



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

3 AUGUST 2016

www.hansