing construction of the University of Canberra public hospital.

We are upgrading and expanding schools right across the city, providing more support and training for teachers and upgrading spaces in our schools for students with a disability. We are supporting our police and emergency services workers. We are duplicating a range of roads across the city—Horse Park Drive, Ashley Drive, Cotter Road and Aikman Drive—as part of a roads package worth more than \$110 million. We are investing in better public transport, purchasing new buses, providing new bus routes and building a new bus depot in Woden.

The budget also delivers more municipal services for our suburbs. There is the rollout of green waste bins commencing in Kambah and Weston Creek, ahead of a territory-wide rollout. There is more funding for mowing, and for upgrades of playgrounds, parks and local shopping centres.

We continue to invest in our city's and territory's environment, not just through our nation-leading target of 100 per cent renewable energy by 2020 but through significant investments in cleaning up our city's waterways and in expanding our city's nature reserves.

As I said yesterday, this is a budget for a better Canberra. The amendment that I have moved today reflects the true situation of the territory budget and the territory economy, and I am delighted to commend this amendment to the Assembly this morning.

MR HANSON (Molonglo—Leader of the Opposition) (10.27): Firstly, I would like to thank Mr Smyth for bringing this motion before the Assembly today and highlighting some of the gaps between the rhetoric that we hear from Mr Barr and from the government and the reality, particularly the reality that is being felt by so many Canberra householders: people who, as a result of this budget, will continue to see their rates going up exponentially, well above CPI. For units, there are 20 per cent increases, which is just cruel.

The machiavellian and disingenuous nature of putting on an election year pause is not being lost on anyone. Indeed I have been receiving many emails and texts from a variety of people, in the media and in business. They are not being fooled by what is clearly an election year budget to try to provide a few sweeteners that extend only for a year.

As we have seen with the green bins policy that Mr Barr just talked about, it is in one small part of Canberra. It is the ACT's biggest backflip after this government fought against it for so long. I must say that when the Treasurer was talking about this yesterday, at least Mr Corbell had the decency to turn bright red, as opposed to Mr Barr, who was quite happy to announce this policy for one small area of Canberra after railing and arguing against it for the previous eight years.

As I said yesterday, and as I will say more formally tomorrow in my budget reply, the government is proceeding with the tram. Based on the government's own released figures, it will cost \$1.65 billion over the next 20 years, and that is in addition to the Capital Metro Agency costs and a number of other associated costs. It means two things. It means that we will continue to see the sort of pain that is being inflicted on Canberra families through ever-escalating rates increases and increases in the cost of living across a whole range of parking, rego, drivers licence fees and so on. It also means that is money that cannot then be allocated to other important services across our community: in health, education and things like a better bus service. The Canberra Liberals have released a bus plan—a transport plan—for all of Canberra, to introduce the sort of significant reform that we need in public transport in this town.

The other thing that Mr Barr has been saying is that the tram can be done and we can get back into surplus. It is a little bit like what happened with Wayne Swan. We have a Treasurer who promises these illusionary surpluses that are always just over the horizon. In reality, since he has been Treasurer, we have seen deficits. I am sure Mr Smyth will have the exact figure, but it is about \$1.1 billion in deficits that Mr Barr has actually delivered. Although he touts his credentials as an economic

manager, what we have seen in reality, as compared to the forecast, is \$1.1 billion in deficits and government debt increasing from almost nothing when he took over as Treasurer to approximately \$2 billion currently, and forecast to blow out to nearly \$3 billion.

Other than the light rail, and some election year promises that only last for a year—as is the case with one of the buses, which only goes for a year, as do the green bin trials—the other thing that we have seen is the photocopying of a whole number of Liberal policies. I suppose we should be quite chuffed by that, but it is still—

Mr Barr: Flattering!

MR HANSON: Indeed, but it is quite extraordinary that this government wait for a period of time—a couple of weeks—and then they come out and say, “Me too; me too. We’ll do that as well.” So this government are saying that they have this reformist agenda, but what we are seeing are election year sweeteners, increasing rates and other fees and charges, hundreds of millions being allocated towards a tram, and a photocopy of a whole range of Liberal policies.

I would have liked to express this at every opportunity, and I will tomorrow, but it would have been nice if Mr Smyth and I had been able to be at the budget breakfast this morning. As you will recall, Madam Speaker, that was an occasion in our community when both sides of the equation could be put forward; the government was able to express its view to the business community and we would then hear back from the opposition with a critique of the budget. When it comes to these things, there are always two stories to be told.

I would again like to express my disappointment that the Chief Minister has decided, since he became Chief Minister, not to debate Mr Smyth and me. I think it is a little indicative of the nature of this government that we have the rhetoric on one side that this is an inclusive, open government, while on the other side the reality is that after many years of open debate about the budget in the community, Mr Barr decided to shut that down. I am particularly disappointed, Madam Speaker, that in an election year, when members of the community want to hear from both the government and the opposition on alternative agendas, Mr Barr again refused to attend if the opposition were going to debate him.

When you have a Chief Minister who is also the Treasurer, and who is so scared to debate the opposition, that tells you a lot, not just about the man but also about the fragility of this budget. The reality is that with the government spin machine pumping out flyers into every suburb, and tweets and press releases from all the ministers, there is an attempt to try to bamboozle the electorate. But it is quite clear that Mr Barr does not want Mr Smyth or me to be there to critique it and to expose the truth. We will continue to do so through the estimates process and in my reply on Thursday.

I thank Mr Smyth for bringing this forward today. It is a bad budget. There is no doubt that this is a bad budget not just in fiscal terms or in terms of priorities, but that it will be a bad budget for Canberrans. There is a better way to do this. There is a better way forward for the people of Canberra. I will look forward to outlining that alternative vision on Thursday.

MR RATTENBURY (Molonglo) (10.35): I welcome the opportunity to debate this motion today although of course, as Mr Hanson has just noted, budget reply speeches will be on tomorrow. I will certainly have more to say at that time. I turn to the motion that is before us today. This is, of course, a regular motion from Mr Smyth. We see one of these on the Wednesday after the budget each year, but I can indicate at this stage that I will be supporting the amendment moved by Mr Barr, which I believe to be a more accurate reflection of the budget.

Turning to the specifics of Mr Smyth's motion, Mr Smyth has raised as his first point that Mr Barr inherited a surplus when he became Treasurer. He then goes on to say that he has never achieved a surplus in the time he has been Treasurer. While this may be technically true, I think it fails to take into account the fact that the ACT government was responding to the global financial crisis at the start of that process. There was a long-term plan to support the ACT economy through those turbulent times and then return to a surplus over an extended period.

That is something that we have discussed in the Assembly many times since that period. It is something that the Greens have supported through the last term of the Assembly and have continued to support through this term. We have consistently said that we are committed to a balanced budget over the economic cycle, and that has been something that we have continued to work towards.

There had been a planned return to surplus by 2015-16. I think everybody in this place knows that there have been a few hiccups that the government has had to manage along the way. That return to surplus has been shifted by a couple of years. But the Greens are supportive of the government's response to some of those hiccups that have occurred and acknowledge the fact that they have meant that it has been a tougher path to a return to surplus.

Things such as dealing with the Mr Fluffy crisis and supporting those people who are living in houses with remnant and dangerous loose-fill asbestos have been perfectly reasonable things to do. There has been complete transparency about the impact that that has had on the budget. I think that has been a path that the community would expect us to follow. This is one of those classic cases where if you took the conservative approach of a surplus at all costs, the necessary response would have been to ignore and do nothing about the Mr Fluffy issue. I just do not think that that is an acceptable community outcome.

This budget walks the fine line between balancing the territory government expenditure and maintaining our AAA credit rating. This is something that Mr Smyth's motion has not addressed. It is something that is very clear in the budget process. It is something that the Treasurer has spoken about in some detail. I think it is a credit to this budget and the pathway that it sets us upon that that AAA credit rating will be preserved for the ACT.

It has been a difficult job to return the budget to an operating surplus while delivering vital reforms and new infrastructure for the people of Canberra. But the budget again has walked that line whilst maintaining a close eye on our debt and our credit rating.

Certainly a focus on the deficit ignores the long-term plan, which does see us returning to a balanced budget in the coming years, certainly well within the forward year estimates.

Mr Smyth notes in his motion that government expenditure has increased by \$1.1 billion in the past five years. But he also notes that income has also increased. This seems to me like an entirely sensible way to deliver in a balanced way the services and infrastructure that the Canberra community wants. We are seeing growth in population. We are seeing growth in the number of households in the city. All of these things lead not only to increased demand for services, but also increased revenue. Necessarily, government spending will go up. I think that is something the community expects.

Similarly, it is worth noting that around the country many local councils have been surveying their residents as to what kind of expenditure options they prefer. Options in these surveys were either that people pay less in rates and have fewer services, they pay about the same rates for the same level of services, or they pay higher rates and have a higher level of service delivery.

What has been very interesting from the results of these surveys that I have seen is that a majority of residents actually choose to pay higher rates so that they can have a higher level of services. I do not believe there has been such a specific survey in the ACT, but I do believe that our community would reflect those other communities across Australia in saying, "Actually, we live in a community that is willing to pay for good quality services."

We know that our community wants high quality services. They want high quality public spaces, parks, playgrounds, paths, roads and sports fields. Canberrans want decent expenditure on our hospitals, on our health system, on our schools and our public transport system, and they also want social services, community services and emergency services.

These are things that we can deliver within a balanced budget if we raise enough revenue. We need to be realistic about that. We have seen the Canberra Liberals come in here and complain about a range of charges to deliver those services to our community. I look forward to them articulating their position over the coming months as they try to posit themselves as an alternative government. If they are saying that they are going to cut a range of fees and charges in our community, they need to be clear about what services they are going to cut in response. They need to outline to our community where they are willing to make those cutbacks. They need to be very clear about that.

I disagree with Mr Smyth and some of his colleagues that there has been a decline in the quality of services over the past five years; and I disagree that our community amenity is being run down. All you need to do is travel outside this city to know that we have extremely high quality services in this city, that we have great urban amenity, and we live in one of the most liveable cities on this planet. Anybody who argues otherwise clearly has not travelled very much and has a very narrow view of what the rest of the world is like.

I do agree that we have a challenge here in the ACT in that we are now in our third decade of self-government. People who lived here at a time when the federal government subsidised this city were accustomed to an exceptionally high quality of service: big wide roads, plenty of brand new services and amenities, free health and dental centres attached to every public school, ample government housing and high levels of federal government money funding it all.

But those people who talk about being better before self-government need to reflect on the fact that that is not a reality we now live with. That federal funding is now a thing of the last century. We are now maturing and evolving, and we need to adjust to the level of services that we can deliver as a stand-alone entity and that we are willing to pay for. So I think we need to be realistic.

Those people who still live in the glory days of when the federal government ran this town and the NCDC was in charge of everything need to reflect on the fact that that was heavily subsidised. But I think that within the constraints and the limits of self-government, we need to strike the right balance between delivering high-quality services but charging people an appropriate level of fees and charges in response. That is the balance we need to strike and we need to be realistic about that.

I will touch briefly on light rail, because Mr Smyth has brought that up in his motion. He asserts that building light rail is somehow contributing to declining services in the ACT. Yet as the government has made abundantly clear, we will not be paying the capital costs of light rail until the project is finished at the end of 2018.

The government has made the costs of light rail absolutely clear so we can see where our capital outlay is and where our expenditure on the operations and maintenance costs are for the 20 years from the start of operations in early 2019. This is far more transparent in terms of transport budgets than we have seen for any other public transport project in the ACT ever before, in fact, for any transport project ever before in the ACT.

The Treasurer made a good point at this morning's budget breakfast when he said, "Who has ever seen the opposition demand a 20-year projection of the maintenance costs for any road in this city?" For all the roads that are being promised at the moment by both sides of politics, where are the 20-year maintenance cost projections on those?

We see that full transparency on the ACT light rail project, but we do not see it on those sorts of projects. It reflects the fact that a public transport project is not as highly valued by the opposition as road projects. The Greens are happy to stand up for projects that do deliver a different paradigm when it comes to transport in this city.

Mr Smyth calls light rail a burden. I think he really does not understand that light rail is far from a burden. It will be a huge transition for this city. It will be a source of economic opportunity. It will be a source of social opportunity, and it will begin to really provide this city with sustainable transport patterns for our future. We know that it is a significant investment. It can make significant savings and significant improvements to the lives of Canberrans. Of course, we will no doubt prosecute the light rail discussion time and time again between now and October.

I was interested to note Mr Hanson's comments about not being able to go to the budget breakfast.

Opposition members interjecting—

MR RATTENBURY: Well, we can debate that at a separate time and place, but what is interesting is that—

Mr Hanson: No, we cannot debate it; we are not allowed to. You can take your bat and ball and go home.

MR RATTENBURY: That is for others to sort out, but the observation that I—

MADAM SPEAKER: Order! Let us not have a conversation. Let us address the chair.

MR RATTENBURY: Mr Hanson interjects and complains about this extensively. It is interesting to reflect on the fact that Mr Hanson and his predecessor Mr Seselja have also refused to turn up to things if the Greens were invited. If you want to talk about being afraid to debate others, let us just have a—

Mr Hanson interjecting—

MADAM SPEAKER: Order, Mr Hanson!

MR RATTENBURY: Let us invite a small moment of self-reflection—

Mrs Jones interjecting—

MADAM SPEAKER: Mrs Jones!

MR RATTENBURY: for the Liberal Party who refuses to turn up to certain public events if the Greens are also on the platform. Mr Hanson said this was because Mr Barr was scared. I doubt it. Mr Barr will debate Mr Hanson till the cows come home, I am quite confident of that.

Members interjecting—

MADAM SPEAKER: Order, Mr Hanson, Mr Barr! Mr Rattenbury has the floor, but he needs to be very careful that he does not incite disorderly conduct.

MR RATTENBURY: I am just reflecting on the fact that it is now on the person who has the floor to not incite interjection. This is an extraordinary new interpretation of standing orders. I am sorry that when I reflect back to Mr Hanson—

MADAM SPEAKER: Sit down, Mr Rattenbury.

MR RATTENBURY: apparently—

MADAM SPEAKER: Sit down, Mr Rattenbury! I think that you need to be very careful about the sorts of comments you make about the way this place is conducted. It is the responsibility of every person in this place to ensure that there is not disorderly conduct. If you go down a particular path of argument, you will get a rise out of people. You need to be careful just how big a rise you want to get. On the question that the amendment be agreed to, Mr Rattenbury.

MR RATTENBURY: Thank you, Madam Speaker. I do look forward to Mr Hanson reflecting on that matter, and the fact that he will not turn up to things that the Greens are invited to. It is an extraordinary position for him to then come in and complain this morning.

I will not be supporting Mr Smyth's motion this morning. I will be supporting the amendment put forward by Mr Barr. I believe that it is a good reflection on the ACT budget, a budget that is a good one for Canberra. I look forward to making further comment on my views on the budget during my budget reply speech tomorrow.

Mr Barr: All yours, Brendan.

MR SMYTH (Brindabella) (10.48), in reply: Thank you, Chief Minister—

Mr Barr interjecting—

MADAM SPEAKER: Order, Mr Barr. You were heard in silence. Be quiet.

MR SMYTH: We had an interesting discussion in the party room yesterday, Madam Speaker, about whether this would be a cognate debate with the standard government motion lauding their budget, but apparently the government could not come up with enough to laud and run their own motion on their budget. I think it is quite hilarious that it would seem almost that the Treasurer does not want this budget to be spoken about. It is funny that today we will have a motion from Mr Hinder on refugees. Refugees are an important issue. But you would think that—

Mrs Jones: A federal issue.

MR SMYTH: It is a federal issue, as Mrs Jones points out. But you would have thought the government might have at least made an attempt to come into this place and have a bit of a debate.

Mrs Jones interjecting—

MADAM SPEAKER: Order, Mrs Jones.

MR SMYTH: So we put our motion on. I will just go to the amendment that always comes—nothing to see here; everything is great in the land that Andrew Barr rules over as Chief Minister. I want to go to what the amendment notes—and this is the quality of this amendment:

- (a) that in the 2016-17 ACT Budget the Government is returning the budget to surplus;

Just like they did in the 2012-13 budget, in the 2013-14 budget, in the 2014-15 budget and in the 15-16 budget. And it just goes on. It just keeps sliding beyond his grasp, and it is so disingenuous to say that. In the estimates in 2018-19 apparently we have a surplus, but we certainly do not have one in the actual 2016-17 budget. It might be contained in the budget documents, but that is the nature of this individual as Treasurer.

Mr Rattenbury raised some points about debates. I guess we will never, never know whether Mr Barr can beat Mr Hanson in a debate on budget issues because Mr Barr never, never goes there. Mr Barr demanded that the opposition not be invited to what had been a regular feature on the business calendar because he did not want to debate us. That is the problem with this Treasurer; he does have a glass jaw.

He showed his glass jaw last year when we got to the first day of estimates and we asked for an update on where tax reform was going. We had this amazing pirouetting by the Chief Minister where initially we were abolishing conveyancing and then we were going to have the lowest rate in conveyancing and then we would eventually get rid of conveyancing, but he could not tell us when; and this continues. If you have got a clear plan, put it on the table. Tell the people the truth. People know their rates have to increase for the conveyancing to go. Residential conveyancing in the coming year, \$187 million; commercial conveyancing, \$79 million: that can only go one place—that has to go to rates, and when that occurs the rates triple. It is very simple mathematics.

I do not think anybody is fooled at all. You only had to listen to some of the talkback this morning to know that no-one is fooled by a one-year lull. Does the Chief Minister and Treasurer really think the people of the ACT are that stupid that they would not notice that, yes, it is only 4½ per cent this year—double what it probably needs to be—but that in the outyears it then jumps straight back up to seven. Nobody is fooled; he is just slowing down. The foot is off the pedal for a little bit in the hope that people will think, “Oh, our wise and generous Chief Minister and Treasurer has heard us and has saved us from his rate increases” Well, you are not being saved. The pain is delayed a little bit, but the pain that is being experienced is still much larger than it needs to be.

This is not a government with a plan. We see what happens every year—the return to surplus slips and the clarity on how long the rate reform will take remains murky. If you are convinced of your case, Treasurer, then put it on the table. Table the documents that you did to show what will happen to rates over the time—if you have done that. We have had several shots at getting these documents that do not appear to exist. He refuses to give us a timetable. He hides behind, “Oh, well, I might not be in government then.” Well, you could tell us what your aspiration was, if you had a genuine aspiration for this. You know, Chief Minister; you know, Treasurer, that if you put that on the table then rates triple, and that hurts people. That hurts people a lot.

We see the sneakiness of the budget where we announce a bus that runs for one year. We announce one year of funding for the seniors pick-up—the \$400,000 for only the coming year to pick up bulky waste from seniors. There are these one-year announcements. We know from his own document that he is taking the future savings: the increase in net debt as a percentage of the GSP in 2016-17 is influenced—influenced!—by a decrease in investments to meet forecasts. I would have thought it was “because of” a decrease in investments to meet forecasts, but the document says “influenced by”. The words are subtle and calming, as the Treasurer tries to be.

There is no return to surplus under this Treasurer. He has shown it now in all of his budgets—it just keeps slipping out. If he were genuine about his tax policy he would detail it. He knows what has to happen for conveyances to disappear in entirety. He knows what amount of money has to be transferred across to rates. He knows what that will do to the rates of individual households in this territory. He knows that rates will triple, but he just simply will not tell people the truth in that regard.

Madam Speaker, the annual budget is important. What people should have is some certainty. Mr Rattenbury made the case that, if you travel, you know that Canberra is doing pretty well. Well, I do travel and I am stunned particularly at the number of small country towns that have very limited budgets and look great. I remember going some years ago to Portland on Victoria’s south coast and it was absolutely beautiful in the way that it was presented and maintained. As we drove in my wife and I both said, “Gee, a pity Canberra doesn’t look like this.” So, yes, we do travel. I do look at what other people are doing. I do look at what other jurisdictions are doing. I do look at the value they get for their taxpayers’ dollars, and it is not being matched in the ACT.

Mr Rattenbury said that survey after survey shows that people would pay more rates for a better level of service. That is true; that is well documented. But we are not getting a better level of service for these rate increases, Mr Rattenbury. You are transferring one tax to another. I suspect maybe people thought at the start, “Well, okay, we’ll get some better service out of this.” But we are not getting any better levels of service out of this rate increase. So to state that you suspect Canberrans would be in favour of rate increases for better levels of service is probably true. What they are not doing is getting it from the rate increases that you have voted consistently to enforce since you have been in this place, Mr Rattenbury. I think people will remember that.

It is important that we get this right. It is important that we cease inappropriately increasing the cost burdens on the community. One of the great things in the document—although the government has stymied that as well; they were too honest in the first iteration of the cost of living statement—is that you can see that costs are going up for people.

These inappropriate increases in cost burdens should stop. The government needs to better manage the budget to reduce the costs on the community and the debt burden passed on to future generations. But, as we can see, the government has gone around and done a whip around of all the organisations to find as much funding as it could. That it has taken money from ACTIA is a very interesting move. The technical

adjustments on page 35 show actuarial update and premium savings for ACTIA. They have taken \$44 million out of the ACT Insurance Authority—premium savings. I suspect all that means is, “Well, we’re just not going to pay you any money. We’re going to keep all the money, take what you’ve got, and if we have a crisis or a big payout, well, we’ll cope with it when we get there.” Hardly prudent, and you can see that for the other savings that the government has classified as technical savings.

This is not a government with a clear vision for the future or how to pay for it. This is a government that is on a tram being driven by Mr Rattenbury to higher costs, higher debt and higher burden on the people of the ACT, and it will stop on 15 October.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 8		Noes 7	
Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Hinder	Mrs Dunne	Mr Wall
Mr Corbell	Mr Rattenbury	Mr Hanson	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

World Refugee Day

MR HINDER (Ginninderra) (11.01): I move:

That this Assembly:

(1) notes:

- (a) that 20 June is World Refugee Day;
- (b) the widespread social and economic contributions that refugees have made and continue to make in the Australian community;
- (c) that the ACT Government is continuing to foster an inclusive and supportive environment for recently arrived refugees and asylum seekers, working together with service providers and community members;
- (d) that the ACT Government’s refugee and multicultural policies contribute to a broad social inclusion agenda aimed at giving all Canberrans the chance to belong, to contribute and be valued; and
- (e) the inflammatory, divisive and hurtful comments from members of the Federal Government, including:

- (i) Minister Peter Dutton's assertion that refugees "would be taking Australian jobs";
- (ii) Minister Peter Dutton's assertion that "many of them that would be unemployed ... would languish in unemployment queues and on Medicare and the rest of it";
- (iii) Minister Peter Dutton's assertion that refugees "won't be numerate or literate in their own language"; and
- (iv) Prime Minister Malcolm Turnbull's endorsement of these comments; and

(2) calls on the ACT Government to:

- (a) condemn the inflammatory, divisive and hurtful comments of Minister Dutton and Prime Minister Turnbull;
- (b) continue to celebrate the achievements of our emerging ethnic communities including recently arrived refugees and asylum seekers;
- (c) build on Canberra's status as a Refugee Welcome Zone;
- (d) explore initiatives to improve employment pathways for refugees and asylum seekers;
- (e) work closely with local service providers to respond to the needs of refugees at a local level;
- (f) proactively seek further opportunities where community, business and government can be brought together to provide more opportunities for asylum seekers and refugees in the ACT; and
- (g) invest in social inclusion initiatives which value and empower everyone in the Canberra community.

Madam Speaker, I rise to speak to this motion and to say to all newly arrived Canberrans, but in particular newly arrived refugees in Canberra, that this government has a genuine commitment to standing with you and helping you towards a new life and a place in this accepting and welcoming Canberra community. This is because the government understands the challenges that come with fleeing a difficult or life-threatening situation and because we empathise with people who are suffering hardship and difficulty in their lives.

During the federal election campaign we have seen a string of deeply unfortunate and divisive comments from federal government ministers about refugees that are not reflective of the view of the majority of Australians, who are compassionate and caring towards people in need. My view is that these comments are even less reflective of the opinions of Canberrans, who know that those who are suffering hardship have a right, and indeed a duty, to take action to remove themselves and their families from horrible situations.

What a disgrace it is for our country that a senior federal government cabinet member would make offensive remarks about refugees and then have the Prime Minister of Australia describe him as “outstanding.” What kind of message does this send to the rest of the world? Our reputation as a decent, welcoming, generous nation is diminishing as other countries learn not only about how we treat asylum seekers, who are an easy target and amongst our most vulnerable, but also about how federal government ministers, people who should know better, attack asylum seekers, making us look and sound racist.

Let us go through some of the comments Mr Dutton made and how illogical, flawed and out of touch they are. We can then contrast them with the approach the Stanhope, Gallagher and Barr governments have taken here in Canberra.

Firstly, the federal Liberal immigration minister asserted that refugees “would be taking Australian jobs”. He said this in complete ignorance of the statistics that show that immigration to our country results in a net gain to the economy and drives economic growth. The minister also said this in complete ignorance of the unique skills and work ethic that many refugees bring with them from other countries.

What Mr Dutton fails to understand is that a moderate refugee intake creates jobs and more diverse communities and culture, which benefit all. Where would we be without the Greeks, the Italians and the Brits who came here in numbers after World War II? They were refugees fleeing war-ravaged countries to find a better life for their children. They then went on to build the Snowy hydro, the Riverina and other nation-building projects. The Jennings Germans built dozens of homes right here in Canberra. They were people seeking a haven—refugees from conflict and adversity, not unlike the current crop of refugees.

Minister Dutton said in the very same interview that “many of them that would be unemployed ... would languish in unemployment queues and on Medicare and the rest of it”. Where does one even start on the ignorance of this comment? How ridiculous it is for Mr Dutton to imply that refugees come to this country with the goal of simply living off welfare.

The minister clearly does not understand the welfare arrangements in place for refugees. If they are of working age, the requirements for receiving the Newstart allowance are the same for them as they are for everyone else. There are no special welfare arrangements in place once an individual is granted refugee status; in fact, for those on bridging visas, they are much less. Refugees must actively look for work and apply for jobs in order to receive the payment, the same as every other resident.

The reality is that people who have risked everything for a new life are more likely to seize that opportunity and appreciate a chance, perhaps more so than some of us who are born here. If refugees do indeed languish on unemployment queues, it is because of the economic climate and the failures of Mr Dutton’s government to deliver growth in jobs, not because of a lack of willingness to work. That economic climate will not be helped by continued Liberal cuts to services and investment, most readily felt here in Canberra.

Thirdly, Minister Dutton has made the assertion that refugees “will not be literate or numerate in their own language.” Here we have the mythical Schrodinger’s refugee who is, according to Mr Dutton, simultaneously illiterate, innumerate and unemployable, yet somehow taking Australian jobs. How can someone “languish in unemployment queues” and “take Australian jobs” at the same time? If you are unemployed, you have not taken an Australian job. If you are employed, you cannot languish in unemployment queues. And if you are illiterate and innumerate, your chances of getting a job over someone who is educated are slim.

The truth is that Mr Dutton is perpetuating an ugly racial wedge in a cynical vote grab at the expense of some of the most vulnerable people in Australian society. We on this side of the Assembly would never consider such racist and divisive comments to be acceptable, let alone describe the person who made them as “outstanding”. Nor would the majority of Canberrans expect us to.

What shocks me about it is that it speaks volumes about what Mr Dutton thinks motivates other people. Either he thinks that desperate people come to this country to roort the Australian taxpayer and steal Australian jobs or he thinks that Australians are selfish racists who will vote for him if he makes these remarks. It shows his combative “us versus them” attitude.

It is also a sad reflection of Mr Dutton’s opinion of Australian workers that he believes that people he describes as illiterate and innumerate are a threat to Aussie workers who are trained well and work hard. What a load of rubbish considering that the vast majority of Australians work in service-based industries that require skills and training, and the threat to them by unskilled or illiterate people of any origin is, I would suggest, non-existent. Mr Dutton’s comments are a reflection on himself, not a reflection on anyone else. They are not an accurate reflection of refugees who have come to this country and they do not accurately reflect the opinions of Canberrans.

What does the research tell us? Research undertaken by Mr Dutton’s own department shows that refugees, once they have the opportunity to establish themselves, make important economic, civil and social contributions to Australian society. That research tells us that many refugees settle in non-metropolitan areas, which creates social and economic benefits for regional communities. It also tells us that refugees help meet labour shortages, including in low-skill and low-paid occupations—jobs that are hard to fill. They display strong entrepreneurial qualities, with many ultimately running small and medium-sized businesses themselves. Most refugees and their children show considerable achievement and make a considerable contribution during their working lifetimes. Refugees make significant contributions through volunteering in both the wider community and in their own community groups. Refugees also benefit the wider global community through developing and maintaining economic links with their countries of origin.

None of this is to say that refugee resettlement does not have its challenges, but we in this country, and this city in particular, know the benefits that flow from embracing these challenges. This approach includes sufficient planning to encourage workforce participation, an eventual path towards citizenship, and accepting people in reasonable

numbers to ensure that housing and services can meet the incoming demand. At its core, the way to successfully accept refugees is to include them, not to accept people and then demonise them for political gain.

I am proud to be part of a Barr Labor government that understands the critical importance of social inclusion and continues to invest in it. As outlined in the budget's social inclusion statement, our government is continuing to foster an inclusive and supportive environment for recently arrived refugees and asylum seekers, working together with service providers and community groups. As a progressive government, fairness, social inclusion and equality are our core values. We work to ensure that our refugee and multicultural policies contribute to a broad social inclusion agenda aimed at giving all Canberrans the chance to belong, to contribute and to be valued.

On this side of the Assembly, we value and celebrate our cultural diversity and the achievements of refugees and asylum seekers, be they recent or from 50 years ago. The ACT was the first jurisdiction to declare a refugee welcome zone last year, and since 2007 it has accepted nearly 2,000 humanitarian placements. Canberra today comes from nearly 200 different nationalities, with almost a quarter of Canberra's total population born overseas.

But the Barr Labor government does not just talk the talk; we actively support social inclusion and multiculturalism. Since 2011, approximately 3,000 projects have been funded through our multicultural grants program, to support local multicultural communities and groups, to help build our harmonious and inclusive society.

Late last year, the Barr government released the first action plan of the 2015-20 ACT multicultural framework. The framework has three broad themes: accessibility and responsive services; citizenship, participation and cohesion; and capitalising on cultural diversity. Some actions to be progressed under the framework include supporting young people through leadership and recognition initiatives, enhancing access to information for refugees, and more investment in social cohesion initiatives.

One specific employment-focused initiative worth highlighting is a targeted program to assist new arrivals to gain meaningful employment. This builds on the success of programs like the work experience and support program. Our government is committed to doing all it can to support the social inclusion of new arrivals and refugees.

It is not just the ACT government that is doing great work in integrating and welcoming refugees into Canberra. There are numerous non-government organisations working in Canberra to support refugees and help them to become part of the community. One such NGO in my electorate of Ginninderra is Companion House. Companion House assists people who have suffered from torture and trauma by providing medical treatment, counselling, complementary therapy, community development, training and professional development, policy advice and awareness raising, and migration advice—all of this done free of charge. Services like this show the commitment that the Canberra community has to make sure that refugees have culturally appropriate care and have access to services that help them live happy and fulfilling lives in Canberra.

Our community clearly recognises the overwhelming benefit that new migrants, refugees and asylum seekers bring to Canberra. In February this year, I took part in the 20th National Multicultural Festival, along with about 240,000 of my fellow Canberrans and 43,000 interstate and international tourists. This event has become an integral part of the Canberra events calendar, with over 4,500 community volunteers participating this year. I was proud to see Canberrans and visitors from over 170 nations come together to participate.

Canberra has accepted people from very diverse backgrounds, and the way we have accepted people with different backgrounds is testament to how accepting Canberrans are. As a community, we accepted the Greeks, Italians and Germans after World War II; the Vietnamese in the 1970s and 1980s; people fleeing from violence in Latin America; a significant resettlement from Kosovo; people escaping persecution in Myanmar and Thailand, particularly the Mon and Karen communities; Sudanese families fleeing violence; and people fleeing ongoing violence in Iraq, Afghanistan and Syria. These people all had very legitimate reasons for leaving their countries. For the federal immigration minister to suggest otherwise shows how little empathy he has for people who are in need. Our community is better than the rubbish that is spewed forth by Minister Dutton and Liberal colleagues who refuse to repudiate his comments.

These people sell their homes; they uproot their entire families; they sometimes pay enormous sums of money after being promised safety. They take the perilous journey across harsh oceans and under very difficult circumstances. They then end up in an offshore camp and have no idea whether they will ever come to this country after having sacrificed so much. They would not do all of that without good reason. They are not here to steal our jobs and they are not here to steal welfare. They are here because Australia gives them hope of a safe and prosperous future for their family. They are looking for a very Aussie response from us. They are looking for what we call a fair go.

People who appreciate opportunity and the chance of a new life through hard work and embracing opportunity are exactly the kind of people I want to see living in the territory. Those attributes reflect a very Australian attitude. I would suggest that those articulated by Mr Dutton and other Liberals do not.

I commend the motion to the Assembly.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (11.16): I thank Mr Hinder very much for bringing forward this motion this morning, because it gives us in this place another opportunity to express our appreciation and our ongoing support to refugees and to asylum seekers who have made Canberra their home over generations. The upcoming World Refugee Day also provides us with a moment to reflect on what it means to flee from your home, to flee for your life, to barely escape murderous regimes and armies, to be often separated from your loved ones, sometimes with little more than the clothes on your own back.

This is a chance to reflect upon what it means to travel halfway around the world. You may have to learn a new language and a new way of living, where day-to-day tasks that we all take for granted like shopping, going to work and going to school can feel very hard and very different.

I am continually amazed by the strength, the fortitude and the willingness to learn of new arrivals in our city from around the world. Refugees are fleeing from conflict zones, often having endured unspeakable horrors, persecution, homelessness, torture, starvation and, as Mr Hinder said, perilous travel across deserts and oceans. Yet they come to Australia and here to Canberra with the aim of making new lives for themselves and their families—to prosper, to be safe but, importantly, to contribute.

Who amongst us would not do the same thing in such circumstances—seek refuge in a safe, stable democracy like Australia and in a city like Canberra? I am proud that Canberra is such a welcoming and inclusive community. We have long supported those who are looking to make a new life in this country. Each wave of new arrivals has made Canberra stronger; each wave of new arrivals has made Canberra more inclusive; and each wave of new arrivals has made Canberra more interesting.

Our communities of refugees from Europe, from Vietnam, from the Sudan, from Kosovo and many other places, and now including Syria, only make Canberra a better place. Canberra opens its arms time and time again because we recognise that common humanity trumps any ideology. So it is incredibly pleasing to see our business and community leaders, along with government and non-government organisations, working together to help refugees reach their full potential in their new home.

Many of our leading Canberra residents first came to Australia as refugees. Canberra is a city which proves that refugees, if given the chance, can not only start a new life but give back so much to their community. All of this makes our nation's immigration minister's recent comments beyond baffling. He, of all people, should be aware that Australia would not be what it is today without refugees.

Minister Dutton's comments were as appalling as they were obvious in their intent. They represented a low, pathetic and desperate statement showing that there was no depth to which he would not stoop to try to garner a few more votes. I condemn those statements utterly and I know that every member of this government and the Labor parliamentary party rejects them completely. I am disappointed that the Prime Minister did not repudiate his minister's comments in the strongest possible terms. But clearly, yet again, Prime Minister Turnbull's determination to present a united front supersedes his own personal views.

Today I call on every member of this place to stand in support of Canberrans who were once refugees and those who are yet to come to join us. I call on them to stand unambiguously against the hateful, divisive and ridiculous rhetoric of our federal immigration minister.

Luckily, despite the immigration minister's efforts being widely reported in national and international media, the real Australia continues to shine through: compassionate, concerned, friendly but, most of all, welcoming. Here in Canberra we continue to build on our status as a refugee welcome zone and we continue to work on new ways to help refugees become a valued part of our community.

We are working every day to ensure that our intake of refugees from Syria has access to the accommodation, support and opportunities that they need. ACT service providers are well organised and have strong experience in settlement services, including orientation, English language lessons, specialised health services, accommodation and referrals.

In this place, in this city, we will continue to show new arrivals what the true Australia looks like, not the hateful throwback language of the federal immigration minister, but the language and actions of a welcoming and confident nation and a welcoming and confident national capital that shows national leadership on this issue. I commend Mr Hinder's motion to the Assembly today.

MRS JONES (Molonglo) (11.23): Today we stand in this place to reach a new low for the ACT Labor movement. It is a new low, trying to create division where there is none. These apparently divisive comments feature on the Labor Party's national website as part of their own policy. Interesting, isn't it? Maybe Mr Hinder, before he brings a motion to this place, should do some homework about what his own movement stands for and how, in bipartisanship, we have managed this issue over many generations.

My own grandparents left a war-torn and poverty-stricken Italy in search of a better life here in Australia. Neither of them had any English language skills when they arrived, which made settling into life in Australia very difficult. However, they were supported by English-language learning which was provided by the national government then, as it is now, in a bipartisan attempt to make sure that those we settle in this country actually have an opportunity to enjoy the benefits that this country has to offer.

They persevered and now my mother has recently completed her PhD in English education. Mr Doszpot, one of our own members of the Liberal Party here, fled Hungary. He had to walk out over the hills. As if the Liberal Party does not understand the life of a refugee; as if!

My grandparents, until their dying days, were not able to enjoy every single benefit this country has to offer because of their ongoing language challenges. These were people who had made a huge effort and who had been invested in. It often takes generations for people to fully enjoy the benefits of this country.

No-one in Australia would dispute the social and economic contributions that fantastic refugees have made to this country, and there are some very notable examples. However, Mr Hinder comes into this place with a motion under the guise of World Refugee Day, something that we all support and stand behind, and creates false division between the two sides of this parliament and the national parliament. He does

this a day after the budget, which the government says is so great for our territory. The best thing that Mr Hinder can do is to come into this place and try to create difficulty in the community for people settling in. It is a disgrace. It is a debate that should not be happening.

Mr Wall: Shame!

MRS JONES: It is shameful and embarrassing. With the announcement of the budget yesterday, I am surprised there was not anything else, nothing else, about dealing with his own electorate's cost of living, about the townhouse expense increases this government is putting on to ratepayers. We have increases in the cost of parking around this city for lower income workers who are trying to make a go of their lives. This government just keeps increasing parking costs, for example, on the apprentices in Phillip who will have to pay 10 per cent of their wages for parking if this parking change goes through. We will discuss this later in the day.

But rather than focusing seriously on the issues that everyday Canberrans are actually struggling with, Mr Hinder has come in here with this ideological argument. By doing the bidding of the national Labor Party, he somehow thinks he is bringing something very clever into this chamber, but he should check his own party's position.

The ALP's current position is stated on its federal website under the heading "Advancing multicultural Australia". It is stated—these are not my words; they are your party's words—in respect of English proficiency:

One third of humanitarian entrants speak little or no English, which undermines labour productivity and stymies long-term economic and social opportunities.

They are not my words. They are the Labor Party's words. That is right. It is the Labor Party that has said that it stymies long-term economic and social opportunities for those individuals. That is why we back them up with English-language courses. The website of the Labor Party goes on to say:

This is an issue which is only going to worsen over time.

It also states:

The unemployment rate for skilled primary visa holders was 3 per cent, well below 5.6 per cent, the Australian average at the time of the Census.

These are not my words; they are the Labor Party's words. The website goes on to say:

Family migrants and humanitarian migrants show higher rates of unemployment, 9 per cent and 16 per cent respectively, than the labour market average.

Not my words; they are the Labor Party's words. At the time Mr Dutton was commenting, he was being asked about the Greens policy. The Greens policy is to bring 50,000 new arrival refugees to this country every year; 50,000. So maybe Mr Hinder has a view about how we should fund the language courses and the settlement services for 50,000 arrivals.

The Labor Party's website says:

This creates a range of debilitating social and economic barriers for these people, including isolation and a lack of economic and social independence.

Not my words; the Labor Party's words. These are the words taken from the Australian Labor Party's federal website; so do your homework before coming in here, members.

I would like to remind Mr Hinder of some of the facts around refugees. Australia is one of the more generous nations when it comes to accepting and settling those who come here on humanitarian refugee programs. We support those we invite here. We do not let people languish in ghettos and we should never move to a position where we accept so many that that becomes an impossibility.

We provide language programs, social support, medical services and education. It is a shame that the facts are not featuring in this debate from the other side. There are very real challenges that affect refugees that come to Australia. Studies have found that humanitarian entrants generally do have poorer employment outcomes than other migrant groups as they settle into the Australian way of life. Some of these people have never had a work experience and they now need to start trying to get work experience on the back of language concerns.

Everybody who has known my work in this place since arriving here knows that at every opportunity I have asked how we can improve language delivery, particularly for women and women with children who have primary caring responsibility at home. This has been a major focus of the Liberals here over the last term.

Census migrant integrated data tells us that for humanitarian entrants, 32 per cent are recorded as being in the labour force and 45 per cent not. When Mr Dutton was quoted, he was being asked about the Greens policy. So now the Labor-Greens movement here in the ACT has become so close that they are coming into this place to create divisive arguments to prop up Greens policy. It is Greens policy.

Australia has a long and proud tradition of settling refugees and vulnerable people in humanitarian need. Australia has consistently ranked in the top three resettlement countries, along with the US and Canada. These are the three countries that take 80 per cent of the global resettlement places each year with the UNHCR.

In Australia we have a very established framework for resettlement. We have about 16 resettlement services in 23 different regions around Australia. Since World War II we have settled more than 825,000 refugees and humanitarian entrants. Initially, mostly refugees came from Europe and parts of Asia. Governments of all sorts have previously provided education and health services. In recent years refugees have come from conflicts in countries such as Somalia, Iraq, Afghanistan and Syria.

There is great diversity in the skills, education and professional experience of those resettled here. Forty-four per cent of female arrivals and 33 per cent of males do not understand spoken English upon arrival. That is why at every step we have asked this

government how we can improve people's English in this city—those who would like to learn it but who have family barriers. That has been a great focus of my work, as you know. Fifteen per cent have never attended school in their own country. This makes it difficult for them to achieve work sometimes. Nearly 50 per cent have never undertaken paid work and they therefore need proper support.

Given these facts, we are not surprised that many refugees will have significant challenges in developing their language proficiency and engaging in employment. It is clear that we have a great deal of work to do in this space and always have had. And until now, as a bipartisan effort, we have supported these people. There has never been a quibble or question from this side about such support or how we could increase it or improve it. It is clear we have a great deal of work to do in this space and always have done.

This is why federal governments have been so committed to providing settlement services, not just allowing new arrivals to slip through the cracks and not access the benefits that Australia has to offer. The federal government has committed over \$800 million to process and resettle 12,000 additional refugees on top of the 13,750 we take every year. These additional refugees will come from the conflict in Syria and Iraq. That is 12,000 over and above the current stated annual number of 13,750.

What we know is that it is vital to be able to provide housing options, suitable employment opportunities and health services, as well as support and integration services, given that many of our most recent arrivals have fled traumatic events. Our goal should be to ensure that migrants and refugees are able to build happy, healthy and successful lives in Australia.

This process can take many years, even a generation. There is no quick fix. Mr Hinder's motion today is nothing short of an attempt to play dirty politics and to muddy the waters on an issue of refugees on a day like World Refugee Day, which is celebrated on 20 June. It is disgraceful tactic on what should just be a strong bipartisan area.

It is Mr Hinder who comes to this place today to be divisive. It is Mr Hinder who basically is here supporting the Greens federal policy to increase the refugee intake to 50,000 a year, which was the basis of the comments that were made. We have seen over this term that ACT Labor has been supportive of the Greens. This is why we have got a \$1.65 billion tram coming and a huge expense per household for the building of that behemoth, which every household will pay for, whether they are wealthy or whether they are poor.

However, I am surprised that ACT Labor is now spruiking the federal Greens policy without any thought to how it will be implemented or who will fund the additional services. If Mr Hinder thinks he can do a better job of federal policy, maybe he should take Katy's lead and go and stand on the hill. I do not shun ACT politics. I think this is a place to make a difference on the things that we legislate on, on the matters that matter here. It is a constant barrage from the other side whenever they get a chance to speak of issues to do with the federal arena. Do they not have any concerns to deal with in their own electorates?

As the shadow minister for multicultural affairs here, I see a genuine commitment by the people of this great city to welcome migrants and refugees, to be a genuine refugee welcome zone. This is a bipartisan area. Nationally, about 85 per cent of people surveyed agreed that cultural diversity is a good thing for Australia. We have benefited a lot from it; so do not come in here and start trying to create a division that does not exist or to fan the flames of a perceived difference between the parties that does not exist.

The federal government, through the Department of Social Services, will spend about \$660 million on multicultural affairs, assisting migrants to settle in Australia through social cohesion programs, countering extremism and assisting young people at risk. Community cohesion does not happen by itself in Australia and a multicultural society did not happen by itself either. As a nation, we have found unity and prosperity in our diversity by working hard together and respecting our difference.

My mother experienced the name calling and the labelling but by her own hard work, she and her family forged their place here as Australians. What a disgrace to bring a divisive discussion in here for the purpose of fanning party political agendas and potentially inflaming such experiences of people in the suburbs of this city.

While our cultural diversity is a great source of social and economic strength, the contribution of migrants and their families spanning generations has helped create the Canberra and the Australia we enjoy today. Our success has been built through the efforts and commitment of millions of Australians unified for a prosperous future for everybody. So do not come in here lecturing us on opening up our borders when we have a bipartisan position, and we have had so for generations.

If you think we should open the borders, say so. If you think we should give less financial support to each individual, say so. If you think we should spend massively more, say so. But do not come in here with your Anglo-centric attack on this bipartisan area like you have any idea what it takes to settle into a completely new place.

We have heard in the last few months from former members of the Labor Party that even Aborigines are not welcome in the Labor Party as candidates on the whole. That statement was made by Mr House, who is now standing for us. Never mind about other types of refugees. Where are your multicultural members on your side? Very interesting, isn't?

It takes a whole generation to settle new people in. When my grandfather was dying, he reverted to his original language. It was lucky for my family that I could speak Italian. When he did not even know he was not speaking to me in English, I could respond to him. I could say, "Nonno, non ti preoccupare. Ti voglio bene. Tutto a posto, Nonno." I translate: "I love you very much. Do not worry. I love you. You will be okay. It will be okay." We actually understand the depths of struggle that people go through in order to settle into this country. What a disgraceful debate.

We will certainly not be supporting paragraphs 1(e) and 2(a) of the motion because the Labor Party's own website states precisely the same language: we have had a bipartisan understanding that people who come here as refugees do have a tough time. We will do everything that we can to back them up and to have enough money to support them properly. We have done it for generations and there should be no change. Base political games should not be played in this area.

MS BERRY (Ginninderra—Minister for Housing, Community Services and Social Inclusion, Minister for Multicultural and Youth Affairs, Minister for Sport and Recreation and Minister for Women) (11.37): I thank Mr Hinder for bringing forward this motion today. I was very pleased to hear Mrs Jones speak so passionately about her support for the inclusive community that we celebrate here in the ACT. I want to start today, in speaking in support of this motion, by telling the story of a man, Hashmat Shafaq, who was born in Behsood, Kabul.

Hashmat is a Hazara, one of Asia's oldest racial minorities, that come with an artistic and cultural heritage that dates back to before the sixth century AD. Before the rise of the Taliban in Afghanistan, Hashmat, a woodworker, had a furniture business for over 20 years. Seeing thousands of his people killed by the Taliban in areas neighbouring his town, Hashmat knew he needed to find a safe place for his family. He was one of several thousand Hazaras who fled their home. Hashmat's journey to this country was reluctant, as is the case for many refugees and asylum seekers. No-one leaves their home unless they are forced to.

When Hashmat arrived in Canberra, he did not know a word of English. He suggests that even today his English is not that good. He explains that in his line of work he does not need to know much English, that work being as a talented woodworker before he left his home in Afghanistan. These are skills that he uses effectively today, as the successful owner of a furniture business in Woden.

Another story that some of us may be familiar with is that of Theo Notaras, a well-known and loved Canberran of Greek origin who migrated to Australia at the age of 14. Theo was an innovative and highly successful businessman and an ardent supporter of Canberra. In addition to being a proud Canberran, Theo was the founder and first president of the Greek community in Canberra, and a founding member of the Hellenic Club. Theo died in 2001, leaving a strong legacy of contribution to Canberra and the Greek community here in the ACT. Chief Minister Jon Stanhope renamed the Canberra Multicultural Centre the Theo Notaras Multicultural Centre. Theo did not know a word of English when he arrived in Australia either.

I am a firm believer in working to understand views which are different from mine. It is for this reason that as the minister for multicultural affairs I have been able to spend a lot of my time talking to people throughout our community about refugees and asylum seekers. As I chat to different people, I am reminded time and again of what a proud and welcoming home to different people and cultures Canberra has become, and continues to be.

However, it is worth pointing out that it is not simply out of generosity and compassion that many Canberrans are welcoming people into our communities. ACT communities for a number of years, and for longer than I have been alive, have been seeing firsthand the contributions that migrants and refugees have made and continue to make in Canberra.

Canberrans recognise and appreciate that there are many multicultural organisations and community groups who have been working hard with limited resources to bring people together and to build real inclusion in our city. There are individuals and their families amongst these groups who have made this city a richer place to live, and a more inclusive place to live.

As a community we value these things and we have the ability to share these things with more people, especially those seeking safety from conflicts around the world today. That is why I was very proud to declare the ACT a refugee welcome zone last year. Our government has been consistent in its support for refugee and migrant families over the years, and I saw it as appropriate to make this commitment formal.

We have expressed it time and again since—offering to settle Iraqi and Syrian refugees coming to Australia under the additional intake, and offering refuge to children being held on Nauru—and I recently sent a formal request to the federal government, together with a number of local organisations, to have the ACT recognised as a safe haven enterprise visa zone, which would provide a pathway for asylum seekers to become permanent residents.

On that note, I have been very fortunate in the past couple of months to meet some recently arrived Iraqi refugee families who are today calling Canberra home. I was able to sit and talk with parents and their children. It was great to be able to welcome people who have been through such an ordeal to the safety of our home. Mr Hinder's motion draws attention to the need to create a genuinely safe and inclusive place for our new arrivals, a place where they will feel like they have the opportunity to thrive, not just survive.

An investment in social inclusion initiatives which empower people is also at the heart of our new ACT budget. A \$21.42 million package that includes funding for a full-time coordinator-general for family safety is part of a government-led effort to improve outcomes for individuals and families. This will make this city safer for some of our most disadvantaged families and vulnerable people, and this includes refugees and their families.

When the government funds \$53.5 million for the 2016-17 concessions programs, it is money spent on building a community that will give refugees who have settled in Canberra a fair crack at happiness as they go about their daily lives. Even the \$1 million investment in funding upgrades to ensure 100 bus stops meet disability standards ensures that refugees and migrants with varying forms of abilities know that they are now at home in a community that considers all of their needs, not just some, in a truly inclusive way.

When we consider this motion this morning, I encourage all members to consider Hashmat and Theo—two men who arrived in Canberra with no English skills, and who have made a significant contribution to the rich diversity of the ACT. Hashmat and Theo did not simply “languish in unemployment queues”, to use the words of Minister Dutton: words which were not condemned by our Prime Minister. These individuals—our neighbours, our friends—deserve our respect, our gratitude and our welcome. Canberra is greater for their contribution, and the contribution of the many men and women whom we should all be mindful of on 20 June, World Refugee Day.

I again thank Mr Hinder for bringing the motion to the Assembly today. I support the motion. I was pleased to hear Mrs Jones confirm her bipartisan support for continuing the work of the ACT government in making the ACT a refugee welcome zone, so that it is not just ink on paper but so that we can make it as inclusive an environment as we possibly can for refugees and migrants in our city.

MR DOSZPOT (Molonglo) (11.45): I welcome the opportunity to speak about World Refugee Day, which will occur on 20 June. While I believe, as a refugee myself, that it is important to recognise such days and to highlight the valuable contribution refugees make and have made to Australia, it is regrettable that Mr Hinder has in fact done little of that. So I do welcome the opportunity to speak about World Refugee Day, which will occur on 20 June.

The intent of World Refugee Day is to highlight and raise awareness of the predicament that current refugees face every day, and to recognise the contributions of the millions of refugees that have been accepted into their various new homelands all over the world. What Mr Hinder has done here is shameful and dishonours the intent of World Refugee Day with political posturing.

For my part I would like to pay homage to the memory of the refugees who have been so welcomed into the community, many of whom have in turn made significant contributions to their adopted homeland, Australia, over the past century. My parents and I, as an eight-year-old, were refugees from then communist Hungary. We escaped from Hungary in January 1957 and after many months in various refugee camps around Yugoslavia we were accepted by the Australian government as refugees in September 1957.

Like so many who arrived in Australia in the postwar period, my family came to avoid religious and political persecution and in search of a better life. Australia provided an answer to both of these desires. We came to Australia to escape a communist regime under which we were prevented from exercising freedom of speech and freedom of worship.

My father, who was a tradesman and a Catholic youth leader, was imprisoned by the then Hungarian communist regime for two years for daring to question the authorities when they were persecuting the church and impinging upon people’s fundamental freedoms. Many of us here share a common bond of having been refugees or migrants, and all of us or our families here share the migrant experience, the pain and uncertainty of leaving our country of birth behind, and eventually becoming

productive citizens. We are able to live in a nation where we can become members of the political party of our choosing, to join or not join a union, to worship as we see fit and, with limited exceptions, to say what we like.

My parents and many refugees have over the years become important contributors to Canberra, who all share experiences and stories of courage and initiative in their journeys to Australia, and whose contributions to their new homeland have affected quite considerably the social, cultural, scientific, artistic, business and sporting life of our present-day Australia, including our own Canberra community.

Like many other newcomers to this proud land, my parents found peace, freedom and opportunities, while their direct contribution in return were their energy, work ethic, values and traditions. As a child, my parents always impressed on me their gratitude for the opportunities that their new homeland and our democratic system provided to them and their five children. World Refugee Day should, and does, stand for all of what we have just spoken about.

I support my colleague Mrs Jones in calling Mr Hinder to account for the hypocrisy of the motion he has brought into the Assembly today. When we are in possibly the busiest week of the Assembly calendar, the member for Ginninderra has chosen the rather loose excuse of World Refugee Day, which is not even celebrated this week. Had he genuinely wanted to pay tribute to the day, he could have done it with more relevance and reverence in a speech in the adjournment debate.

On the day after his Chief Minister and his party delivered the ACT budget, did he have nothing to say about that? Let us be very clear: this so-called attempt at a motion about refugees is nothing more than a pathetic, cheap-shot opportunity for the ACT Labor Party to use Assembly time to attack the federal coalition government.

Mrs Jones has highlighted quite clearly the context in which the federal minister for immigration made his remarks. In contrast to the impression those opposite would wish to portray, Australia today has a generous immigration policy, one based on fairness and affordability.

Labor parties at all levels have almost nil economic management skills. And we know that when it comes to the Greens, they have no knowledge, understanding or appreciation of anything to do with money, other than someone else's. In the *Kumbaya* land of magic mushroom economics, they believe that Australia can afford to magically spread our resources, our jobs, our land and our food to limitless numbers of people. Presumably, Mr Hinder is of the same view—that anyone who wants to come to Australia should be allowed to, irrespective of whether they have the education, the physical ability, the capacity or the opportunity to work and to contribute to Australia's future.

Australia has been founded on the most geographically and culturally diverse peoples from just about every land on this planet. Our economy and our wealth have been grounded in the contributions that generations of migrants and refugees have made. As I mentioned, my parents and I were some of the fortunate, relatively recent refugees to Australia. Australia became my home and my parents' home when the

land of their birth and mine was destroyed by war and then further affected by the terrors of communism. So I do understand the importance of giving refuge to people who are under so much threat in their current homelands. But there has to be a balance between compassion and affordability.

Quite recently, the federal Treasurer, Scott Morrison, suggested that “soon, it could take eight out of 10 income taxpayers to finance welfare expenditure”. The welfare bill that Minister Morrison is referring to is the \$149.91 billion estimated expenditure on social security and welfare by the midyear economic and fiscal outlook 2014 15 .The same document is also the source of the total individual income tax revenue that Minister Morrison refers to, which stands at just over \$180 billion. Very simply, the minister is implying that 80 per cent of Australian income tax goes straight towards the welfare bill.

Despite some strong attempts to ridicule this as scaremongering and poppycock, reviewers had to acknowledge that, in essence, the implication in that claim was broadly correct. With a deficit the size of which is horrendous, from a Labor government that started its six-year term with a surplus of some tens of billions of dollars, and with a welfare bill close to \$150 billion, one needs to be mindful of just how many people this country can physically and financially support.

It is a reasonable question for an immigration minister to ask. Even the Labor Party’s own policies acknowledge that one-third of humanitarian entrants speak little or no English. Australia is not xenophobic; it is not lacking in charity. But we must all recognise that in these current uncertain financial times we need to take a cautious approach to all things, including immigration. We have a generous immigration policy and we have demonstrated recently how we are able to respond to humanitarian needs and emergencies.

I refute the implications in Mr Hinder’s motion and I am disappointed that he would resort to such a loose connection with such a noble celebration as World Refugee Day to make misleading attacks on Australia’s refugee policies.

MR RATTENBURY (Molonglo) (11.54): I will be supporting Mr Hinder’s motion today, and I welcome him bringing it forward. The Greens have a long, consistent and proud record of welcoming refugees into our community and solid, compassionate policies around refugees. Federally we are the clearest choice for voters who are deeply concerned about the policies of the major parties on refugees. While I acknowledge that there are members of the ALP—and some in this place—who do not support Bill Shorten’s mandatory offshore detention and boat turn-back policy, unfortunately they remain in the minority.

The Greens have been consistently loudly advocating for a better system to manage refugees both offshore and onshore. The Greens are calling for an increase in the humanitarian quota, and offshore quotas separate from the onshore arrivals or other programs. The Greens want the elimination of mandatory and indefinite detention. We want the abolition of offshore processing where an asylum seeker or refugee is returned from Australian territory to another nation to be assessed.

We want asylum seekers to be able to live in the community once initial health, security and identity checks are completed within 30 days. We acknowledge that there may be specific reasons why this cannot happen, but we think a court should decide that. It should not be the default policy of the federal government. We want an end to other forms of punitive or discriminatory treatment of asylum seekers and refugees.

There is no doubt that Australia's reputation on managing refugees is shocking. The Australian's government's harmful policies are causing long-term damage to people; people who are stuck in camps on Nauru and Manus Island. There is no doubt that the attitudes of the Australian government are woeful, and this was more than demonstrated in the comments—and particularly their tone—made by Mr Dutton. There is no need for comments like that. It is fear-mongering at its very worst to speculate that including refugees in our community is detrimental to the wellbeing and financial security of other Australian residents. It is the kind of divisive politics that do not belong in our current political debate.

In the face of such federal policies it seems that the least we can do is ensure that refugees are given the best possible opportunities when they are at last allowed to live in our community. The ACT's refugee welcome zone was established last year in Refugee Week. The ACT was the first state or territory to do so. The people who have struggled hard to come here are often escaping traumatic and difficult situations. Many have left family behind. Many have lost family and friends on the way. Most are determined to live a better life and to offer a better future to their children. We are in the privileged position of being able to offer help in building that better future.

Syrian refugees are beginning to arrive in Australia, and the ACT will be part of that resettlement program. Many government and community organisations in the ACT support refugee integration into our community. Canberra's public education system plays an invaluable role for newly arrived people. We had 564 enrolments in 2015 at our introductory English centres. Not all of these students of course were refugees, but this is a service that is of great value to our refugee families who arrive here in Canberra.

I know that the minister has been involved in conversations with the Canberra Business Chamber about facilitating a pathway to employment for newly arrived people. The Canberra Business Chamber was optimistic and supportive about the opportunities that could exist in the ACT, and I welcome that positive engagement from key leaders in our community.

I think there is merit in exploring further how we can support refugees into meaningful work in the ACT, as we know that this is the most powerful way of engaging people positively in a society and to enable them to gain the independence they need to prosper as members of our community. I hope the government is able to continue conversations with the business chamber and other organisations to ensure that we can remove any barriers that may exist to refugees being able enter into the workforce.

I know there are community groups and individuals that work hard to help integrate refugees into our community. Calls frequently go out for furniture and household goods to help set families up around the city. I am amazed at the commitment that people have to supporting new families and the generosity of our community in coming forward and being so caring and generous in their donations. Any support the ACT government can provide is also welcome.

But this speaks to the value of having the community involved. In Canberra every day people are doing this work, with or without the government's involvement. This work is owned by the community, and I think that is a real strength. We do not need the government to take over all of this work as the government cannot offer what the community can offer—dinner invitations to people's houses, friends for children to play with, and a sense of belonging.

The government can support those who are doing this work, perhaps financially, perhaps with information and networking or infrastructure or even coordination across government. But it is inspiring to see the community play that role and acknowledging that the government cannot do all of these things and is perhaps not the best one to do some of these things.

I am proud to live in a community that welcomes refugees and other migrants into our community. I am pleased our local government supports this wholeheartedly. Against the backdrop of some appalling federal policies and an appalling federal debate on refugees, it is the very least we can do to ensure that we deliver a safe, supportive and generous environment for new arrivals to our city.

DR BOURKE (Ginninderra—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children and Young People, Minister for Disability, Minister for Small Business and the Arts and Minister for Veterans and Seniors) (12.00): I am proud that Canberra's community is made up of a diversity of peoples and cultures and that we have become a welcoming place for refugees and migrants from across the world. We are a refugee welcome zone, and I am honoured that people have chosen our city, have joined our community and that we are building our future together. We celebrate the diversity of the Canberra community and Australia's many cultures that have come together to form our nation.

Australia's greatest achievement, I am often fond of saying, is our embrace of many cultures and of multiculturalism as a national philosophy. Canberra is one of the most multicultural cities in one of the most multicultural nations. Author George Megalogenis has recently highlighted the changing face of Australia. Nationally, 28 per cent of our population was born overseas and 20 per cent has at least one parent born overseas. Of the 28 per cent of overseas-born people, 10 per cent are now from Asia, primarily from India and China, which is greater than the percentage born in the UK, Ireland and New Zealand.

In Canberra around 150 languages are spoken in our homes. That perhaps reflects that 40 per cent of Canberrans are either born overseas or at least one of their parents was. People from many cultures have arrived here, some as refugees from their homelands escaping war, oppression, famine or grinding poverty and have found new opportunities here.

Our National Multicultural Festival each year is a testament to our celebration of diversity and the wealth of knowledge and experience it brings. This adds to Australia's 40,000-year history of multiculturalism with many distinctive languages and different Aboriginal and Torres Strait Islander cultures. To that we have added the rich diversity of the backgrounds of migrants and refugees over the past two hundred years.

All these contributions and living in harmony are part of what it means to be an Australian and a Canberran. That is why it was very disturbing, Madam Speaker, to see the federal Liberals, especially Mr Peter Dutton and the once small "I" liberal Mr Malcolm Turnbull, returning to the divisiveness and the dog whistling of old. The federal Liberals are again demonising and insulting refugees. These refugees are people who find themselves in much the same desperate situation that many in their community or their forbears were once in.

The federal Liberals have form on this—brutally exploiting any potential community division based on race or cultural difference. No wonder Mr Peter Dutton used the lines he did; they are just an extension of Mr Tony Abbott's dog whistling stop the boats campaign. When the Abbott government came to office less than three years ago the newly minted Attorney-General, Senator Brandis, made the repeal of a section of the Racial Discrimination Act his first priority. Those changes would have given a green light to racial abuse in Australia. It took until August 2014 for the Liberal government to recognise the revulsion these proposals had caused in the community and to finally abandon their proposals to change the Racial Discrimination Act.

The reaction against the proposals in the Canberra multicultural, Indigenous, legal and social services communities was overwhelming and resonated in our wider community. They were especially appalled that the federal Liberals did not seem to care about what the changes might unleash. In the end the federal Liberal government, which included Ministers Turnbull and Dutton, was stopped by the widespread public opposition to the changes which was reflected in the Senate. However, their government is still prepared to run racially and socially divisive campaigns at the expense of vulnerable asylum seekers.

I am proud to be part of an inclusive government prepared to call the Liberals out on this and to welcome refugees and give them sanctuary in our great city.

MR HINDER (Ginninderra) (12.04), in reply: I thank members for their contribution to the debate today. I will close by making a few comments in response to some of the comments made by other members in this place. Mrs Jones quoted the ALP's national website. It appeared to me that much of that was out of context. What there is, I notice, on the ALP's national website is a commitment to re-establish an office of multicultural affairs in the Department of Social Services. If we were to think back to how the need for that happened, I think you will find it was Liberal governments that abolished that organisation.

Also on the ALP's national website is a rundown of Labor's record against the coalition's record in relation to multiculturalism and Australia. It notes that the Office

of Multicultural Affairs was established under the Hawke government in 1987. Whilst John Howard refused to acknowledge multiculturalism, Labor announced a new multicultural policy for Australia, supported with funding and prioritisation. The AMC informed generational investment from 2007-13, run by Peter Shergold AC. Labor funded changes to how multicultural communities can best support new migrants while identifying mainstream services where access and equity was inadequate.

That is in contrast to the coalition's record. The Abbott-Turnbull government does not have an articulated policy on multiculturalism. After nearly three years in government, the community is yet to see evidence of what a coalition government believes in—apart from funding cuts. The rhetoric of the government and certain government MPs, including Senator Bernardi and George Christensen, has undermined multiculturalism and done great harm to migrant communities. The Abbott-Turnbull government ceased the building multicultural communities program after cutting \$11.5 million from the program in 2013-14.

I also note that Mrs Jones made points about her own family's history in her delivery, and Mr Doszpot shared some of his own and his family's history about their arrival here in Australia as migrants some years ago.

Mr Doszpot: Refugees.

MR HINDER: Sorry, as refugees, some years ago. If I understand them correctly, that then means that the Liberals understand refugees. I think that was the comment Mrs Jones made. If this is true, then my criticism must be even more sticking in that Mr Dutton loses ignorance as an excuse for his disgraceful, divisive and ignorant vote grab. And I assume, then, that because my own ancestors are Anglo-Celtic I lose any capacity to understand or speak out for those who are not English. In fact, Mrs Jones accused me of being Anglo-centric; I think that was the word she used.

So whilst Mr Dutton loses ignorance as an excuse, I will allow that excuse for Mrs Jones in that she may not know that my wife of 25 years is Chinese and that her family came here on boats in the 60s. They suffered racism all through their lives. My children are half-Chinese. Does Mrs Jones then think that I do not understand racism and that my family has not suffered or seen racism? My children do not look European; they look Asian. My children are not white. To suggest that I am Anglo-centric is to ignore the fact that we are all Australian now, and to be Australian is not to put up with the sorts of comments Mr Dutton has made. Mr Dutton's comments make it all right for European Australians to take a less tolerant view of non-Europeans.

Members interjecting—

Dr Bourke: Point of order.

MADAM SPEAKER: Point of order, Dr Bourke.

Dr Bourke: Madam Speaker. Persistent interjections from the opposition are interrupting Mr Hinder in his speech, and I ask you to take the appropriate action.

MADAM SPEAKER: Yes, I uphold the point of order and ask members to refrain from interjecting. Mr Hinder, on the question that the motion be agreed to.

MR HINDER: Thank you, Madam Speaker. Mrs Jones described my motion as disgraceful. I will tell you what I think is disgraceful: I think it is disgraceful that my kids, my neighbours' kids and impressionable young people have to listen to Mr Dutton's comments and have to wonder if sticking the boot into refugees is okay. Because if a federal member can say these things, maybe it is okay. Maybe it is all right because they do not look like me and do not come from where I come from to take a lesser view of those people. Madam Speaker, that is not the Australian way; that is not the Labor Party's way.

We will continue to support refugees and people from all countries when they come to become Australians and to live here in Canberra. Madam Speaker, this government stands with newly arrived Canberrans and will continue to do so. I commend the motion to the Assembly.

Ordered that the question be divided.

Question put:

That paragraphs 1(e) and 2(a) be agreed to.

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Remainder of the motion agreed to.

Legislative Assembly (Parliamentary Budget Officer) Bill 2016

Debate resumed from 4 May 2016, on motion by **Mr Smyth**:

That this bill be agreed to in principle.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (12.17): I will speak briefly on this bill, as Minister Rattenbury will shortly speak to refer it to a select committee to assess it in more detail. I will limit my comments at the moment to some of the initial concerns and queries the government has with the bill.

The bill proposes the creation of a parliamentary budget officer as an officer of the Legislative Assembly. The bill also provides for the establishment of an office of the parliamentary budget officer, the staff of which would be employed under the Public Sector Management Act.

I am sure the shadow treasurer is aware that in 2009 the Standing Committee on Administration and Procedure conducted an inquiry into the merit of appointing a parliamentary budget officer. At that time, the report recommended against a parliamentary budget officer, as it would be too expensive for a jurisdiction the size of the ACT. Instead, as recommended by the committee and agreed by the government, a consultant review of the budget is now conducted each year to assist the Assembly's scrutiny of the budget.

Since the 2009 consideration, a full-time parliamentary budget officer has been in place at the commonwealth level, and one has been established for election periods only in the largest state, New South Wales. No other state or territory has such an office.

I note that in Mr Smyth's bill there has been no costing or indicative costing provided for the proposal, but let us be clear that for such an office to be workable or to have any credibility, it would require significant resourcing. You simply cannot put two people in a room and call it a parliamentary budget office. There would not be the skill level, the capacity or the authority for such a body to be relied upon by members of the Assembly.

I have a range of other concerns in relation to the role of a permanent office with what is clearly a highly fluctuating workload. There could be 3½ years of complete inactivity where you would have a senior officer having nothing to do for long periods of time but then being required to call upon Treasury or other ACT government agencies to provide a significant secondment of staff to cope with an influx of costing requests at the tail end of a parliamentary term. There is no doubt that there would be difficulty in attracting senior and experienced staff for such an uneven workload.

Having said that, I am happy for these and other issues to be explored more fully by a select committee. I think the appropriate select committee might well be to put the band back together—to bring the Treasury spokespeople for each party back. We did this work in the election costings bill four years ago—at about this time in the election cycle too, I suspect. So we have demonstrated a capacity, Mr Smyth, Mr Rattenbury and I, to work together on these issues and find an agreeable compromise to bring back to this place.

I think that is worth trying again. We should look at possible alternatives that could provide members with costings support without incurring the expense and logistical difficulties of a permanent office. I think there is some merit in looking at that, evaluating how the election costings bill performed in the last election, and then thinking ahead to a future parliament and a future Assembly, where there will be 25 members, there may be more crossbench members and there may be opportunities for the current arrangements to be restructured to better reflect that new circumstance.

The government is happy to support the referral to a select committee. We will undertake that work in the month of July, as appears to have been agreed, and we will be able to provide something back to the Assembly for the August sittings.

Having said that, Madam Speaker, I will close my comments and indicate that we will be supporting the proposal for the referral to committee that has been circulated by Mr Rattenbury.

MR RATTENBURY (Molonglo) (12.21): The Greens are quite open to the idea of a parliamentary budget officer. Indeed, in the 2008 parliamentary agreement, the Greens proposed an inquiry by the admin and procedures committee into establishing a parliamentary budget officer to strengthen the capacity of the Assembly to better hold government to account by increasing transparency in its fiscal planning framework and improving the scrutiny of the estimates process.

I sat on the committee that looked at that issue. The result of that process was to establish the financial adviser position to support the estimates process, but not to proceed, due to the high costs for such a small jurisdiction as the ACT. Since that time, as the Chief Minister has referred to, we have implemented the election costings bill and had one cycle of election costings through that mechanism at the 2012 election.

Mr Smyth's bill brings together those functions into one bill through the establishment of a permanent parliamentary budget office as an independent office of the Legislative Assembly. As with all measures—changes to standing orders and the like—normally this would go to something like the administration and procedure committee but, in discussion amongst colleagues, we have formed the view that a select committee would be a better approach.

The procedure requires that I will speak now and we will move this motion shortly. I will seek leave of the Assembly to do so. But I think it is important that we have a look at this.

Firstly, there is a policy debate here about the merits of such a bill, given that the 2009 committee report recommended that we did not establish a PBO. I think it is useful for the Assembly to take time to consider this bill further rather than just passing it straightaway, as there is no doubt that this is a change in direction.

Secondly, a discussion is needed about some of the finer aspects of how a PBO would be operationalised. After my office had conversations with both the ALP and the Canberra Liberals while considering this bill, it became clear there were very different ideas about what the PBO would look like. Mr Smyth described a realistic version of the PBO the implementation of which would likely require cooperation between the executive and the Assembly. This committee provides us with an opportunity to sort that cooperation out.

It is important to recognise that we are referring a specific bill to the committee and it is not the same question we put back in 2009. But also things have changed since 2009. We have had the costings process. I think the committee will provide a valuable pathway to look at that.

I will conclude my remarks there. Since I am quite open to this, I look forward to the discussion. I will leave my remarks there for today.

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

Legislative Assembly (Parliamentary Budget Officer) Bill 2016—Select Committee Establishment

Motion (by **Mr Rattenbury**, by leave) agreed to:

That:

- (1) a select committee on the Legislative Assembly (Parliamentary Budget Officer) Bill 2016 be established to inquire and report on the Bill and any other related matter;
- (2) the Committee be comprised of Mr Barr (Treasurer), Mr Rattenbury and Mr Smyth;
- (3) Mr Rattenbury will chair the Committee;
- (4) the Committee report to the Assembly by 2 August 2016; and
- (5) if the Assembly is not sitting when the Committee has completed its inquiry, it may send the report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation.

Sitting suspended from 12.25 to 2.30 pm.

Questions without notice Budget—transport

MR HANSON: My question is to the Minister for Transport and Municipal Services and concerns yesterday's budget. Minister, on Monday, 6 June you confirmed that Weston Creek will receive a direct ACTION service to the city. The service is known as the Weston line. The announcement follows a similar announcement made in March by the Canberra Liberals. Minister, can you confirm that the ACT budget only funds the Weston line for a one-year trial?

MS FITZHARRIS: I thank the Leader of the Opposition for the question. Indeed, this has been a very well-received and funded initiative in this year's budget. It is indeed for a one-year trial but I certainly expect it to be a very popular service that we should be able to continue in the future.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, why did you neglect to mention it was a trial in your media statements?

MS FITZHARRIS: I did not neglect to mention that in my media statements. It was clear in the budget papers which were released yesterday and I spoke about the Weston line being a line that was requested by the community because public transport patronage in the Weston Creek and Molonglo Valley area has certainly risen.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, regarding buses in the area, was funding provided in this year's ACT budget to implement a peak hour service for Crace to the city as promised by the ACT government last September?

MS FITZHARRIS: That money has already been included in the transport Canberra and city services budget in this current financial year but, as was explained late last year by the previous minister, there have been delays in the rollout of that service. I expect to see that in the next couple of months—that direct service from Crace—and in addition the direct service from Florey and Latham also to get underway.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, was funding provided in this year's ACT budget to implement new direct services from Florey and Latham during peak hours, as promised by the ACT government last September?

MS FITZHARRIS: As I indicated in my previous answer, that money is already in the budget.

ACT public service—Land Development Agency

MR COE: Madam Speaker, my question is to the Minister for Economic Development. Under section 9 of the Public Sector Management Act, public servants are required to:

report to an appropriate authority—

- (i) any corrupt or fraudulent conduct in the public sector that comes to his or her attention; or
- (ii) any possible maladministration in the public sector that he or she has reason to suspect.

Minister, have any such reports been made about conduct in the LDA?

MR BARR: Not that I am aware of, Madam Speaker, but I will seek further information in relation to Mr Coe's question.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, are you aware of any maladministration or possible maladministration in the LDA regarding land deals?

MR BARR: No I am not aware of any.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what actions have you taken to ensure that LDA property transactions are above board?

MR BARR: The government has put in place a range of protocols that are publicly available.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, what investigations have taken place in the last year regarding questionable transactions within or involving the LDA?

MR BARR: I am not aware of any questionable transactions.

Budget—Cultural Facilities Corporation

MR SMYTH: My question is to the Chief Minister about yesterday's budget. Chief Minister, yesterday in your budget, on page 207 of budget paper B, it states that there has been a nine per cent reduction in jobs at the Cultural Facilities Corporation. These eight staff were working in the management of local cultural assets, including the Canberra Theatre, Canberra Museum and Gallery, the Nolan gallery, Lanyon and Calthorpe's House. Minister, what is the justification for these job cuts?

MR BARR: I will examine that particular budget paper and provide information to the shadow treasurer, but I will not take on face value the statement he has just made.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, why did you have a news conference to announce your criticism of federal government cuts in museum staff and cultural facilities while you were hiding your own cuts on page 207 of budget paper B?

MR BARR: I do not accept the assertion in the shadow treasurer's question.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Chief Minister, will you or the minister for arts restore staff numbers in the Cultural Facilities Corporation?

MR BARR: Again, I do not accept the assertion in the member's question.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, will there be further cuts to the Cultural Facilities Corporation?

MR BARR: Again I do not accept the assertion that there have been any, and no, there will not.

Asbestos—block remediation

MRS JONES: Madam Speaker, my question is to the Chief Minister. Yesterday in an answer to a question about why the remediated Mr Fluffy blocks do not come with a government assurance that all loose-fill asbestos has been removed you answered that the government is meeting all of its legal requirements. When asked whether there was any potential for the remediated blocks to still have loose-fill asbestos present, you answered:

I do not believe so ...

Minister, how is it that despite the money, complexity and distress of this scheme, you still cannot guarantee that properties will be free of loose-fill asbestos?

MR BARR: I refer the member to my answers yesterday.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, under your sale arrangements, do the new owners of remediated Mr Fluffy blocks take on any future legal responsibility for any remaining loose-fill asbestos that may be present?

MR BARR: I am not providing legal advice in this place.

MADAM SPEAKER: I do not think the question was seeking legal advice. Could you repeat your supplementary question?

MR BARR: I have answered the question, Madam Speaker.

MADAM SPEAKER: I suppose you have, yes; okay.

MR WALL: A supplementary.

MADAM SPEAKER: Mr Wall.

MR WALL: Minister, when selling the remediated Mr Fluffy blocks, is it being made clear at auction that the blocks may still contain traces of loose-fill asbestos?

MR BARR: Buyers are informed of the status of the blocks.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, why has the government backed away from the decision to clear the top layer of soil of impacted blocks?

MR BARR: It has not.

Budget—family violence measures

MR HINDER: My question is to the Chief Minister and Treasurer. Chief Minister, can you outline to the Assembly what the government has announced to prevent and address family violence?

MR BARR: I thank Mr Hinder for the question. As members would be aware, the government is making an unprecedented investment to prevent and respond to family violence. We have announced a \$21½ million community response package. As I said yesterday in the budget speech, every Canberran deserves to feel safe in their home.

Family violence is unacceptable. All of us need to stand up and say that enough is enough, that there is no place for family violence in our community. And that is why the government has announced its investment package to keep Canberra families safe.

The new funding includes funding for a wide range of initiatives including a full-time coordinator-general for family safety and a dedicated safer families team, extra funding for the Domestic Violence Crisis Service and the Canberra Rape Crisis Centre, funding for the Director of Public Prosecutions, Legal Aid and the courts to strengthen the criminal justice response to family violence, boosting ACT Policing's capability to help victims apply for domestic violence orders, funding for an innovative residential behaviour change program for men who use or are at risk of using violence, more funding for the training of front-line staff and fast-tracked financial assistance for people who need to leave a violent relationship.

New initiatives in the safer families package are, as has been publicly discussed at some length today, funded through a levy of \$30 per rateable household. Funding the package through the levy reflects the community's expectation that family violence can no longer be tolerated and shows that the community is acting together to address a community issue.

Recent reports commissioned by the territory government, and of course the Victorian royal commission, have made it clear that we need to take more action and that we need new sources of revenue to fund that action. Our community has been calling for more funding to respond to family violence, and the levy makes it clear to households that family violence prevention is a priority for the territory government and makes it clear to all households that we all have a role to play in responding to this issue but, most importantly, it locks into legislation a source of funding that will grow into the future.

I reiterate that the funding raised through this levy will be legislated and locked in for the long term. It is important to note that new programs funded by the levy are in addition to the significant funding and support the government already makes into social services to protect vulnerable Canberrans.

So it is disappointing that some opposite have described the securing of a long-term revenue source for responding to family violence as nonsense. It is unfortunate but it is, I think, time to move beyond this sort of political rhetoric, beyond business as

usual, to stand up and say enough is enough and to actually do something to respond; and my government is doing that. We are signalling our commitment through the safer families package and we are locking in a long-term secure funding source through the levy. We will continue to advocate a whole-of-community response on this issue.

I think the funding mechanism and the comprehensive package of responses have been well received by the Canberra community, and I look forward to the support of this place during the budget process for those measures.

MADAM SPEAKER: Supplementary question, Mr Hinder.

MR HINDER: Treasurer, can you outline the benefits of funding the family violence prevention service through a specific levy?

MR BARR: We have chosen the levy for a number of reasons. It is important because it ensures that a vital community service is neither dependent on annual budget cycles nor at the mercy of those who have an ideological position to arbitrarily reduce the size of government. The levy is on all rateable properties because family violence does not discriminate according to age or socioeconomic status.

A specifically legislated levy hypothecated to funding services and programs that prevent and respond to family violence provides an important difference to other methods of funding services. The levy means the funds are locked in. The funds cannot be diverted without scrutiny by the Assembly, and this provides an important assurance to the community that the services that rely on the funding will continue. Also, by funding the measure in this way, through a levy, the revenue stream will grow as the number of properties and the population of Canberra increases, ensuring that as our city's population grows the level of funding rises too.

But the levy demonstrates our preparedness to properly fund a comprehensive package to respond to what is one of the most significant and pressing issues. I note that on numerous occasions the Leader of the Opposition has said that whilst he disagrees with me on many things, responding to family violence is not one of them. So I call on the Leader of the Opposition to support this package and to support a long-term, locked in funding source for it.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Chief Minister, are you considering other levies for other initiatives? Why have you selected domestic violence for a levy over other issues such as mental health and other social justice issues?

MR BARR: I have just outlined why I consider it is important to support this package in this way. There are, of course, other levies in the territory budget: fire and emergency services, for example. In this country we are familiar with the Medicare levy and we all pay a levy to support the national disability insurance scheme. This is not an unusual way to hypothecate funds towards important social outcomes.

Opposition members interjecting—

MADAM SPEAKER: Order!

MR BARR: Again, it speaks volumes about those opposite and their commitment to this issue—

Mrs Jones interjecting—

MADAM SPEAKER: Order, Mrs Jones!

Mr Doszpot interjecting—

MADAM SPEAKER: Mr Doszpot, I have just called people to order. I do not need you to interject. Mr Barr has the call.

MR BARR: Thank you, Madam Speaker. On this side of the chamber, we remain committed to supporting this funding package and to funding it in the way that the government proposes, and we will be voting for both the budget appropriation and the levy when we come to debate the legislation later in this parliamentary term.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Chief Minister, why has the government decided to apply a flat levy such that all households, depending on their income, pay the same, when clearly some in this community have a greater ability to pay than others?

MR BARR: Mr Smyth would be aware that the mechanism for collecting this particular levy means that those in public housing and those who do not own property—lower income earners in particular—would be excluded.

Trade unions—memorandum of understanding

MR WALL: My question is to the Chief Minister. On 16 March 2016 in an ABC online article concerning the MOU between UnionsACT and the ACT Labor government you argued that the agreement with the unions had not been done in secrecy. You said, “It was released initially in 2005, when the former Chief Minister Jon Stanhope signed the original document.” You said on the government’s cabinet accessible website that the documents concerning that cabinet decision—namely, decision 1,641 and decision 1,667—are listed as publicly available. The opposition has twice requested copies of those documents, once on 7 April and again on 6 May, yet these documents have not been released. Chief Minister, what are you hiding about the MOU with the unions in these documents?

MR BARR: Nothing.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Chief Minister, what is the point of having a website listing available cabinet documents if the documents are not being provided when requested?

MR BARR: I think Mr Wall's question lacks any basis.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Minister, will you immediately release these cabinet decisions—those being decision 1641 and 1667?

MR BARR: Cabinet decisions are subject to a usual release schedule, Madam Speaker.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, why has there been a two-month delay in releasing these documents to the opposition?

MR BARR: I do not believe there has been.

Transport—light rail

MS LAWDER: My question is to the Minister for Capital Metro. Minister, are you committed to the 25-year implementation of the full light rail network plan?

MR CORBELL: The government is committed to developing detailed business cases for future extensions of light rail. We have said that very clearly. The Chief Minister reiterated yesterday this government's commitment to go to the next election with a clear plan to build on stage 1 of capital metro, and that remains the government's policy.

Mr Coe: A point of order, Madam Speaker.

MADAM SPEAKER: A point of order.

Mr Coe: It is on relevance. The question was: are you committed to the 25-year implementation of the full light rail network plan? It was not in relation to business plans.

MADAM SPEAKER: I was listening to the answer, and I was thinking that perhaps Mr Corbell had not come to the subject of the question. Ms Lawder's question was perfectly clear, about a 25-year rollout. But I also get the impression that Mr Corbell thinks he has finished answering the question.

MR CORBELL: Yes.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, has the ACT government finalised a cost for the network plan?

MR CORBELL: My colleague Mr Gentleman is responsible for the master planning and light rail network plan but what I can say very clearly is that the government has not yet concluded the light rail network plan. So it is a bit difficult for the government to commit to a light rail network plan unless, of course, it is—

Mr Coe interjecting—

MADAM SPEAKER: Order, Mr Coe!

MR CORBELL: complete.

Mr Hanson interjecting—

MADAM SPEAKER: Order!

MR CORBELL: It will be complete later this year and when it is complete later this year, then the government will make subsequent announcements. But if the—

Mr Hanson interjecting—

MADAM SPEAKER: Order!

MR CORBELL: question—

Mrs Jones interjecting—

MADAM SPEAKER: Mrs Jones!

MR CORBELL: is: are we prepared to commit to a plan that we have not yet released, I draw Ms Lawder's attention to the process that the government usually follows in relation to these matters.

MADAM SPEAKER: A supplementary question, Mr Coe. I would like to hear Mr Coe's question, so Mr Hanson and Mrs Jones can be quiet.

MR COE: Thank you, Madam Speaker. It will be well worth it, I am sure. Minister, has the ACT government come to a negotiated arrangement with the commonwealth regarding trams on Constitution Avenue?

MR CORBELL: It is not clear to me what Mr Coe is asking in that question, Madam Speaker.

MADAM SPEAKER: Have you got a supplementary question, Mr Coe?

Mr Coe: Do you seek clarification, Madam Speaker, or is this a new question?

MADAM SPEAKER: I think that Mr Corbell thinks that he has answered your question, unless he is seeking clarification.

MR CORBELL: I would be very happy for Mr Coe to clarify his question.

MADAM SPEAKER: Mr Coe, would you like to clarify that so that Mr Corbell might make a fist of answering it?

Mr Coe: The original question was: has the ACT government come to a negotiated arrangement with the commonwealth regarding the trams on Constitution Avenue. The clarification is that I understand that the ACT government is in negotiations with the commonwealth regarding commonwealth land which the tram would run through if stage 2 goes to Russell, and therefore the government is in negotiations with the commonwealth; I would appreciate an update as to where those negotiations are up to.

MADAM SPEAKER: Mr Corbell on the clarification.

MR CORBELL: I thank Mr Coe for his clarification.

Mr Coe: He did not know what I was talking about.

MR CORBELL: It is a common problem with you, Mr Coe. Madam Speaker, what I would say is that—

MADAM SPEAKER: You need to be careful not to reflect upon people's characters.

Members interjecting—

MADAM SPEAKER: You need to be careful that you do not reflect on people's characters: neither you, Mr Corbell, nor you, Mr Coe.

MR CORBELL: The ACT government has been in detailed negotiations with the National Capital Authority and other commonwealth agencies over the past 12 months as we gave consideration as to whether or not stage 1 of the capital metro project should extend to Russell. As members would know, the government has taken the decision not to proceed to Russell at this time and instead will give consideration to a possible extension through to Russell—*(Time expired.)*

MADAM SPEAKER: Mr Coe on a supplementary question.

MR COE: Minister, will the government be holding off an any announcement about stage 2 until after you have an agreement with the commonwealth regarding land on Constitution Avenue and other related parcels of land in that negotiation?

MR CORBELL: The government was very well advanced in its negotiations with the commonwealth in relation to land access and related matters along Constitution Avenue and we would certainly seek to revisit those matters should we take a decision to extend the light rail network to include that corridor at some future point.

Budget—education

MR DOSZPOT: My question is to the Minister for Education. In yesterday's budget Chief Minister Barr announced funding of \$21.486 million to deliver recommendations from Professor Shaddock's *Schools for all* report. At the time the report was published the government promised that \$7 million would be provided for a suite of initiatives including: \$3 million to develop and improve withdrawal spaces; \$430,000 for innovative approaches for supporting students with complex needs; \$50,000 for parental engagement; and \$90,000 for online training for teachers and staff. Minister, is that earlier \$7 million now included in the \$21 million, and have any of these earlier funds actually been expended on the areas the former minister listed in some detail last November?

MR RATTENBURY: As the member knows, the schools for all implementation is underway, but it also will take some time to roll out the full program of works. I will provide to the member a detailed breakdown of what moneys have already been spent and those that are still to be spent out of that program.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, why is there no money in the budget to assist non-government schools to address the issues identified in the Shaddock report *Schools for all*?

MR RATTENBURY: The schools for all budget initiative targets additional resources to Canberra's public schools. What I can say is that the Education Directorate is collaborating closely with the non-government sector, working with them on systemic changes to support student wellbeing. With respect to the way that we approach these issues, this is a partnership between all of the school sectors. As the member well knows, the Shaddock report was directed at all three sectors. Certainly, the non-government schools are represented on the schools for all program board and they are influencing the progress and outcomes of schools for all, for all students in ACT schools.

We also know that all schools are funded in accordance with the national education reform agreements and the needs-based funding principles commonly referred to as Gonski. This means there is a funding formula there, and under that funding formula the 2016-17 budget provides more than \$15 million in additional public funding to non-government schools. So there is additional funding going to those schools this year. Between that additional funding and the close working relationship, I expect to have a continued positive relationship with the non-government schools to implement this very important reform program.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, is the implementation of Professor Shaddock's recommendations on track?

MADAM SPEAKER: Could you repeat that? I did not hear the end.

MR WALL: Is the implementation of Professor Shaddock's recommendations on track?

MR RATTENBURY: Yes, I think we are making steady progress on the implementation of the recommendations. Members will no doubt be aware that last week I released the first quarterly report from the oversight group. That oversight group is specifically in place to track the government's response across the recommendations. As members will no doubt have noted, there are areas that are going very well and there are some areas that need further work.

But the exact reason for releasing that report is to be transparent with the community, to share that information and to enable a clear oversight not only by the oversight group but also by the community and schools themselves, as well as the directorate, of where we are up to.

That report, as I am sure that members know, highlighted some areas where we need further work, but what the media did not report in the story we saw on the front page of the paper on Friday was the very significant progress across a range of areas. I am pleased with the progress that has been made.

An important part of this story is not only delivering on the 50 recommendations but also delivering a significant cultural change. So we have a three-year program. The key part is not only delivering the recommendations but driving a new way of doing things so that we produce the most inclusive school system we can. The thing I am pleased about at this stage is that that cultural change is being embraced by people in our education system.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, given that the money you spoke about earlier relating to Gonski—

MADAM SPEAKER: Preamble.

MR WALL: Sorry. Given the Gonski money was announced prior to Professor Shaddock's—

Mr Corbell: Preamble.

Mr Rattenbury: More preamble!

MR WALL: Allow me to try again. Minister, will there be any additional funding for non-government schools in response to Professor Shaddock's recommendations, given that the Gonski announcement was made prior to the Shaddock recommendations?

MR RATTENBURY: There is a funding formula for our non-government schools, which I spoke about in my earlier answer. It is an interesting one; I have seen the response from the Catholic Education Office today. The first thing I can tell the house is that that is not an issue the Catholic Education Office has previously raised with me. In the meeting that I have had with them they have not indicated to me they were concerned about this.

The other thing is that the Catholic Education Office is an independent system and the ACT government does not direct them as to how they spend their resources. It is a matter for the Catholic Education Office to determine how they wish to spend the resources that are made available to them.

Members interjecting—

MADAM SPEAKER: No conversations, Mr Barr, Mr Coe.

MR RATTENBURY: I am more than happy to continue to have those conversations if they want to raise those issues with me directly.

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

Statement by Speaker—clarification

MR RATTENBURY (Molonglo): Madam Speaker, I seek clarification on a ruling or a decision you made earlier this morning about members inciting those opposite to interject, and I want to seek clarification as I do not believe that to be in the standing orders.

MADAM SPEAKER: I did not make a ruling. I was very clear that I did not make a ruling. I went back and reviewed the online video. I did not make a ruling. I think the same thing happened in question time today. The point that I made was that it is the responsibility of everyone in this place to maintain order. I refer you to the companion to the standing orders at 10.158:

Disorder is quite simply any behaviour by Members or people in the public galleries which makes it difficult to conduct the business of the Assembly ...

I was drawing your attention, Mr Rattenbury, to what had happened. Your intervention had caused a fairly large outpouring of interjection, the same as some of the comments across the floor between Mr Coe and Mr Corbell today caused interjection, and I reminded members that everyone is responsible for it. If a member had chosen to rise and question the line of your argument in relation to standing order 58 you would have been ruled out of order because there was nothing in what you were speaking about—Mr Seselja, a former member of this place, and Mr Hanson not turning up to events where Greens speak—that was in fact relevant to the budget debate.

It was a wideranging piece of advice to members about how they needed to comport themselves to maintain the order of this place. I think the wideranging piece of advice, as I am wont to give from time to time, whether members like it or not—and it is ignored often by most people in this place—is simply that—wideranging advice—and it certainly complies with the standing orders.

Mr Coe interjecting—

MADAM SPEAKER: You need to be careful, Mr Coe. You might want to be here tomorrow.

Auditor-General Act—2016 strategic review Paper and statement by Speaker

MADAM SPEAKER: For the information of members, I present the following paper:

Auditor-General Act, pursuant to subsection 29(3)—2016 Strategic review of the ACT Auditor-General, dated 26 May 2016, prepared by Des Pearson AO.

This review was undertaken in accordance with division 5.1 of the Auditor-General Act 1996 which requires that it be undertaken once in each term of the Assembly. On this occasion it was conducted by Mr Des Pearson AO, a former Auditor-General in Victoria and Western Australia. Mr Pearson also has worked as a senior executive in the commonwealth, Northern Territory and ACT public sectors. In addition, he has had experience undertaking a range of governance, accountability and performance reporting consultancies including external reviews of audit offices and peer reviews of individual audits and reports.

Although a previous strategic review was conducted in 2010, this is the first time since the Auditor-General was made an officer of the Legislative Assembly that the engagement of the reviewer was the responsibility of the Speaker.

I acknowledge with thanks the administrative support received in this exercise from the Office of the Legislative Assembly, in particular the Director, Communications and Governance, Mr David Skinner. We were sailing largely in uncharted waters and Mr Skinner's pragmatic approach was invaluable in achieving what I regard as a very good outcome.

I am pleased we have a report that, on the whole, presents a very positive picture of the Auditor-General's Office and its operations, and I draw to members' attention some of the key points. The Audit Office is efficient and effective in achieving its legislative objectives. The legislative mandate is adequately supported by the works of the Audit Office.

With the Auditor-General being an officer of the Legislative Assembly, there is a need to clarify the manner in which the Speaker is supported administratively, including in a budgetary sense. Consideration should be given to amending the

Auditor-General Act to specify the term of the appointment of the Auditor-General. The reviewer noted—and this is where we all need to fess up—that, prior to amendments making the Auditor-General an officer of the Legislative Assembly, the appointment of the Auditor-General was for a non-renewable, fixed term of seven years. However, in amending the Auditor-General Act in 2014, this provision disappeared from the legislation, making it inconsistent with all other jurisdictions in Australia.

Another observation the review made was that the Audit Office could split its annual financial audit report to the Assembly. One could be an acquittal report on the financial statements and a statement of performance audit program, submitted, as usual, at the mid-year point, and a second report could be devoted to computer information systems and other controls and could be submitted later in the year.

He also suggested that agency responses to findings and recommendations in performance audits should be included in reports presented to the Assembly. In this context I note that the strategic review report I am presenting today includes the Auditor-General's response to the recommendations. There are some recommendations for Audit Office internal operations, primarily to improve processes and timetables and reduce duplication through a more open engagement with clients.

The reviewer observed that budgetary supplementation needed to be considered when public interest disclosures go beyond a particular threshold. He found that 17 of the 19 recommendations from the previous strategic review had been actioned appropriately, with the remaining two being dealt with satisfactorily.

Members, I also take this opportunity to perhaps underline this very positive report by advising you that on 26 May the Auditor-General was presented with a certificate from CPA Australia that recognises the Audit Office as a recognised employer partner. The recognition extends for four years from 15 February. In making this award, CPA Australia acknowledges that the ACT Audit Office meets international best practice learning and development standards for accounting and finance professionals. CPA Australia recognises that the Audit Office has demonstrated a strong commitment to learning and development by supporting the professional development of its accounting and finance employees. The recognised employer partner status, among other benefits, allows staff who are CPA members to meet practical experience requirements. I congratulate the Audit Office on receiving this recognition and on faring so well in the strategic review.

Members, in tabling this report, I am aware that the reviewer has identified a number of matters that may be of interest to the Standing Committee on Public Accounts, and there also are matters relating to the office of the legislative assembly act that will be of interest to the Standing Committee on Administration and Procedure.

In order to activate proper consideration of these matters, I intend to give notice today that I will move a motion tomorrow. The substantive elements of this motion are twofold. Firstly, it would ask the Standing Committee on Public Accounts to consider and make recommendations on the establishment of a term of appointment for the ACT Auditor-General by way of amendment to the Auditor-General Act 1996.

Secondly, I would ask the Standing Committee on Administration and Procedure to consider and make recommendations on the relevance and adequacy of the provisions of the Legislative Assembly (Office of the Legislative Assembly) Act 2012. In doing so, the motion will ask the committee to consider and make recommendations on the capacity of the Office of the Legislative Assembly to provide administrative support to the Speaker in the performance of the Speaker's roles and functions relating to officers of the Legislative Assembly.

Finally, members, in engaging the reviewer for the strategic review, it became apparent that—and I have touched on this matter before; there are a number of amendments making the Auditor-General an officer of the Assembly—some clumsiness has come into the process which made the process of appointing a strategic reviewer somewhat slow. Indeed, these matters cross over to other officers of the Assembly, and I have convened a general meeting of the officers of the Assembly for next week and will raise these matters with them.

I thank Mr Pearson for his report and I commend the Audit Office on the work that they do on behalf of the Assembly and the people of the ACT.

Unit Titles (Management) Amendment Bill 2016

Debate resumed from 4 May 2016, on motion by **Mr Coe**:

That this bill be agreed to in principle.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (3:10): The underlying policy intent of Mr Coe's bill, which is before us today, is to guarantee fair liability for water usage in mixed use unit title developments. While the government agrees that this is an objective that needs to be supported, the amendments in the bill are likely to have a range of unintended and broader consequences for unit title developments throughout the ACT, and, as such, the government cannot support the proposals in this bill today.

The government is aware that there are issues with the laws in the ACT in the context of mixed use developments, in particular in regard to water usage. The Unit Titles (Management) Act governs all 4,203 unit plans in the ACT, covering approximately 43,970 residential units. Given this scope and the complex nature of the act, discrete amendments do have the potential to have substantial and wideranging implications for a significant number of Canberrans.

The government recognises the many benefits of encouraging mixed use development, including fostering more vibrant and lively places in the territory, stimulating activity and supporting economic growth. The Chief Minister, Treasury and Economic Development Directorate is therefore currently investigating strata reform options that will support better management of mixed use developments, but any changes will only work when developed considering all the issues raised by mixed use developments rather than simply considering one issue such as water, which this bill does, alone.

I acknowledge that shared liability for water usage and other utilities is an issue of concern for some members of our community who reside in mixed use developments and, while superficially this bill appears to provide the straightforward fix Mr Coe suggests, shared water usage is a complex issue that cannot be addressed simply on its own. Rather, the amendments in this bill are likely to create undue confusion for unit plans across the ACT.

The approach to metering individual units proposed by this bill lacks important legislative protections that currently apply to the installation of other sustainability or utility equipment on common property. To approve such infrastructure at the moment, an owners corporation must be satisfied that, firstly, its long-term benefit outweighs the installation and maintenance costs, and the act goes on to provide a list of factors that must inform this judgement, which includes consideration of site and maintenance plans, and direct and indirect costs.

Mr Coe's bill does not make reference to similar factors and without reference to these similar factors the bill allows complex installations of water meters to be authorised without sufficient information about their projected benefits, their risks or, indeed, even their technical feasibility. The bill also substantially lowers the threshold for an owners corporation to authorise alterations that may damage other units or common property, including the building's shared utilities.

Generally, a default rule of an owners corporation will provide that a unit owner may only erect or alter any structure in or on the unit with an unopposed or unanimous resolution of the owners corporation, and this rule recognises that structural works can cause damage or diminish the value of neighbouring premises or common areas.

To meter a unit's water usage, an installer would need to identify the point where water enters the unit. Some buildings have been designed so that installing meters will be simple, but there are many others where they have not. In addition, for unit plans built before 2009, water and sewerage diagrams may not be readily available. Identifying an appropriate location and installing a water meter will then necessitate substantial building and plumbing works. For this and other reasons, the scheme proposed by this bill is simply not practical.

The approach proposed in the bill raises a number of unresolved questions of access to read water meters also. The bill appears to assume that, where an individual unit's water meter is installed outside the unit, the utility service will read the meter and charge the owner for their usage directly. I understand that some unit title stakeholders have queried this assumption on the basis that service providers may refuse to assess water usage other than by reading the building's primary meter.

The bill also seems to envisage that, where a utility service is unable to access a water meter, the owners corporation may read the meter and charge the unit owner for their water usage. This would clearly create an administrative burden on owners corporations and it is unclear how this would operate, as there is no provision that grants the owners corporation a right to enter a unit to read an individual unit's water meter.

The bill includes access provisions to install a meter that may unjustifiably limit the right to privacy under the Human Rights Act. Let me give an example: if an owner is compelled to install a water meter for their unit and fails to do so within 12 months, the bill purports to allow an installer to enter the unit on one week's written notice to the owner or occupier. The bill and its explanatory statement do not appear to contemplate this provision's effect on a person's right to privacy, including the effect on any possible tenants. The duration of this right of entry is also unclear, and the right of entry clearly may be for substantial works over a prolonged period. In the territory it is not normal to give people the untrammelled right to enter other people's homes without significant justification.

The bill may also expose unit owners to prohibitive financial cost without their consent by allowing an owners corporation to require installation of a water meter within 12 months. The bill also allows an owners corporation to determine, by majority resolution, administration costs relating to the operation of a unit's individual water meter which would then be levied on the owner.

Though the bill cites the cost of reading a meter or invoicing the owner as examples, the operative provision is actually very broadly drafted. Its operation would potentially allow the majority of an owners corporation to arbitrarily impose significant costs on particular unit owners without advertent to any potential hardship the owner may sustain as a result.

Allowing an owners corporation to require installation of a water meter may also unduly expose unit owners to the risk of civil liability without their consent. The act allows an owners corporation to oblige a unit owner to cover rectification costs and losses resulting from damage to other units or common property. Even if the installation is arranged by an owners corporation, the unit owner will be the one who still bears ultimate legal liability for any damage caused by the installer, albeit without any of the normal remedies. An affected unit owner will not have direct recourse for faulty workmanship as they will not be a party to the original contract, nor will any damage to an owner's unit be covered by the owners corporation's building insurance.

While this bill seeks to make a discrete policy change, as I have highlighted, the proposed amendments create extensive consequences that cannot be overcome by a package of government amendments. They include legislative, practical, financial, legal and human rights implications. While I acknowledge the community's concerns about water usage in mixed use developments, amendments should be made that ensure a fair share of liability that must be viable, considered and sensitive to the broader context of the Unit Titles (Management) Act.

I know that Mr Coe asserts that the bill reflects the views of constituents and stakeholders but, despite this, the amendments proposed in this bill do not appropriately balance the rights of unit owners and tenants and do not reflect meaningful community consultation or engagement. This is evidenced by the fact that officers from my directorate have met with key unit title stakeholders who have indicated that they do not support the bill in its current form.

This bill, if passed, has the potential to greatly affect the lives of individual Canberrans without providing them with reasonable protections.

I would like to note the government's ongoing efforts to identify appropriate options for strata reform, including reforms that will benefit and better regulate mixed use developments.

I do want to thank Mr Coe for bringing this issue to the forefront of discussion in this place, and it is important, I think, that we develop a reform package which addresses all the issues which I have outlined today, to the benefit of all tenants, and which addresses the issues associated with mixed use developments. The government will not be supporting this bill today.

MR RATTENBURY (Molonglo) (3.21): The bill proposed by Mr Coe is intended to address a problem emerging in mixed use unit title properties, where a commercial business may use a large amount of water and individual residents in the unit complex end up having to share the costs. That is certainly the specific issue that has brought this to the fore, although I know there are other issues emerging around mixed use developments as well, which constituents have raised with me.

The specific issue arises because there are not individual water meters in these properties, so it cannot be determined how much water is being used by each title holder. I agree this is a problem, and it is not ideal that individuals living in unit title complexes should be paying for potentially very large water usage by a business such as a restaurant.

The problem, however, is that I do not believe Mr Coe's proposed solution, as presented in this bill, is an appropriate solution to the problem. It proposes to allow individual unit owners in unit complexes to install their own water meter, and it allows owners corporations to require unit owners to install a water meter.

The problems that this approach creates include inconsistencies with the current act. For example, usually when the owners corporations require the installation of infrastructure, they must be satisfied that the long-term benefit outweighs the infrastructure's costs for installation and maintenance. Under the proposal, this would not be required when a body corporate requires the installation of individual water meters. Similarly, especially in older unit complexes, substantial works may be required to install submeters. These costs could be quite prohibitive. To allow such works via a general resolution is not compatible with the rest of the Unit Titles Act. The bill allows for the possibility for owners corporations to impose very high costs on unit owners, potentially arbitrarily.

I think there are problems with the part of the bill that allows the executive committee to essentially impose a submeter installation on a unit title holder even if they do not agree, including to authorise an installer to enter the property and install it. There are privacy and human rights issues to work through with this proposal.

These are some of the issues that mean I cannot support this bill today. And I am told that amongst the stakeholders, there is a concern about the way that the bill has been constructed. I do, however, agree with Mr Coe that this issue needs addressing, and I am happy to join with him in his call for action. I understand, and I know this well, that as an opposition or crossbench member it can be challenging to unilaterally propose a legislative solution to an issue, particularly when it is fairly complex, which certainly the Unit Titles Act is. Anyone who has worked on it knows how detailed and how tricky it can be to work through issues in the Unit Titles Act.

Mr Coe may find some consolation in the fact that he has probably renewed the government's attention on this issue, and I am sure that an appropriate solution will be forthcoming. I understand that the government is currently doing work to resolve this issue, as well as several other issues relating to mixed use unit title developments. It is undertaking a strata reform project with stakeholders and developing solutions to identified problems, including this issue of water bill sharing.

Whilst I am not able to support this bill today, I think that this is an important issue that needs to be addressed in a timely manner, and I will certainly join with Mr Coe in urging for solutions to come forward on this matter and pursuing the issue, making sure that the responsible minister and part of the government are actually producing some proposals in this area so that we can resolve what is a relatively new issue for Canberra, but one that I expect will become a bigger issue as we see more of these styles of development being undertaken in our city.

MR COE (Ginninderra) (3.25), in reply: I rise to close debate on the Unit Titles (Management) Amendment Bill 2016. The bill is simple, but it responds to a genuine issue in the community. Since its introduction in the Assembly, I have been contacted by many people who have been pleased to finally see some action on this issue, which they have been concerned about for some time. In actual fact, I can say that my office has received no negative feedback whatsoever from anybody on this matter, other than today from Mr Rattenbury and Mr Corbell. I would be keen to hear from the government or from Mr Rattenbury as to who these anonymous people are that are critical of it. I do not doubt that they may well exist, but I simply have not had the opportunity to hear those concerns put to me. For the government to claim that there are people who are against this bill but not willing to say who they are is a bit of a worry.

The bill is designed to make billing for water usage fair for everyone, particularly people who live in units. Under the current legislation, many unit owners are charged for a portion of the total water usage for the entire complex. In most cases, the portion that each owner is charged is equal to the total value of the water bill divided by the number of units in the complex. Although it is a simple calculation, it is often very unfair. People who use large amounts of water are charged for less than what they actually use, and people who use proportionately less are in effect subsidising the water usage of others. Not only is this unfair; it acts as a significant disincentive for people to conserve water if in effect there is a lack of accountability regarding individual water usage. Many owners have concluded that there will be no financial advantage in reducing their water usage, so some do not even try.

Charging a proportion of the total usage is not just unfair; it can cause extreme financial hardship for residents who have chosen to conserve water in order to not only minimise the impact on the environment but save money themselves. The current policy limits the ability for people to be financially prudent and to choose to conserve water.

The problem is becoming worse in mixed use situations, where both residential and commercial units have their water usage measured by the same water meter. Residential owners pay huge water bills to cover the water cost of some commercial units, and therefore they believe it is pointless to conserve water. As I mentioned when I presented this bill, there are cases where owners of residential units have had their water bill more than doubled once a restaurant has opened downstairs. Owners in mixed use developments understand that there will be compromises required as part of living close to commercial operations and in mixed use developments. However, they should not have to subsidise other people's water usage. It is entirely unfair that commercial and residential properties should have their water usage measured by the same meter.

When faced with a situation where one owner or a group of owners is using considerably more water than other owners, the logical thing to do would be to allow for water usage to be measured individually. However, the current unit titles legislation only allows this in certain circumstances. In order for an individual owner to install their own water meter, an unopposed resolution must be passed. This is nearly impossible to achieve, because the owner or owners who are using more water may not agree to such a motion. When I was first looking into this issue, I was contacted by a constituent who spent 10 years—10 years—trying to persuade the other owners in the complex to install individual meters. This is understandably frustrating for owners. In that particular example, there was one person that was suspected of using all the water, and that was the one person who was blocking the motion in every meeting of the body corporate. Of course, it is even less likely that an owner of a commercial unit would agree to have an individual meter installed to actively measure the water that they are using.

My bill sought to reduce the threshold for allowing the installation of an individual water meter or submeter to a simple majority. These provisions will apply in cases where an owner or owners want to install an individual meter for their unit. If the majority of unit owners in a unit complex decide that submeters are a good idea, they will be allowed. Reducing the threshold for a resolution gives owners the power to decide to install submeters, but it still allows the majority of unit owners in a complex to reject such a proposal. If submeters are allowed, owners will have the choice as to whether they install an individual meter for their unit or not. It is quite reasonable.

The bill also includes a provision to allow a special resolution, requiring a two-thirds majority, to require a submeter to be installed for a unit. The provision is particularly aimed at mixed use situations where a commercial unit is using large amounts of water. In such cases, the owners of the residential units could agree by special majority to force the owner of the commercial unit to install a submeter and be correctly charged for the water that they are using. This provision might also be used in residential situations where there may be an owner using significantly more water than others.

It is interesting that Minister Corbell says that this could lead to structural problems with the building if we in effect allow water meters to be installed on common property. Whether you have a 50, 66, 75 or 100 per cent resolution, that does not address the structural issues which may exist when installing a water meter. What is going to affect the structural issues when you install a water meter is whether the installer is operating in accordance with utility regulations, with the building code and with legislation. It has nothing to do with what percentage of people in the building happen to authorise it or not—absolutely nothing to do with that. I think it is a very weird conclusion that Minister Corbell would draw by saying that somehow the resolution is linked to the structural integrity of the building.

Further to this, Minister Corbell said that there could be financial hardships placed by the body corporate on units who are forced to install a water meter. This, he said, would be unfair. Of course, what would also be unfair would be somebody using more than their fair share of water. But it is also worth noting that a body corporate at present can, in effect, put financial hardship on unit owners by driving up the price of the body corporate fees, whether it be for the sinking fund or for the operational expenses. The body corporate already has powers to in effect drive up the cost of living in a complex. However, we know from experience that bodies corporate tend to do absolutely everything they can to keep costs to a minimum.

The bill does not prescribe the type of submeter which has to be installed. It would be up to the owners corporation or unit owners to work this out with Icon Water. The government could, of course, make regulations which could stipulate what sort of water meter is required. They could, for instance, demand that electronic meters that can be read remotely would be required. This is something that the government could have included.

When you have a government that says, “We agree with it in principle; however, there are a few issues with it,” the usual course of action is to work with the proposer of the bill to make amendments and to amend the bill so that the principle which is supported gets enacted. Instead, the government has taken the lazy approach. Hence, we found out today that it would not be supporting this bill. There was no effort whatsoever, in the lead-up to this debate, to work with the opposition to ensure that this important legislation could get up.

The bill allows for water to be charged for through a bill rather than in advance through a budget. Minister Corbell said that this was a problem. In actual fact, this has been a specific request from bodies corporate. Doing it through a budget in effect means that you have to have a reimbursement situation, whereas by doing it through a bill you can do away with a lot of the administrative problems that would occur if you have to budget in advance for water usage. This was a request by numerous bodies corporate on the advice of managers that the easiest way to do this would be to allow for the option that it can be done through a bill rather than in advance. The alternative is to require owners to pay up-front and then potentially overpay; then you get into a more onerous administrative situation.

It would also potentially, especially with meters that can be read remotely, allow Icon Water to do the billing in the same way electricity providers do the billing individually for units. The exact same provision could apply, especially with the new water meters that can be read remotely or, if it is possible, which I doubt it would be, water meters in a publicly accessible space.

The bill is straightforward. It does not involve major policy changes or significant cost to the government or to the community. In fact, we heard from those opposite that they support the principle. It was designed to correct an unfair situation where unit owners are being unfairly billed for water usage. As a result of Minister Corbell's and Minister Rattenbury's decision today, there is going to continue to be no financial incentive for people to save water in unit complexes. As a result of their decision today, thousands and thousands of litres will be wasted. And inequalities will be perpetuated in terms of the billing and charging for water usage because of their decision today. If they had taken a proactive response and looked at this bill before yesterday, maybe—just maybe—we could have worked on some amendments to alleviate some of the concerns that Minister Corbell spoke about. Instead, they would rather be lazy and stop the opposition from getting a bill up than get the right policy outcome and the right environmental outcome for Canberra.

The Canberra Liberals hoped that this bill would encourage people to take more care with the water they use. We hoped that it would have given opportunities for people to have saved money as well, for those who chose to be prudent with their water usage. The Canberra Liberals believe that it is fair to charge people for what they use. We also believe it is important to encourage people to conserve water. This bill was in response to concerns raised by constituents and strata managers over numerous years. We care about the practical matters that affect people's lives on a daily basis.

This is one area in which the Assembly had an opportunity to make a real difference today. Instead, despite those opposite talking about water conservation and talking about fairness, their voting today is the absolute opposite. As a result of their decision today, thousands of litres of water will be wasted, and unfairness will be perpetuated.

It is disappointing that a government that boasts about caring for the environment will not support legislation that would make a significant difference to the amount of water that Canberrans use. Instead of taxing people or charging them for more water than they use, this bill provides a positive incentive for people to decide to use less water. If owners could install a submeter, they would be aware of how much they were using, and could take steps to reduce the usage and save money. When people link the amount on their water bill to the amount of water they actually use, they realise it is actually worth reducing their consumption. This is an argument that the government make repeatedly when they drive up the cost of water: they say that this will, hopefully, mean that people will be more responsive to the impact of this scarce resource. Instead, what they have done today is walk away from that commitment. Of course, there will be people who will not be happy to be charged for what they actually use. But perhaps being charged for what they actually use will encourage them to be more careful about the actual water consumption that they undertake.

No legislation will make everyone happy, but this bill is fair and would have made life much easier for unit owners who want to do the right thing with regard to water consumption and want to pay a fair price. Unlike the arrogant Labor-Greens government, the Canberra Liberals care about these people and their cost of living, and we will continue to do all we can to ensure that Canberrans are not unfairly charged for services that they are unable to use.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 7		Noes 8	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Mr Hinder
Mr Hanson		Mr Corbell	Mr Rattenbury

Question so resolved in the negative.

Parking arrangements—Phillip

MR WALL (Brindabella) (3.43): I move:

That this Assembly:

(1) notes:

- (a) the financial impact on Phillip Traders as a result of the proposed expansion of paid parking made by the ACT Labor/Green Government;
- (b) the lack of consultation with business owners and other stakeholders in this decision;
- (c) the need for good access to parking with reasonable time restrictions to allow for proprietors and staff as well as customer turnover;
- (d) the neglect of green spaces and overall amenity by the ACT Labor/Green Government despite premium commercial rates being paid by small businesses;
- (e) all day paid parking has the biggest effect on the lowest income earners including apprentices;
- (f) implementation of paid parking across Phillip fails to address the need for a diverse range of parking options; and
- (g) the Canberra Liberals' commitment to working with the Phillip Business Community to achieve the best outcomes of parking availability; and

(2) calls on the ACT Government to:

- (a) immediately cease all plans to implement additional parking in the Phillip precinct;
- (b) meet the Canberra Liberals commitment to broader consultation and work proactively with traders in Phillip to discuss solutions to the parking issues that currently exist; and
- (c) consider a diverse range of parking solutions including free parking spaces, some paid parking spaces and consideration of permit parking in the Phillip precinct.

Once again I find myself bringing a motion to this place on behalf of Canberra small business that calls on the ACT Barr Labor government to allow a common-sense approach to prevail. Once again, we see a complete disregard for the views of those at the local coalface—the family businesses that have to deal with the poor decision-making of this government.

However, adding salt to the wound in this case is the fact that traders in the Phillip business precinct found out about the decision via the media, despite being led to believe that their views would not only be considered but valued, and that they would be consulted with extensively. In an email to the Chief Minister in May this year, one trader said:

The consultation process that was started by you in September last year was to look at all the issues relating to parking in the Phillip Business District area south of Hindmarsh Drive. We were also told in March that we would be given a report on the finding for further discussion before any decisions were made. This is obviously not the case and the interests of Traders and Employees of Phillip is not important any more.

When the Barr Labor government indicated that pay parking could be introduced in the Phillip commercial precinct, it was in response to an overarching problem across Canberra: workers in the town centres seeking out free alternatives for all-day parking spaces. What the government have proposed in this instance is simply a lazy and flawed policy.

There is no doubt that traders and their customers and staff will be adversely affected by this decision. The impact on some of them of having to pay for parking will be the difference between staying in business or not, or keeping their vocational training options alive or having to walk away from them.

I would like to take this opportunity to again give a voice to those most affected by reading from some correspondence that I and the opposition have received from both longstanding businesses in this area and employees. I refer to a larger employer who, despite their size, will still feel the longstanding impact of this decision. I will read from a letter that the opposition has received from a director at Lennox Motors. The letter says:

We write to you as a concerned employer with regards to the proposal to install paid parking metres in Phillip.

Our primary concern is the impact that the proposal will have on the staff employed by our company, as well as the staff of surrounding businesses.

As an example our business employs over 200 staff from a wide range of backgrounds and vocations that will be severely impacted by the proposals. Some examples include:

We currently employ approximately 35 apprentice motor mechanics who are school leavers seeking to gain skills and training towards a long-term career

We also employ approximately another 40 motor mechanics and trades people that are in short supply and difficult to attract

We also employ 6 semi-retired courtesy bus drivers who work on a part time basis to supplement their retirement incomes

We also employ working mothers seeking to earn a second income to support their families

... who are unskilled and from under privileged backgrounds. This currently includes a refugee asylum seeker

We employ trainee salespeople, trainee administration staff, trainee spare parts interpreters, etc who are at the commencement of their careers seeking to gain skills and training towards a long term career

We consider the proposal will be a significant financial impost on such staff, and is simply unaffordable. It will also be another barrier for local traders being able to attract staff.

We believe a more targeted response to the issue of parking is more active parking inspectors in the area to ensure the existing spaces on limited time frames are being turned regularly.

As a large employer in the Phillip precinct I would be happy to meet with you or relevant parties to discuss the impact of the proposal.

As I said that was a letter from one of the directors at Lennox Motors. Again, I will outline the impact of this decision by reading from another email received by my office, which states:

I have been contacted by a number of large employers and small business owners in this area who are very concerned about this decision and the financial impact it will directly have on their employees and their business. There are also many other issues behind such as being able to hire staff in the first place.

One Employer in particular has 200 employees and is very concerned about the impact on his business. He says, "Many of his employee's drive to work and will now incur an impost of \$45 per 5 day week for 48 weeks equalling \$2,160 per annum and a fair % of their wages as a large number are either apprentices or part-time supporting families."

Here are comments received from a few more interested people in the Phillip precinct. One business says:

Our clients did find Phillip an advantage in having no paid parking. The article in the Canberra times read as if Phillip Business community sought it because of the numbers of public servants or full time workers using Phillip as an option for parking. Our clients will not like this.

Another said:

We as a business find this absolutely appalling. We own a mechanic shop so we have numerous cars a day parking at our place of work now do we foot the parking? Will we lose business as customers don't want to pay \$9 a day? This is absolutely ridiculous. Not happy at all! ACT government making it hard for small businesses again.

I will read a final one. This business owner said:

As a building owner in the business community in Phillip, I think we should unite all traders and owners in Phillip to show the Labour ministers in charge Mr Gentleman and Ms Fitzharris our disgust in the way they have treated us and their lack of interest in our business community.

To add insult to injury, premium commercial rates are paid by small businesses in this town, and in the case of the Phillip commercial precinct they feel that they are getting very little in the way of return for the substantial outlay they make each year.

In stark contrast, the Canberra Liberals have a much better plan. We believe that there should be a better mix of short stay and long-stay parking, and also the availability of permit parking within the Phillip precinct. We believe that businesses in this precinct and others in Canberra will benefit when a run-down area is improved and maintained better. This helps business which, in turn, supports the ACT economy, and it is a simple, common-sense approach.

The Canberra Liberals will remove any additional pay parking if it is implemented before the ACT election. The Canberra Liberals will take a more consultative approach to decision-making, especially talking to those whom these decisions affect directly, namely, the business operators and the employees in this precinct. The Canberra Liberals have also made a commitment to work with traders in this precinct and across the board to discuss solutions and provide genuine opportunities to have their views heard. This is in stark contrast to what those opposite are offering or are willing to do.

In conclusion, I seek leave to present to the Assembly an out-of-order petition that has been signed by 679 people in regard to the decision to install pay parking throughout the Phillip precinct. It calls on the government to conduct a full review of the decision prior to installing parking meters throughout the Phillip district.

Leave granted.

MR WALL: I present the following paper:

Petition which does not conform with the standing orders—Phillip business district—Financial impact of paid parking—Mr Wall (679 signatures).

On that note I commend my motion to the Assembly.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health) (3.52): I would like to thank Mr Wall for the opportunity to speak today on this matter. I move the following amendment that has been circulated in my name:

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

“(1) notes that:

- (a) the Phillip precinct is an important hub for business in the ACT. The ACT Government is working with the traders and other community stakeholders to develop a balanced approach to parking in Phillip that meets the needs of small, medium and large businesses, as well as those of employees, customers and the residents of the surrounding suburbs;
 - (b) the ACT Government is committed to increasing transport options for all Canberrans, including improved public transport, better road networks, and a planned and fair parking regime that balances the varied needs of the community; and
 - (c) the Chief Minister, the Minister for Transport and Municipal Services and the Minister for Small Business and the Arts have each met with traders to discuss their needs. The Minister for Transport and Municipal Services will continue to consult with relevant stakeholders to come to a balanced outcome for parking in the precinct and to discuss other municipal issues in the precinct; and
- (2) calls on the ACT Government to continue to work with Phillip traders and other stakeholders to ensure that a balanced and fair outcome is reached regarding parking in the precinct.”.

I will certainly start by agreeing with Mr Wall that the government ought to consult actively with the Phillip community, and that is exactly what we have done. As Mr Wall will know, the decision to expand pay parking in the Phillip business district was made in the 2015-16 ACT budget. The expansion was in response to a demand for short-term visitor parking spaces in the Phillip precinct to support some of the local traders.

Currently, there is only limited time-restricted parking in the precinct, with many of the all-day spaces taken up by commuters who work in nearby Woden. We had heard from local traders and small businesses that it can be a struggle for their customers to find parking due to this all-day commuter parking.

This government is committed to finding the right balance for pay parking in Phillip. We need to find a balance that discourages commuters to areas within the Woden town centre from using the free long-stay parking available within the Phillip business area, support local businesses in the Phillip business district by ensuring greater availability of short-stay parking spaces for customers and long-stay parking spaces for local workers, and encourage where possible more commuters to the Woden town centre and Phillip to use the very accessible public transport.

The Phillip business district is served well by public transport, being immediately adjacent to the blue rapid service. There is easy access from Athllon Drive to the Phillip precinct and during the week the 21 and 22 routes service the area. These routes are a loop service connecting Woden with the surrounding suburbs.

Since last year's decision to expand pay parking in Phillip, officers from both the Environment and Planning Directorate and now the Territory and Municipal Services Directorate have been working with local businesses to determine the best mix of parking. In addition the Chief Minister, the minister for small business and I have all met with representatives from the precinct to discuss their needs.

We could not have consulted with businesses without putting forward a proposal to consult on, which we did, but I anticipate that the final outcome will be quite different and will reflect the feedback we have received, and continue to receive.

Since the ACT government put options forward for parking in the area, we have sent letters to all businesses in the area, received written feedback and held two drop-in information sessions for people to discuss the parking issues with our officials. I have also met with a number of business owners, including Mr Robert Issell, who represents a reasonable proportion of the Phillip Business Community, and a number of the motor traders, including Lennox Motors, which Mr Wall also referred to.

I have made it clear to these local traders that we are consulting to find the best balance of options for local businesses, their employees and customers on this issue. I reiterate that the final outcome will be quite different from the original proposal. We are now in the process of considering changes to our initial proposal based on the feedback we have received.

This is a completely legitimate form of consultation, and no changes will be made to parking arrangements in the Phillip precinct until we have fully consulted on this issue and found the right balance. This may mean that we do not make any changes until after 1 July.

When it comes to the consultation process, to date TAMS has received approximately 23 submissions representing small businesses, larger businesses and local community members who visit the precinct. During the current public consultation phase, the community and stakeholders have been advised that TAMS will present a revised scheme to them during the month of June. This revised scheme will be presented through the Phillip traders association representatives, and I will actively engage in this process.

Mr Wall's motion also refers to the green spaces within the precinct. As my amendment notes, I have undertaken to continue consulting with traders in the area on municipal services matters. I am further advised that TAMS officers have met with the president of the Phillip Business Community to discuss his proposals to beautify the area, and I look forward to having further conversations about how we might partner with local traders to do this.

The government will continue to discuss options for improvement of the grassed areas and the general amenity in the precinct's courts with traders. Both the government and the local traders have an obligation to make sure that the amenity in Phillip is improved. In these discussions we will look at a range of measures that might be implemented by owners of the commercial buildings and the government to improve the appearance and appeal of the area.

I would like to thank the Phillip Business Community, including the many traders that I have also met with, and that Minister Bourke met with in his walk-around with small business owners just last week, for their engagement throughout this process. I can assure the Assembly that the ACT government will continue to consult with Phillip traders to ensure an outcome that is balanced and beneficial for all.

MR RATTENBURY (Molonglo) (3.57): I thank Mr Wall for bringing on this motion. Jumping straight to the point, I understand Mr Wall essentially wants the government to pause plans to expand paid parking in Phillip, to reconsider and to consult further with traders. As the minister has just outlined, that is what she is going to do. So I think we got to a reasonably good point, at least for the time being today.

That approach is reflected in the amendment the minister has put forward. It says that the Phillip precinct is an important hub for business in the ACT, and that is certainly true. It commits the government to working with the traders and other community stakeholders to develop a balanced and fair approach to parking in Phillip. That seems like a sensible approach to me, and I would be happy to support the amendment Ms Fitzharris has moved.

I mostly agree with the sentiments expressed in Mr Wall's motion, although I do think he has gone a little over the top on some of it, but that is par for the course on Wednesdays in the Assembly. That is why I will be supporting the amendment.

One idea that Mr Wall may find interesting is that introducing paid parking produces revenue for the government, of course, and some jurisdictions have hypothecated the revenue from paid parking and reinvested in the local area to fund things like improved amenity or better transport services that allay the need for parking in the first place. Localising revenue from paid parking is one way to use the additional funds but it is also a good way to increase support for paid parking zones.

I would like to see the government discuss these kinds of options with the Phillip community. It is an area that could benefit from amenity improvements, and paid parking revenue could support that as one potential outcome. There are certainly many positive stories from other jurisdictions where localising revenue from paid parking has had good outcomes for the local community and has also supported the introduction of paid parking, which is a good outcome overall for the city.

Mr Wall's motion does call on the government to cease all plans to implement additional parking in the Phillip precinct. I found that suggestion quite strange but I think it might be a typo in the motion. I think it might have meant to refer to paid parking rather than all parking. If I have misunderstood that, so be it. But I expect that, as Phillip grows or as the area is further developed or reconfigured, it could be necessary to implement additional parking. At least, it may need additional parking for people with a disability. While I think the parking is probably adequate for now, I would not want to rule it out, as the motion suggests, although I do suspect that is a typo.

Parking certainly is a common concern of residents and businesses in Canberra, just as it is in most cities, and we all have people talk to us about these issues. They often complain about a lack of parking, that it is hard to find parking or they do not want to pay for parking. Certainly, everybody wants to park for free. I think it is a natural feeling but certainly I can understand that the immediate reaction of traders in Phillip is that they do not like the idea of paid parking and they would prefer it was not introduced. But we should all know there is a balance to be found between the amount of parking provided and the price that is put on parking.

It simply does not work for a city to be awash with free parking, and I think the evidence on that is clear. Doing so provides a very large subsidy for car drivers and is paid for elsewhere by the community. The approach does not create a driving utopia. I do think the outcomes end up being worse. The better approach is actually to price parking appropriately to reflect its costs, to ensure that the city continues to work, so that space is used efficiently so that the customers of businesses do actually turn over and we do not distort people's travel choices.

In the longer term it turns out better for everyone to have properly priced parking. Paid parking is present in many parts of Canberra already, in town centres for example. It is present in Woden just up the road from the Phillip precinct and it is also present already in Atree Court, Botany Street and Melrose Drive in Phillip. It is fair enough that a sensible and consistent paid parking policy is explored for other parts of Phillip.

There are identified issues with vehicle turnover in Phillip. It is also worth noting that it is an area well served by public transport with a blue rapid bus service stopping at the edge of the precinct, on Athllon Drive.

Although it is not entirely clear, I think that Mr Wall does agree that paid parking is acceptable to some degree in Phillip. He probably does not want to say that he supports it overall but he is probably aware that it is fair and reasonable to apply paid parking policies consistently across the city.

I do agree that further consultation should occur and the government should try to reach the best solution. I would suggest that there may not be a solution reached where all stakeholders are absolutely happy but it could still be the best community outcome to proceed with paid parking. Of course, it is also necessary to recognise the needs of people working in the area and to formulate the final parking policy appropriately.

On that note, as I said, I will be supporting the amendment proposed by Ms Fitzharris and for the consultation with traders and stakeholders to continue.

MRS JONES (Molonglo) (4.03): I am pleased to stand today alongside Mr Wall to support this motion about the issue of increasing paid parking in the Phillip business district. This government has developed a rather arrogant view of people's back pockets and, strangely enough for a Labor government, does not seem to be too concerned about low income workers. I recall Mr Barr laughing off the increased cost of paid parking in Civic after hours and saying that it was less than the cost of sparkling water in an expensive city restaurant. Mr Barr continually shows that he is completely out of touch with average families and businesses around this city.

In another grab for money, we now have this proposal to roll out further paid parking in the Phillip business precinct. I am not sure if the minister understands that the business owners of Phillip would not have flown into a complete panic over this if the government had not actually put out a proposal that they were about to do it. There were surveyors, according to business owners, checking out where parking machines were going to be placed. Maybe they have misunderstood but it shows something about the relationship with government that they are in a spin about this.

I have spoken to many local businesses who are quite distressed about how this will impact their businesses and their employees, as well as their customers. This is not an area where there are wealthy businesses. There are little organisations working out of Phillip and part of the reason that they are there is that it is an older area with lower costs.

The owners of a small takeaway told me that they already work 50-something hours a week and paid parking might ruin their business. The owners at Neurospace, who work with aged care and rehab patients, were really worried about how their patients would be able to park and get to the shop and pay additional costs when they are already on low, fixed incomes. Another woman, who runs a sewing and craft business, said she is really worried about the capacity of her organisation to go on when people often come to her craft class and then go and have a coffee locally and that that would not happen anymore. Most of the local business owners and employees told me that the proposed \$45 a week was simply unaffordable and they were all concerned that they would lose business as a result of paid parking.

I spoke to a woman at Colleen's, a post-mastectomy clinic, who told me how concerned she is that the people who come to her post-mastectomy service to buy bras and things to look like they have not had a mastectomy will not actually be able to get there on the bus because they feel too unwell already. They have been through a huge trauma. One of the reasons she put herself in Phillip was that it was central and less expensive and less stressful for them physically to get to her service. So women who are just surviving after serious trauma are often distressed trying on breast prostheses or mastectomy bras and they often need a good chat, a shoulder to lean on. The idea that these women will be under additional pressure or worrying about a fine is a concern to this business owner.

Many of the businesses who employ young apprentices have told me there is no way they will be able to afford to pay the parking to go work. One young apprentice with four children said he struggles to survive as he is on an apprentice wage and that 10 per cent of his take-home pay would be spent on parking if this change is brought in.

This is nothing short of a cash grab response to a problem which could be solved in another way, by perhaps even inspecting the time limits that are there already, which could work. The government has not bothered to consult. To say, “We have consulted” is a nonsense because, if they had consulted, 200 or 300 employees would not have come out the other night to a rally. This does not happen very often in Canberra. People do not, on the whole, come out to rallies. But they are very angry and they believe the government is arrogantly imposing this cost on small businesses and hardworking Canberrans.

We are committed to not rolling out this increase in paid parking and we will work with the local businesses to find a suitable solution. It really should stop.

MR WALL (Brindabella) (4.07): Just to begin by touching off on Mr Rattenbury’s observation of the notice paper, yes that is correct. It was supposed to read “immediately cease all plans to implement additional paid parking in the Phillip precinct”. I do not know if that was a transcription error from the copy we submitted in the chamber yesterday or if it was a typo on my part coming from my office. Nonetheless, Mr Rattenbury has spotted it and given us the opportunity to correct that on the record.

It is good to hear, though, today that some common sense—and I say “some common sense”—is prevailing insofar as additional consultation is going to occur between the government and the stakeholders in the Phillip business community. All I can say is that I hope that the consultation is more in line with the definition outlined in the ACT government’s MOU with the unions than the typical style of consultation that we see from this government, which is: “We’ve made our mind up.” They go out to the community and tell them what they are doing, not taking into consideration any of the response from those on the ground.

We must of course, though, remember and understand how this issue came to pass and why it has needed to come here to the Assembly before some sort of compromise was able to be achieved. That came off the back of the success of those in the Phillip business community banding together and actually starting to lobby government and put a common voice forward on what needs to happen in that precinct to address their needs.

Mr Barr has been there to launch his party’s campaign at the shops. A number of members opposite have been there as part of a community cabinet meeting. They have been there and visited the community on a number of occasions but they have taken the lazy option, which is simply to install pay parking across the precinct as a bandaid approach to fixing the parking problem that exists.

A broader, more thought-out response, such as the Canberra Liberals are calling for, that includes a mixture of paid parking, timed parking and also the consideration of permit parking is the long-term tenable solution; not the lazy option, not the short, easy option, not the revenue grab which we saw even outlined in the budget yesterday where parking revenue is expected to climb by in excess of 20 per cent next year. What we are calling for is a well-considered and well-thought-out approach to sort out the parking problems in the Phillip precinct.

You must of course remember that this is a legacy issue from what happened at the Woden town centre. Pay parking has increased in that precinct and the number of spaces available has shrunk. People who work in the Woden precinct have been driven into the suburbs. I have written to the former Minister for Territory and Municipal Services on a number of occasions about the electorate in my suburb, Chifley, which has had a number of no parking signs installed throughout the entire suburb to alleviate the problem of public servants particularly parking in Chifley and walking to Woden. As that has been implemented in one suburb, it has simply shifted the problem to another precinct.

So the approach to fixing Phillip is first and foremost coming up with a long-term solution of achieving the right mix of parking, enforcing the parking restrictions that are in place. It is all well and good to have a sign for two-hour, four-hour, six-hour or eight-hour parking but if it is not enforced the sign is worthless. So enforcement is another key aspect that needs to be considered in Phillip. And, hopefully, we can get a solution that meets the needs of everyone.

I note that there even seemed to be a lack of understanding of what the current parking mix down there is, when both Mr Rattenbury and Ms Fitzharris rose. There is already some paid parking in Phillip. This is not something that the opposition is opposed to, and we recognise that, as part of a balanced parking mixture in any business precinct, there will be the use of some paid parking, as already exists along Melrose Drive and, I believe, behind the emergency services station there, the ambulance and fire station. There is a small pocket of paid parking as well.

I am happy that bringing on this motion today has managed to increase the prominence of this issue, that there is a commitment from those opposite to engage in some further consultation before any further rollout. All I can do is keep a close eye and a watching brief on this to ensure that a good outcome is achieved, if not prior to the election then, should the government be returned—hopefully not the case, but should they be—they hold true to their word and they do achieve that win-win outcome for everyone involved.

Amendment agreed to.

Motion, as amended, agreed to.

Transport—light rail project contracts

MR COE (Ginninderra) (4.13), by leave: I move:

That this Assembly:

(1) notes that:

- (a) the signing of the contract to construct light rail, five months before an election, was the most arrogant act in the history of the ACT Government;
- (b) by signing the contract, the ACT Government has ignored the will of Canberrans to have their say at the election;
- (c) payments under the light rail contract will be approximately \$1.65 billion;
and
- (d) the ACT Government has yet to release the contracts related to light rail;
and

(2) calls on the ACT Government to publish the contracts, in full, related to the development, construction, operation and maintenance of the Capital Metro light rail project by 17 June 2016.

I thank the Assembly for assisting me with the correction of the typo in the original motion.

Of course, my motion today calls on the ACT government to release in full by 17 June any signed contract in relation to the development, construction, operation and maintenance of the capital metro light rail project. Today's debate is not about the merits of light rail; it is about whether the ACT government should promptly and completely release publicly the largest contract ever entered into by the ACT government.

The decision of the Labor-Greens government to sign a contract to build capital metro is a political decision. In signing the contract, the Labor Party and the Greens have robbed Canberrans of the chance to be aware of the full cost of the most expensive funding decision ever made by this government or, indeed, by any government. There has never been a more arrogant act by an ACT government. Indeed, there has been never been a contract that locks Canberrans in to such a tremendous debt.

By signing the contract, the ACT government confirms that they do not want Canberrans to have a say on this project. By signing the contract and keeping the contracts confidential, the ACT Labor Party has confirmed that its agenda is being set by Mr Rattenbury rather than the people of Canberra.

Why any government motivated by the desire to do the best for the people whom they represent would sign a controversial contract just five months before an election is beyond me. It stinks of a government motivated by a political agenda rather than by policy or by the outcomes that Canberrans want. It is, of course, disrespectful in the extreme of Canberra's taxpayers. However, it is of course no surprise to us and no surprise to so many Canberrans. This is a government that lurches from scandal to scandal, from dodgy deal to dodgy deal. It stinks.

My motion today should be supported by the government if they are committed to the principle of transparency. It would be supported by a government that respects the

view and will of taxpayers. One thing we should be able to agree on is that capital metro is of course a massive project. At \$707 million to construct, it is huge. It is the most expensive contract signed by the ACT government and, therefore, it deserves to be released in full.

When the project was first announced, a motion passed in this Assembly that stated:

- (a) the Government is committed to a high level of transparency and will progressively release information about the Capital Metro project as it is developed;

In November of 2014, Mr Corbell said the government is committed to delivering this project in an open and transparent way. Minister Corbell repeated himself in March of this year. In reply to a question on notice, he stated:

The ACT Government is committed to being open and transparent about the project.

Following on from this motion and Mr Corbell's statements, the government should release the contract if they really do want to reflect what they have said in the past about transparency. Nothing could be more openly transparent than releasing this document in full.

It is not unusual for governments to release light rail contracts. The contract to build the Gold Coast light rail system, often cited by this government, was released over two years before the system became operational. This is a precedent the government should follow. On the back of the Gold Coast experience, I do not see how it could be plausibly argued that the release of the contract could jeopardise the project.

The Greens of course should be supporting my motion today in that they claim to be a party of transparency. It is ACT Greens policy that:

... a healthy democracy requires transparent practices in all aspects of government.

Of course, to achieve this policy the ACT government advocates "open and transparent access to government documents." Indeed, this is a position that has been advocated by Mr Rattenbury. In 2013 he said:

The Greens are committed to improving the transparency of government, and I have no doubt it is in the government's best interest to provide more information to the community.

What could be more open and more transparent than releasing the biggest contract ever signed by an ACT government?

While Mr Rattenbury might claim to support transparency, he has always voted to suppress information when it comes to the light rail project. Voting against the release of the contract would, of course, be inconsistent with the views supposedly espoused by the Greens. Around the country, the Greens are calling for the release of contracts

and information. Just over a year ago, a Greens MLC in the Victorian parliament moved a motion calling for the Victorian government to release the contract that had been signed which secured Melbourne as the host for the formula 1 grand prix. The value of that contract is estimated at \$250 million. A day before that motion, the Victorian Greens voted to support a motion that called for the tabling of all contracts related to the east-west link. Why should capital metro be any different? I hope Minister Rattenbury will support this motion today.

As for the Labor Party, I find it unlikely that they will support my motion. A party that signs a secret MOU with UnionsACT is not a party that we can rely upon when it comes to transparency. Their actions have demonstrated that they believe some government deals should be in the backroom. This is a government that believes there are some decisions by government that should not be scrutinised. This is a government that does not want scrutiny, a government that does not want transparency. This is a party which seems to do more dodgy deals than it does clean ones.

Of course, the Labor Party pays lip service to transparency. As former Chief Minister Katy Gallagher once said:

... as a first principle information available to the government should be made available for use by the community.

Chief Minister Andrew Barr said:

Openness in government is important, and it is right and proper that the territory's citizens are able to see where their money is spent.

Well, I hope the Labor Party can support these principles today and ensure that the light rail contract is published.

Yesterday's budget revealed the true impact of the government's decision to go ahead with light rail. Over the next four years, this government wants to spend over half a billion dollars to get light rail to a stage where it is constructed; a system that we know will carry less than one per cent of Canberrans to work or school each day.

Yesterday's budget showed for the first time the value of the service payments which all Canberrans will pay. These service payments are annual payments the government will make to cover the operating and maintenance costs of light rail, interest costs, and the reduction of the lease liability.

Buried deep in the budget, on page 352 in fact, the government confirms that in 2019-20, light rail's first full year of operation, the ACT government will pay \$25.4 million to operate and maintain light rail, \$21.3 million in interest and a further \$8 million in order to reduce the lease liability, a payment that will reduce this liability from \$325.5 million to \$316.7 million.

It is all very well for this government to say we are not paying a cent until light rail is operational. But all that is happening right now is that we are accruing expenses and

interest is capitalising. That is what is happening right now. For every day of work that goes by, interest is capitalising. By choosing not to pay as we go, the interest gets capitalised. It is as simple as that. You cannot have work done now and not pay a cent until 2019 and claim that we are not going to be paying for that.

Overall, the service payment to be made by the ACT government to fund light rail for the 2019-20 financial year will be \$55.4 million. This is a payment the government will make for 20 years and, of course, it will be increasing. This is \$55.4 million a year which is not going to better local services for Canberrans. And this is just the information we are aware of. What other costs are included in this contract? How do we know that there are not many other costs that are, in effect, back-ended as part of this contract? How do we know there are not poison pills at the five, 10, 15 or 20-year mark of this contract? We simply do not know. All that we have before us at present is Minister Corbell's press release and the outyears for this budget.

This apparently is just stage one of the project. The Chief Minister and the Labor Party apparently support further stages of light rail. Mr Rattenbury and the Greens support the light rail network plan, as does, of course, Minister Corbell. We are not talking about \$55.4 million a year when we look at the light rail network plan; we are talking about hundreds of millions of dollars each and every year to essentially replace the red and blue rapids.

Yesterday's budget papers give us a glimpse into the real cost of light rail. It showed us that the service payments for the first full year of light rail operations will be around \$55 million including interest. Of course Canberrans deserve to see this contract; it is the right thing to do. They deserve to know just how much this intergenerational debt is. They deserve to know just how much money they have to pay as part of this commitment, this foolish and selfish commitment that this government has entered into just five months before an election.

In moving this motion, I call upon the government to release the contract in full so that at least Canberrans know the full liability of what this government has signed up to.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (4.24): Once again, I welcome the opportunity to talk about the importance of this project, which will help secure Canberra's future as a city which is investing in infrastructure that will make a long-term difference to its growth, development and transport tasks.

I am very pleased to advise the Assembly that, as I have said repeatedly in this place over a number of years now, the government will publish the capital metro contract summary and the project agreement. This has always been the government's position. There is nothing new or unusual in the government stating that. I have said it numerous times in question time in this place.

Mr Coe has stated that the government is yet to release the contract detail for the project, and that is correct. We will release the detail in accordance with the

legislative and policy frameworks of the government. In accordance with the requirements of the Government Procurement Act, the public text of the capital metro project agreement, as a notifiable contract under the act, will be published. It will be published because that is the law, a law made by this place, a law made by this government. To be clear, the public text of the project agreement does exclude any material that is determined under the act to be confidential, and, appropriately, this includes matters such as personal and commercial-in-confidence information. This is no different from any other contract or any other procurement undertaken by the ACT government. The same rules apply to the capital metro contract as apply to any other contract that the ACT government enters into.

Under the ACT government's partnership framework, it is also an obligation for a contract summary to be produced. Clearly, there is significant public interest in this project, so the government has determined that not only will we publish the project agreement, the contract, as is required by law, but also we will publish a contract summary. We realise that there is keen interest in the project, and we want Canberrans to be informed and able to interpret the information presented.

These two documents, therefore, will give Canberrans the information they seek about the project and the contractual obligations placed on the Canberra Metro consortium. There is already an extensive amount of information in the public domain about the project—I would venture to say more than for any other infrastructure project ever undertaken in this city. These documents that I have outlined now will add further to the government's commitment and demonstrate our capacity to achieve value for money outcomes for this community in such a major infrastructure project.

I want to turn to the claims made by the opposition in relation to the cost of the project. The project's net present cost figure is \$939 million. That includes the present value of the 20-year availability payments and the contribution the territory will make to the project once services commence, as well as a prudent contingency amount. It is not the \$1.65 billion Mr Coe claimed in the motion he tabled yesterday, although I note that he has corrected that. He seems to have a problem with his millions and his billions, Madam Assistant Speaker. Nevertheless, it is neither of the figures that Mr Coe claims.

In October 2014, the government publicly released the business case for the project. At the time, the project costs were estimated at \$783 million, including government contingency. With the contract signed on 17 May this year, the capital cost was confirmed at \$707 million, again including a government contingency. This is an outstanding outcome for our city. It demonstrates the competitive nature of the bidding process and the value that the international consortia placed on the opportunity to deliver this project for our city.

This investment will not only see the delivery of a light rail system; it will also deliver other city enhancements such as an upgraded Alinga Street terminal and the redevelopment of the Civic plaza, as well as the provision of dynamic LED lighting at light rail stops.

The Civic plaza enhancement alone has already attracted positive feedback from the community, with the concept design incorporating a central area for better, more people-focused activity between the historic Sydney and Melbourne buildings. It is important also to stress the value that the Canberra Metro consortium brings to Canberra through its combined local, national and international experience in project delivery. Throughout the construction period, its work will help diversify local skill sets, create new industry opportunities and support other sectors in our city, such as education and training, hospitality and engineering, to develop new opportunities for job development and training.

As is the case with other major infrastructure projects undertaken by governments across Australia, the cost of the project is rightly of interest. But we understood this from the start, and we have responded appropriately.

To manage the economic impact to the territory, the project is being delivered through a public-private partnership, and this allows the payments to be made over the life span of the project. These payments will not begin until construction has been completed. That incentivises the Canberra Metro consortium to deliver the project on time.

Once construction is completed, the government will pay a \$375 million capital contribution, which is made up of surplus asset sales and a commonwealth contribution from its asset recycling initiative. Availability payments will then be made over time, covering both the construction and operational costs of running the light rail. The availability of payments average \$64 million a year over the 20-year period, starting at \$47 million in the first 12 months of operation and reaching approximately \$75 million in 2038. These availability payments have already been published by the government. They are in future dollars, and simply adding them together will give a very distorted and false result.

As I have stated before, this is an affordable, viable and necessary project to enhance the public transport system for a growing Canberra. In the context of government spending, let me be very clear again: the project accounts for less than one per cent of the ACT government's total expenditure over the life of the contract term—less than one per cent of total ACT government expenditure over the contract term.

The government is committed to building a city that continues to be one of the most livable in the world. This project is central to that vision. It will provide our city with more choices about how people move around our great city. It will provide foundations to help redevelop urban spaces, increase social and economic participation and revitalise the main gateway to our city. There is no do-nothing option. A revised bus network is admirable, and the work of ACTION to date should not be underestimated. But a bus network alone will not resolve congestion or carry the necessary level of passengers we must anticipate well into the future.

Something often missing from the light rail debate is the fact that light rail, more than buses, has been demonstrated to support the creation of compact, walkable, mixed use communities centred around high quality rail systems. This can be seen in cities

domestically and across the world where light rail systems are in operation. Introducing light rail to Canberra will make it possible for our city to contemplate a future without complete dependence on a car for mobility.

We are already seeing developments in the stage 1 transport corridor which can boast the benefits of light rail. We are attracting more attention from international investors who want to invest in our city because of the opportunities this project presents.

The project has already achieved results in the tertiary education sector. The University of New South Wales at ADFA has, for the first time, opened up its civil engineering courses to non-defence personnel. These are courses that are not offered in either of our two major universities. In addition, the Canberra Metro consortium will be offering various positions to these students to help further their education and their future careers. We are training new civil engineers in Canberra rather than people having to go interstate, because of this project. Those arguing that the project does not deliver any benefits to the community need to take stock of these and many more issues and realise that this will continue as construction commences.

We need a strong public transport system. By 2031 our city will be more than half a million people strong, and by 2050 there will be over 600,000 people living Canberra. We need to invest in public transport infrastructure that anticipates and plans for this future. Planning for this future in this way means we are making sustainable choices to continue our city's livability and fairness and its attractiveness as a place to invest.

It is a simple matter of fact that in 2012 Labor's commitment was clear: to "plan, finance and develop the first stage of a Light Rail Network" with "construction estimated to commence in 2016". We have delivered on this election commitment, and we are on track for construction to commence in the year we said it would. More importantly, the scheduled time frame to complete construction will be in late 2018 to early 2019, which is even better than the conservative estimates in the government's previous planning documents.

This project is in the best interests of our city. It is easy to oppose, to find fault, to criticise or to bemoan a false lack of information. But that is not what our city deserves. We are a unique, planned city. We need to build on this extraordinary legacy and our own unique identity and take pride in our heritage and the opportunities for an exciting future.

We should not shy away from big projects that can make a big difference. We should not wait for problems like traffic congestion to become unbearable before we act. The government is confident that light rail is and will be seen as the best option for our city. We have and hold to this conviction because we want to make sure that this city is ready for the challenges of creating a more sustainable future for all of its citizens. The government will not be supporting this motion today.

MR RATTENBURY (Molonglo) (4.37): I will respond to this motion quite quickly, and in the order of the issues that Mr Coe raises.

Mr Coe says that the signing of the contract to construct light rail is the most arrogant act in the history of the ACT government. I believe that that is a ludicrous suggestion. Light rail was a prominent issue before the last election. The government has done an excellent job to actually get on with it and to start building the infrastructure that this city needs for the future. The hyperbole from the opposition simply speaks to the fact that they oppose progress, they have a myopic view focused on the next election and they have no interest in solving issues for the future. Real arrogance is actually tearing up a contract, as the Liberal Party wants to do, introducing sovereign risk, throwing away millions of dollars of taxpayers' money in order to get nothing. What a reckless and arrogant thing to do.

Mr Coe says the government has ignored the will of Canberrans to have their say. Again, I believe this is nonsense. The issues were raised before the election, and the government has to govern. It has to make decisions about the future of our city, and it is making the right decision in getting on with the action we need. Contrast this with the Liberals, who I do not believe have a plan for the future of this city.

Mr Coe says the payments for the light rail contract will be approximately 1.65. It said "million", but that was obviously a typo. It caused a bit of a chuckle in our office. I did wonder if at \$1.65 million we might have got the Liberals on board for this project. I cannot be sure, but I reckon we might have. The total cost over 20 years will be \$1.65 billion, as has been suggested. But it is worth noting that the \$1.65 billion figure is not in today's dollars. By 2038 the government will have paid this amount. That figure is expressed in future dollars, and we should remember that by 2038 the size of the ACT budget will also have increased considerably. In today's dollars, the cost of the entire project is \$939 million. Either way you look at it, it is less than one per cent of the ACT budget. Of course, it sounds much grander if you say "\$1.65 billion". People do not think, "Oh, yeah; just as if you compare prices 20 years ago, they are much lower than they seem now." That is a nominal effect driven by the passage of time. It is the same effect here.

It does evoke the sorts of images of Dr Evil with the little finger in the mouth talking about the billions of billions of dollars that he wants to get out. That is the sort of tone that we hear about this; we hear this terrible, large figure. There is never any explanation about the fact that that is not only a future figure in 20 years time but a nominal figure as opposed to a present-value figure. It never includes the explanation that this also includes 20 years of operation, maintenance and all these other things.

It goes to the point that we made in an earlier discussion today: you never hear that discussion about a road. You never hear, "Majura Parkway is around \$300 million plus 20 years of maintenance costs." No-one that I know of has done that work, but I suspect it would go well up above the \$300 million. The opposition seeks to use the \$1.65 billion figure as if it were in today's dollars, because that sounds like a whole lot more. It does not acknowledge the full package of services that goes with that over 20 years.

Another important point to remember is that the repayments include the entire cost of building the light rail route, buying the vehicles and building the depot, as well as

operating and maintaining the service for 20 years—the exact point that I was making. This is not how we usually express the costs of projects, but it is an important point to make. On that basis, our light rail project, I believe, is actually a very good deal. It makes building future stages of light rail cheaper and easier.

On this note, I would welcome Mr Coe clarifying in his closing speech whether he is open to supporting future stages of light rail to Belconnen, Woden, Tuggeranong or the airport. We have heard him ask at various times, “Why isn’t it going to Belconnen?” The answer, I imagine, is that without stage 1 there will be no stage 2. It is trying to get it sometimes on both sides of the equation. We hear Mr Coe say that it should have gone to Belconnen first. I wonder, if it had gone to his electorate whether we might have seen a different position from the Canberra Liberals.

Finally, Mr Coe has called on the government to publish the contracts. As Mr Corbell has just outlined and confirmed, this is about to occur. As I have always said, transparency on this project has been of the highest level. The Liberal Party like this, of course, because it gives them more information to distort and twist into a negative campaign. But releasing all of this information is important for the community nonetheless. As Minister Corbell just outlined, we are seeing an unprecedented level of transparency on this project compared to like projects in Australia.

To conclude, and perhaps with no surprise to those opposite, I will not be supporting Mr Coe’s motion. The government will be releasing the contract, nonetheless, as was intended. Mr Coe’s motion is full of the usual claims and exaggerations that only serve to demonstrate his party’s hostility to sustainable transport, to shaping the future of this city in a sustainable way, and the opportunism of a short-term strategy to try to win the next election.

MR COE (Ginninderra) (4.43), in reply: Of course, Mr Rattenbury says at the end that our position is based on a bid to win the next election. If light rail is so popular, why does the government not hold off on light rail and take it to the next election? Why don’t they? Why does this government not say, “Actually, let’s make the 2016 election a referendum about light rail?” It is because they do not want that. They do not want that.

Mr Corbell: Because we did it in 2012.

MR COE: And you got fewer votes, Simon.

Mr Corbell: I’m sitting here; you’re sitting over there.

MR COE: And you got fewer votes. It is an important differentiation to make.

MADAM SPEAKER: Order, Mr Coe, Mr Corbell!

MR COE: It is all very well for him to claim that 2012 was a referendum on light rail even though, of course, it was not. But it does not actually answer the question why they got fewer votes than the Liberal Party which, of course, did not take that policy to the election if, indeed, Labor did.

It is important, of course, to remember that election policy No 87, as costed by Treasury, included just \$30 million for light rail for an engineering study, for a feasibility study. To date, we have already had over \$100 million spent, and there is a lot more to come. Of course, that is \$100 million in addition to the total payments of \$1.65 billion and in addition, of course, to all the other off-site but essential works that will need be to done as part of this project which, again, those opposite very rarely talk about. There is half a billion dollars of expenditure in the outyears under this budget: half a billion dollars, a huge amount of money, in the next three or four years alone.

Of course, Mr Rattenbury talks about how transformational this is going to be for Canberra but he never really addresses why it is that we have so much development outside the current proposed light rail corridor or future light rail corridors. Why is it that Mr Rattenbury supports development in Throsby, in Jacka, in Taylor, in Moncrieff, in west Belconnen? How does he support that? How can he possibly say that he is being consistent when he says that he has got no problem with more greenfield suburbs that will never be served by light rail, yet on the other hand claims that light rail is going to solve all our transport problems? Of course, there is an extreme inconsistency in Mr Rattenbury's position here. But this is, of course, what we are used to.

Mr Rattenbury can talk about how we did not object to the Majura Parkway. We did not object to the Majura Parkway because it was a good project. It was a good project. At \$288 million, paid for to the tune of about 50 per cent by the commonwealth, it had a BCR of four, in contrast to light rail, which has a BCR of 1.2. To put that in perspective, at a cost of \$300 million under the BCR, the road is actually delivering more economic benefit to the ACT than is light rail. At a BCR of four, the \$300 million for the Majura Parkway is actually returning over \$1 billion of benefits to the ACT.

In contrast, even on their fanciful numbers in their light rail business case, the BCR of 1.2 will only deliver less than \$1 billion of benefits for the territory. So you can spend \$800 million and get \$900 million back or you can spend \$300 million and get \$1.2 billion back.

Of course, the Majura Parkway was a much better deal for the ACT. In addition to that, half the money came from the commonwealth. That is why we did not oppose that project. In actual fact, I think it was controversial in part but the evidence won out. The project went ahead, and it has been very well received. However, the evidence does not back the decision taken by this government.

The evidence does not back the deal done between Labor and the Greens following the last election. To that end, that is why there are so many thousands of Canberrans that are furious with this government that keeps driving up the cost of living, driving up rates, driving up land tax, all to fund their pet project, which is the consequence of the deal done between Labor and the Greens following the last election.

The least they can do is table the contract in full. If they are going to sign up Canberrans to a 25-year liability, the least they can do is let Canberrans know what that liability is. Instead, I think we all know what is going to happen. In two or three weeks time, in a veil of secrecy, they will say they are publishing the contract but all the important bits are going to be redacted. It is all going to be blacked out. We know that for a fact because that is how this government operates.

The motion today encourages those opposite to actually buck the trend of the past four years, to buck the trend of the past 15 years and to actually publish this contract in full to give Canberrans the courtesy of at least knowing what liability they have signed them up to.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 7

Noes 8

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

Question so resolved in the negative.

Executive business—precedence

Ordered that executive business be called on.

Revenue Legislation Amendment Bill 2016

Mr Barr, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (4.54): I move:

That this bill be agreed to in principle.

I present to the Assembly the Revenue Legislation Amendment Bill 2016, which delivers improvements to the administration of the territory's taxes. The bill contains several minor policy and technical amendments to support an efficient taxation system. It amends the Duties Act 1999, the Rates Act 2004 and the Taxation Administration

Act 1999. It is fundamentally important for a taxation system to be easy to understand and administratively efficient, and this bill supports the continuous improvement in taxation legislation, making it easier to understand and more equitable.

The bill will amend the Rates Act to address issues with unimproved land valuation dates, which have caused confusion with ratepayers. Valuations play a vital role in determining general rates, which are based on a parcel's unimproved value. Currently there is a definition for the relevant date for a valuation to take place. This definition is ambiguous, but administratively the relevant date is always 1 January, before the beginning of the financial year. The bill simplifies the provisions to align directly with the administrative practice and clearly provides 1 January as the date of valuation.

Another amendment to the Rates Act will address concerns with rating categories for leases that allow both residential and commercial development. Amendments will ensure that the classification of a property for rating purposes reflects its actual use rather than the potential or eligible use of the land.

The current provisions rely on the intended development. Not only is intention difficult to administer; it allows for the application of residential rates to be applied where a property is being used as a commercial space. This is unfair to other commercial ratepayers and creates uncertainty in the market as to when commercial general rates apply and when residential general rates apply. The provisions in this bill better reflect that rates will be determined on the actual use of the land. This supports equity amongst ratepayers and delivers further clarity in the legislation.

The Taxation Administration Act will be amended to allow the Commissioner for ACT Revenue to appoint authorised valuers with dedicated powers of entry and inspection. This does not provide valuers with broad investigative powers, but it does allow them to access properties for the purposes of undertaking valuations. This is in line with the functions of government valuers in other jurisdictions.

Finally, the bill will remove obsolete references in the Duties Act, including declared affordable house and land packages and approved stock exchanges for the act. These provisions have been redundant for some time, and removing them will improve the quality of the Duties Act.

The bill represents continuous improvement in the ACT's taxation legislation. Its main purpose is to simplify and clarify tax legislation and deliver further efficiency in the ACT Revenue Office's processes.

Improvements to tax legislation reduce red tape for taxpayers, stakeholders and administrators by ensuring that tax law operates efficiently and effectively whilst protecting government revenue. Better, faster and smarter services are coming as part of the revenue collection transformation program, and this bill complements that work. I commend it to the Assembly.

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

Traders (Licensing) Bill 2016

Mr Barr, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (4.59): I move:

That this bill be agreed to in principle.

Today I present the Traders (Licensing) Bill 2016. The government is committed to supporting business growth and development in the territory and ensuring that we remain an attractive place to do business. In May of last year we released the confident and business ready business development strategy that detailed our vision for a strong business-friendly environment that nurtures innovation and encourages investment.

A key priority in this strategy is to make it easier for businesses to meet their regulatory requirements by streamlining processes and simplifying the flow of information between businesses and the territory government. The establishment of Access Canberra has provided a single, coordinated point for access to regulatory services, making it easier for businesses, for community groups and for individuals to get their business done in the territory.

Access Canberra is systemically reforming its processes to improve customer experience and to reduce the cost of doing business in the territory. Currently there are more than 40 different types of fair trading licensing of individuals and businesses in the territory. These licensing types have varied processes and requirements which are outlined in different legislation. Several of these acts contain outdated licensing requirements which are incompatible with efforts to modernise and streamline the licensing process.

Legislation created in the early 1900s could not have foreseen the arrival of the digital economy and the advantages of the digital economy. This inhibits a digital-led service delivery model that minimises the time businesses have to spend filling out paperwork and attending service centres through the development of smart form technology and process redesign.

This bill establishes a single licensing framework act that will provide a standardised and simplified licensing process compatible with the needs and expectations of 21st century digital economy. The bill removes licensing provisions under the Sale of Motor Vehicles Act 1977, the Fair Trading (Motor Vehicle Repair Industry) Act 2010, the Second-hand Dealers Act 1906, the Pawnbrokers Act 1902 and consolidates them in one simple, standardised and easily accessible licensing act.

The various legislative requirements around the licensing processes for motor vehicle dealers and wholesalers, car market operators, motor vehicle repairers, second-hand dealers and pawnbrokers will now be consistent. This bill also provides for licences to be transferrable to a suitably eligible person without the need for that person to go through the process of applying for a new licence. This reduces red tape around the sale of a business and is an administrative convenience to both parties involved in the sale.

Licence renewals under this bill will be conducted by a simple, straightforward process that will not require an applicant to resubmit the same information again. It will be a simple matter of establishing identity and the payment of fees.

The bill creates the concept of operational acts that encompass the four original acts minus the licensing provisions. These acts are intended to work in conjunction with the single licensing framework by providing a right for an entity to perform a trade, run a business that provides a trade or undertake a function or task if the entity holds a valid licence.

Existing provisions in the operational acts that do not relate to licensing remain largely unchanged, such as the day-to-day conduct of a licensee or compliance powers. Transitional arrangements will ensure that existing licences continue with the same expiry dates and conditions for the term of the licence.

However, this bill will mean that applying for a new licence, renewing a licence or transferring a licence will be simpler and more convenient. The bill is the first stage in a proposed single fair trading licensing framework. It is intended to serve as model legislation that can be advanced in stages to progressively include other businesses and occupational licence types. It is intended that we would review its operation after each stage.

The adoption of a staged approach allows us to work closely with each industry to ensure that the new licensing act will work well for different licences. In developing the legislation we have engaged with industry bodies and licensees throughout the process. We have spoken to industry bodies as well as visiting individual businesses to actively seek their views.

Officers from my directorate have conducted several roundtable discussions with industry groups, provided policy position papers and a survey of licensees and met with business owners all over Canberra to discuss their views and needs.

I would like to thank the individuals and groups who have contributed to the process and look forward to their ongoing participation. In particular, I would like to thank representatives of the Motor Trades Association ACT and New South Wales, the members of the Motor Vehicle Repair Industry Advisory Committee, and the individual licensees and business owners who have actively participated in the process.

The consolidation of licensing provisions in this bill creates the legislative framework for the implementation of a single, standard process for the issue and renewal of fair trading business licences. It provides for a faster, more streamlined and convenient licensing experience for businesses in the territory.

It provides the means for us to continue to improve our regulatory process for business. Reducing red tape and continuously improving the experience for business is part of the government's ongoing strategy for making our city a great place to do business. I commend the bill to the Assembly.

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

Public Sector Management Amendment Bill 2016

Mr Barr, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (5.06): I move:

That this bill be agreed to in principle.

The legislation that establishes the public sector and the public service is, of course, the cornerstone by which the government operates. It is in accordance with this legislation that the government provides Canberrans with access to high quality services and engages and employs those who deliver these services. As the ACT economy grows, so does the government's ability to deliver high quality services to Canberra citizens. It is vitally important that we have the best arrangements for structuring the public sector to provide these services.

In order for the government to deliver on its objectives and to provide the best possible services to the ACT community, it is vital that this governing legislation continues to be relevant and continues to be up to date.

The government has for some time considered that the Public Sector Management Act requires updating. In 2011 Dr Alan Hawke AC recommended the repeal and replacement of the Public Sector Management Act in the *Governing the city state: one ACT government—one ACT public service* report. And in recent times—

Mr Coe: Whatever happened to that directorate structure?

MR BARR: It is largely enacted. And in recent times a number of other Australian jurisdictions—

Members interjecting—

MADAM SPEAKER: Conversation, conversation. Have that outside.

MR BARR: In recent times a number of other Australian jurisdictions have modernised the legislative basis for their public services.

The government took the first step towards implementing the recommendations in the one ACT public service report with amendments being made to the Public Sector Management Act in 2011. These amendments were primarily to facilitate the introduction of the one service model and to establish directorates, as well as to establish the role and functions of the head of service.

While the one service model has been successfully introduced, there has been broader change to the culture and structure of the public sector since 2011. In this context, this bill amends the PSM act to establish a modern, dare I say agile, coherent and streamlined employment framework for the ACT public sector.

I will now take some time to summarise the major features of the bill for the benefit of members. The bill deliberately reinforces the one service narrative founded on collaboration and cohesion of effort and introduces new public sector principles that set expectations of a high-performing, efficient and accountable public sector.

It also embeds the ACTPS values and signature behaviours contained in the code of conduct in establishing legislation for the public service. The bill extends those values and behaviours to all members of the ACT public sector, including statutory office holders and agency heads.

The bill establishes the office of public sector standards commissioner, replacing the office of the Commissioner for Public Administration. Misconduct procedures and public interest disclosure responsibilities will transfer to the public sector standards commissioner, with the remainder of the CPA responsibilities transferring to the Head of Service.

To promote the independence of the role, the bill prohibits the occupier of the office of public sector standards commissioner from also being an ACT public servant. It is envisaged that this would be a part-time role supported by the Chief Minister, Treasury and Economic Development Directorate.

In order to achieve the best possible outcomes for the ACT, contract executives under the PSM act will be reorganised into a formally established senior executive service, with accompanying functions around promoting collegiality and cooperation across the service.

The bill will also remove the concept of “office” for executives. This will enhance mobility and allow the ACTPS to be more agile and readily able to respond effectively in line with changes to government priorities.

Opposition members interjecting—

MR BARR: Lastly, the bill refocuses the key concept of merit to concentrate on outcomes rather than simply an expression of process. Merit remains—

Mr Smyth interjecting—

MR BARR: Merit remains, as it should, the cornerstone—

Mr Coe interjecting—

MR BARR: Merit remains, as it should, the cornerstone of the public service, and procedural fairness remains an important feature. The bill focuses on providing an environment to support the best recruitment result for the sector.

As I mentioned earlier, one of our biggest challenges is to make sure that the legislation establishing the public sector and the public service continues to be relevant and up to date in what is, we all acknowledge, a rapidly changing environment. It is vital that we have a strong and effective public sector, and this bill enhances the legislative framework to ensure that we do.

It is clear from the interjections in my introductory speech that there will be a great deal of interest in this bill, and I commend it to the Assembly.

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

Discrimination Amendment Bill 2016

Mr Corbell, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (5.13): I move:

That this bill be agreed to in principle.

I am pleased to present the Discrimination Amendment Bill 2016. This bill is a progressive but balanced piece of legislation, which builds on the government's commitment to promoting an inclusive society where everyone has the opportunity to participate in, and contribute to, our community.

The bill draws on recommendations made by the ACT Law Reform Advisory Council, LRAC, following an extensive inquiry into the scope and operation of the Discrimination Act 1991. I would like to thank the council, particularly its chair, Professor Simon Rice AM, for its efforts in producing this high quality report that provides an ambitious vision for reform to discrimination law in the ACT.

The government has chosen to adopt a staged approach to considering the recommendations in the report. It is important that we do not rush reforms to this act. It is a fundamental and cross-cutting piece of legislation that gives practical effect to many of the rights in our ACT human rights law.

The Discrimination Amendment Bill therefore includes changes identified as suitable for initial introduction as part of a first stage. The amendments in this bill are about clarifying the objects and application of the existing protections and processes, and promoting consistency with developments in other jurisdictions. New protected attributes are also included, reflecting changing community values. Protections against victimisation and vilification in this bill are enhanced.

I will now turn to the provisions of the bill itself, and give a brief outline of their operation.

The bill amends the objects of the Discrimination Act to explicitly refer to the right to equality and non-discrimination in the Human Rights Act. The objects are refocused into high level aims of eliminating discrimination to the greatest extent possible and in all forms; specific references to gender equality and sexual harassment in particular are removed.

The objects recognise that the aim of discrimination law is not just the application of the same laws or conditions to everyone, but that substantive equality and equity must be progressively realised through the making of reasonable adjustments, reasonable accommodations and taking special measures to overcome existing social and economic disadvantage.

The bill includes a new explicit requirement that the act be interpreted in a way that is beneficial to people who have protected attributes to the degree that the interpretation is consistent with the objects of the act, the Human Rights Act and other rules of legislative interpretation.

This provision will encourage people applying the act, including the ACT Civil and Administrative Tribunal, to do so in keeping with its spirit—that is, to support vulnerable or marginalised members of society to enforce their rights not to be arbitrarily excluded from society because of discrimination. The act should not be interpreted narrowly or in a way that restricts the exercise of the rights in it.

The bill contains several amendments to recognise that discrimination is often complex and multifaceted in that it can occur on more than one ground, or over a series of acts, which may be impossible to isolate, or to clearly distinguish as either direct or indirect discrimination.

For example, the definition of discrimination in section 8 has not fundamentally changed, but the drafting has been clarified to draw a greater distinction between direct and indirect discrimination. It now recognises that a person may be discriminated against on the basis of one or more attributes. This marks a shift in the Discrimination Act and the complaints process in the Human Rights Commission Act 2005, from requiring a person to identify a very narrow instance of discrimination or specific reason for the discrimination to a recognition that people may be discriminated against on the basis of multiple attributes. The intention is to make the complaint process simpler for people who have multiple protected attributes and to prevent inefficiency that may result from the commission having to deal with multiple complaints arising from the same circumstances.

The bill makes refinements to the existing attributes that are recognised as grounds of discrimination. The bill renames these attributes “protected attributes”. A key refinement is to the definition of disability. The bill refines the definition of disability in section 5AA of the act in order to bring it in line with the Commonwealth Disability Discrimination Act 1992, which also applies to ACT agencies providing education services, for example, through the commonwealth disability standards for education 2005. The key change is recognition that disability can include a disorder or malfunction—

Members interjecting—

MR CORBELL: Madam Speaker, could I ask—

MADAM SPEAKER: Could members be a little respectful and keep their conversations down or take them out of the chamber.

MR CORBELL: Thank you, Madam Speaker. The key change is recognition that disability can include a disorder or malfunction that results in a person learning differently from a person without the disorder or malfunction. This change was recommended by LRAC in response to concerns that conditions such as dyslexia and attention deficit hyperactivity disorder may not have been covered by existing section 5AA(1)(g) which refers to “intellectual disability or developmental delay”.

The definition will also cover malfunctions of a part of the body and the presence in the body of organisms that cause illness. I appreciate that there may be some uncertainty about the scope of this definition, but this is consistent with the approach of Australian discrimination law generally, which defines attributes broadly and then narrows the application of those attributes through exceptions.

For example, there are exceptions in sections 48 and 49 allowing discrimination where there are genuine occupational requirements which cannot be overcome with adjustments without causing significant hardship, or under section 56 where it is reasonable and necessary to discriminate to protect public health or under section 30 where discrimination is required to comply with law.

The definition of disability will also extend to cover disability that a person may have in the future, based on an actual or presumed genetic predisposition to a disability.

Gaps in the law that allowed discrimination by employers and qualifying bodies on the basis of a disability that a person had in the past but no longer has have been closed.

The definition of disability will also incorporate and cover reliance on a support person, such as an interpreter, carer or assistant, who provides assistance to the person because of their disability, as well as reliance on an assistance animal or disability aid.

The bill establishes the Discrimination Regulation 2016, which will provide for the automatic recognition of assistance animals accredited under laws of a state or

territory or otherwise trained to meet appropriate standards of hygiene and behaviour by a body recognised for that purpose. The bill maintains liability for damage caused by a person's assistance animal or disability aid.

The recognition of reliance on assistance animals, disability aids or support people as a facet of disability moves the Discrimination Act towards a more social understanding of disability, where barriers to the accommodation of the needs a person has because of a disability can be as debilitating as the disability itself.

The definition of gender identity is updated consistent with the work done to implement LRAC's *Beyond the binary* report. Religious conviction is separated from political conviction, making two distinct attributes. The definition of political conviction is broadened to include not having a political conviction, belief, opinion or affiliation, or not engaging in political activity. The definition of religious conviction is broadened to include not having a religious conviction, belief, opinion or affiliation or not engaging in religious activity. The definition also includes the cultural heritage and distinctive spiritual practices, observances, beliefs and teachings of Aboriginal and Torres Strait Islander people.

In addition to the refinements, a number of new protected attributes are brought into the bill in an expanded section 7. The new attributes include accommodation status, employment status, genetic information, immigration status, intersex person status, irrelevant criminal record, physical features, record of sex being altered, and subjection to domestic and family violence. Each attribute covers characteristics that are associated with it or attributes that the person has had in the past or was presumed to have.

The bill makes it unlawful to generally discriminate on the grounds of a person's accommodation status, recognising that people who are living in impermanent housing situations are vulnerable to being denied access to goods and services. For example, a health clinic might refuse to admit a patient if the person does not have a fixed home address. The bill includes an exception providing that it is not unlawful to discriminate on the basis of a person's accommodation status in providing accommodation or access to goods or services if the discrimination is reasonable having regard to all relevant factors.

The bill also includes a new exception applying in the areas of accommodation, providing goods or services or making facilities available to provide that it is not discrimination only because a person charges for the accommodation, goods, services or facilities.

There is also an exception allowing consideration of a person's employment status in arrangements for employment, as long as consideration of that status is reasonable, having regard to all relevant factors. The bill makes it unlawful to generally discriminate on the grounds of a person's employment status. The bill defines employment status as being unemployed, on a pension or other social security benefit, receiving compensation or being employed on a part-time, casual, temporary, shift or contract basis.

The bill includes genetic information as a protected attribute. This will prevent unfair or unjustifiable requirements that people undergo genetic testing or an unfair reliance on genetic information. Genetic information is not defined in the bill and will have its ordinary meaning.

In addition to the protection against disability discrimination, a person will also be protected from discrimination on the basis of being genetically predisposed to a disability.

The bill includes a new attribute of a person being an intersex person. The inclusion of intersex status as a protected attribute was previously recommended by LRAC in its report on legal recognition of sex and gender diversity in the ACT. Intersex status is also a protected attribute under the commonwealth Sex Discrimination Act 1984.

The bill makes it unlawful to generally discriminate on the grounds of a person's immigration status. The bill defines immigration status as being an immigrant, a refugee or an asylum seeker or holding any kind of visa under the commonwealth Migration Act. The bill adopts a wider concept of immigration status on the basis that a person may be vulnerable to discrimination because of the way they have joined our community.

There is a general exception relating to immigration status which means that it is not unlawful to discriminate against a person if, in the circumstances, consideration of a person's immigration status is reasonable, having regard to all the relevant factors. This would allow for a person's visa status and associated work rights to be taken into account when offering employment opportunities. Where discrimination is necessary because of a commonwealth or territory law, the discrimination will not be unlawful.

The Discrimination Act already provides that it is unlawful to discriminate against a person on the basis of a spent criminal conviction. The bill renames and expands this attribute to cover "irrelevant criminal record", adopting the precedent of the Northern Territory Anti-Discrimination Act and the Tasmanian Anti-Discrimination Act. "Irrelevant criminal record" includes a record of a person having been charged with an offence—where proceedings are not finalised or are withdrawn—where a person has been acquitted of an offence, where a person's conviction has been quashed or set aside or where the person has been served with an infringement notice.

Agencies will still be able to access criminal record information where that is authorised or required by a territory law—for example, under the Working with Vulnerable People (Background Checking) Act 2011 scheme.

The bill makes it generally unlawful to discriminate on the grounds of the physical features of a person. Physical features are defined as meaning a person's height, weight, size or other bodily features. Physical features are recognised as a protected attribute under the Victorian Equal Opportunity Act.

Specific exceptions will apply where the discrimination is on the basis of physical features in employment or work if the employment is for a dramatic or artistic performance, photographic or modelling work, or similar employment or work, or

where it is reasonably necessary to discriminate on the grounds of physical features to protect the health or safety of any person. These exceptions will allow, for example, reasonable discrimination in sporting competition or in admission to emergency services.

The bill makes it unlawful to discriminate against a person who has altered the record of their sex under the Births, Deaths and Marriages Registration Act or a corresponding law of another jurisdiction. The bill will make it unlawful to discriminate against a person who has been, or is being, subjected to domestic or family violence.

Part 6 of the Discrimination Act, which deals with unlawful vilification, has been restructured, with the offence of serious vilification being relocated to the Criminal Code 2002 for enhanced visibility and prominence for police and prosecutors. The definition of vilification has been expanded to include conduct that incites revulsion of a person on the grounds of disability, gender identity, HIV/AIDS status, race or sexuality. Disability is a new ground to which vilification applies and has precedent in section 19 of the Tasmanian Anti-Discrimination Act.

Disability advocacy groups strongly support a vilification provision on the basis of the experience of their clients who are, in the words of peak disability advocacy group Advocacy for Inclusion, often subjected to “offensive language used to describe people with disabilities such as ‘retard’, ‘spastic’ and ‘psycho’ which are consequently widely viewed as acceptable terminology and used widely in the public domain. This degrades and vilifies people with disabilities.”

The bill changes the qualifier that the vilifying act is a “public act” to any act done “other than in private” in order to remove uncertainty about the legal meaning of “public”. Existing exceptions remain for fair reporting, and reasonable and honest acts done for academic, artistic, scientific or research purposes or other purposes in the public interest, including discussion and debate.

The bill makes amendments to better protect complainants and their associates from being subject to detriment, and also threat of detriment, for exercising their rights under the act. Previously, threat of detriment was not covered by this protection.

Part 1.2 of schedule 1 of the bill amends the Human Rights Commission Act, which makes provision for the initial handling of complaints about unlawful discrimination under the act. New section 43(1)(f) provides that a representative body or representative person with sufficient interest may make a complaint about discrimination on behalf of a named complainant with their consent.

This removes an existing barrier that prevents representatives or advocacy groups from making a complaint on behalf of a person who may otherwise be unable or unwilling to lodge a complaint and take it through the complaints process. The bill also reverses the onus of establishing that discrimination occurred. The bill will require a complainant to establish that treatment or a condition imposed is unfavourable or disadvantageous and to provide some evidence that would allow the ACAT to decide, in the absence of some other explanation, that the treatment or condition was imposed because of the protected attribute.

The bill then provides that a presumption is created that discrimination has occurred, which can be rebutted if the respondent proves that the treatment or disadvantageous condition was not imposed because of the complainant's protected attribute. This is similar to the approach taken in the Fair Work Act and aims to require each party to provide the evidence which they are in the best position to provide.

New section 53DA provides that the commission must give to ACAT documents requested by ACAT relating to a complaint and in its possession. This power will assist the ACAT to expeditiously gather relevant elements for discrimination proceedings. This section does not allow the HRC to pass on information that has been obtained in a conference or by compelling a person to provide information or to attend the commission.

New section 53E sets out factors that the ACAT must take into account in making an award of compensation if a complaint is upheld. These factors include the person's right to equality and the impact of the discrimination on that right, the inherent dignity of all people and the impact of the discrimination on the person's dignity, the public interest in ensuring an appropriate balance of rights, the nature of any discrimination and any mitigating factors such as a public apology or systemic changes to prevent further instances of discrimination.

Overall, the bill is a balanced package of amendments to the existing processes to simplify them and improve access to justice, and amendments that modernise the scope and application of the act to accord with developments in discrimination and human rights law nationally and internationally.

The new bill will bring the Discrimination Act into line with the expectations and needs of our community, which prides itself on being inclusive, tolerant and respectful. I commend the bill to the Assembly.

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

Residential Tenancies Legislation Amendment Bill 2016

Mr Corbell, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (5.34): I move:

That this bill be agreed to in principle.

I am pleased to present the Residential Tenancies Legislation Amendment Bill today. In July 2014 I announced a review into the operation of the Residential Tenancies Act. This bill proposes amendments to the act in response to a number of recommendations

arising from that review. The Residential Tenancies Act commenced on 25 May 1998. The act regulates the relationship between landlords and tenants in the ACT and does not distinguish between public and private tenancy agreements. The act aims to achieve a fair and effective balance between the rights of both parties to any residential tenancy agreement in the ACT.

Alongside this bill I am also tabling the review report. While the review of the act is now complete, the report outlines a number of recommended amendments that require further engagement with the community. The Justice and Community Safety Directorate is having initial discussions with stakeholders around these issues. However, further consultation is still needed before implementing these reforms.

For this reason members will note the bill does not respond to every recommendation of the review report. Instead, the report outcomes not addressed by this bill will form the foundation for future reforms to the act that reflect strong engagement with the community and achieve a reasonable level of support.

The bill I am presenting today proposes first stage reforms comprising simple and immediate changes to the act and the Uncollected Goods Act. At its core, this bill will update and better preserve the appropriate balance of rights between tenant and landlord. Achieving this proper balance is very important. In 2011-12 the ABS recorded that approximately 23 per cent of ACT households are in private rental while 7½ per cent rent from a public housing authority. This means that more than 30 per cent of our population rent.

Most importantly, changes in the bill provide a means for tenants who experience domestic or family violence to change their living arrangements and secure the premises where they live. These amendments recognise that accommodation and the prospect of financial hardship can cause people to hesitate in choosing to leave an abusive relationship.

For this purpose, the bill expands an existing provision which allows a person to apply to the ACAT to vary their rental arrangements where they are the subject of a final domestic violence or personal protection order. Specifically the bill amends the act to allow a protected person to seek an ACAT order to terminate an existing residential tenancy agreement and potentially to require the lessor to enter a new agreement with them. Any new agreement will, however, be subject to the same rent term and frequency of rental payments.

This new facility is limited. For the ACAT to grant either the order terminating the existing agreement or the order requiring the lessor to enter into a new agreement, it must be satisfied that the order is reasonable in light of the length of the protection order, the remaining term of the lease and the interests of other tenants and take into account hardship the lessor would suffer as a result of the order and the protected person's ability to comply with the terms of the lease.

The bill updates the provision that allows either a lessor or tenant to terminate the lease due to a posting to or away from Canberra. To give the other party more adequate time to arrange their affairs, the bill will require at least eight weeks' written notice.

To maximise the information available to potential tenants about a premises's energy consumption, the bill updates disclosure requirements relating to its energy efficiency rating. Presently, the act makes it an offence not to include the rating when advertising a lease or to provide information about the rating that is misleading or false. Where a property does not have an energy efficiency rating, the bill will now require the lessor to include a statement to that effect in their advertisement.

As a matter of safety, the bill introduces a new section 11B to require a lessor not to enter into a lease unless there are smoke alarms installed in the rent premises that comply with the relevant provisions of the Building Code. Currently, rent premises with smoke alarms that do not comply will have 12 months from the commencement of the bill to install compliant devices. In addition, the bill incorporates this provision into the standard terms for a residential lease.

New section 61A of the bill confers a right of entry on a lessor where they have taken reasonable steps to contact the tenant and believe on reasonable grounds that the tenant has abandoned the premises. To confirm this belief, the bill permits a lessor to enter the premises at a reasonable time, not including a Sunday or public holiday and not before 8 am or after 6 pm.

Under the bill parties may also elect to include a standard term that would allow a tenant to break their fixed-term lease before it expires. A tenant who exercises this option must pay a break fee, which will generally be four to six weeks' rent.

Other amendments in the bill refine provisions relating to condition reports. The act currently provides for condition reports to be completed at the commencement of a tenancy agreement to record the state of the premises and of any goods leased when a tenant takes possession. The bill will amend the act to include a requirement for a complementary end-of-tenancy condition report.

Introducing final condition reports will improve the management of end-of-tenancy disputes by creating more transparency and communication between parties regarding the premises's condition. To foster greater accessibility and transparency, the bill modifies the process by which people can apply for release of their rental bond when a lease ends.

This will provide additional opportunity for a lessor and tenant to resolve disputes about the bond refund arrangement before the application is lodged with the territory. Specifically, new section 34 obliges a lessor to provide a signed bond application form to a tenant, generally within three working days of the end of the lease. To deduct a portion of the bond a lessor must also provide a written statement explaining the grounds for the deduction. This new application structure streamlines the existing process, increases flexibility and, most importantly, guarantees that tenants are aware of proposed deductions to the bond and have opportunities to dispute them.

In response to recommendations in the review, the bill also amends the Uncollected Goods Act. These amendments address a perceived lack of clarity about whether the Uncollected Goods Act applies to possessions left behind at the end of a tenancy with no indication of when or if they will be collected. The bill clarifies that goods that are held as well as received are covered by the Uncollected Goods Act.

The amendments in this bill advance straightforward and pragmatic improvements to residential tenancy law in the ACT. The changes advance the effective operation of the act and carefully guarantee a fair balance between tenants' rights and the interests of lessors. As a result, these reforms will accommodate fair and supportive living arrangements in the territory and build on our city's reputation as one of the most livable in the world. I commend the bill to the Assembly.

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

Adjournment

Motion (by **Mr Gentleman**) proposed:

That the Assembly do now adjourn.

Brian McConnell

MR RATTENBURY (Molonglo) (5.43): I rise tonight with the sad news that Brian McConnell has passed away after his battle with mesothelioma. Members will know Brian from his work with the Families and Friends for Drug Law Reform, an organisation which he started with his wife, Marion, among others, after the loss of their son in 1992 to a drug overdose at the tender age of 24.

Brian and Marion responded to this tragedy with compassion and purpose. They came to understand that it is often the illegality of a drug that causes the greatest harm to users rather than the drug itself. The very first meeting of Families and Friends for Drug Law Reform was held here in the ACT Legislative Assembly in 1995, when the heroin toll hit its peak of 582 deaths in a single year. Families and Friends for Drug Law Reform brought together a group of people who had more reason than most to demonise the role of drugs in our society, but instead became a model of social understanding and dialogue in our community.

Brian McConnell spent much of the next 20 years fighting for a fairer and more humane approach to dealing with drug dependency. He identified a great injustice in existing drug laws, and he set out to correct that injustice. Brian's work included tireless advocacy for the kind of legislative change and policy development that might help to prevent other families from experiencing a similar tragedy to his son's own. As a driving force behind Families and Friends, Brian and Marion have organised monthly meetings for bereaved families to share their stories and help heal their pain. They have distributed newsletters and submissions to better inform the community, and they have helped to host the remembrance ceremony, an annual event to remember those who lost their lives to illicit drugs, an event attended by all sides of politics.

Speaking at the seventh International Conference on the Reduction of Drug Related Harm, Brian said:

The language of war is often used in the war on drugs. There are exaggerated claims that the war is being won, but factual evidence puts the lie to it, showing that the war has already been lost. There is little concern for the victims of the war. They are considered to be collateral damage. It is no comfort to me whatsoever that my son was simply collateral damage, particularly when it could have been prevented. ... the people who die or are harmed are our family members and friends. The war on drugs is a war on our own people, our own family members and friends. It is time to recognise that the devastation caused by the war is not worth the price and new peace initiatives are required.

Members may recall that Brian's community work in drug law reform was recognised as part of the 2016 Australia Day awards, when he received a Medal of the Order of Australia. What members may not be aware of is that Brian and Marion McConnell lived for many decades in a Mr Fluffy house. In November 2014 Brian was diagnosed with mesothelioma. Brian fought hard against the disease, but had recently stopped treatment. He is now at peace and free of pain.

For Brian, the death of his son put a human face to the war on drugs, and now Brian has put a human face to the Mr Fluffy crisis for all of us. I salute Brian McConnell for a lifetime of compassion and activism. My condolences and thoughts are with his wife, Marion, his children, Josie and Daryl, and other loved ones at this difficult time.

Fiji fundraising dinner

MR COE (Ginninderra) (5.47): I would like to speak this evening about an event that I attended at the end of May organised by the Fiji Australia Association and the Migrant and Refugee Settlement Services of the ACT to raise funds to help rebuild Fiji following the devastation caused by Cyclone Winston. Ms Lawder also supported the cause through her attendance.

Cyclone Winston was the strongest tropical cyclone to make landfall in Fiji and the South Pacific Basin in history. Striking Fiji at category 5 intensity on 20 February this year, Winston inflicted extensive damage on many islands and killed 44 people. Communications were temporarily lost with at least six islands, with some remaining isolated more than two or three days after the storm's passage. A total of 40,000 homes were damaged or destroyed and approximately 350,000 people—roughly 40 percent of Fiji's population—were significantly impacted by the storm.

The level of devastation caused by the cyclone is beyond imagination, and the images that we saw during the evening were truly extraordinary and certainly brought home the need for fundraising.

I was inspired by the way that the Fiji Australia Association and MARSS rallied to help make a difference for those impacted by the cyclone. Lady Cosgrove, as patron, and the Governor-General attended the dinner as guests of the chief executive officer, Ms Dewani Bakkum. Other attendees included the Fiji High Commissioner, the Argentinian ambassador, the High Commissioner for Sri Lanka and numerous other dignitaries.

The evening featured a number of excellent performances by the Fijian community, the Tongan High Commission, Bollywood Dance, the United Nesian Movement—Pacific cultural group—of Pacific Island Tradies, and by the ACT Tibetan community. The performances demonstrated that the Fijians are vibrant and optimistic people with many friends, both near and far.

Despite the extraordinary devastation and loss of life, the resolve to rebuild and re-establish communities is truly special and inspiring. Whilst I know the Australian government committed over \$30 million to help rebuild, there is so much more that needs to be done.

Today I would like to commend MARSS for the work that they do. Of course, there is the regular or everyday work that they do, which often goes unnoticed. There are also the extra things that MARSS does which go above and beyond, like their support for events to help communities in need. If the work of MARSS and Dewani Bakkum were to be delivered by government, it would cost considerably more than it does. They operate on a shoestring budget and they do a magnificent job.

I would like to commend the supporters of the event, including the Fiji High Commission, the Tongan High Commission, the Belgian High Commission, the Hellenic Club Woden, the Pacific Island Showcase, Legal on London, Dan Murphy's, Soychic Candles, Fantastic Furniture, Island Breeze, The Good Guys, Pacific Island Tradies, Fofonga—the Tongan kava group—the ACT Tibetan community, Ruchi South Indian Cuisine, Nic Manikis, Pamela Bennington, Christine Shaw, Toa Takiari, Isaacs and Friends from the New Zealand community, and, of course, Dewani Bakkum and her team at MARSS.

I know that the Fijian people are happy and faithful people and that Fiji will surely rebuild. The funds from last month's event and other fundraising activities will surely help enormously.

Question resolved in the affirmative.

The Assembly adjourned at 5.51pm.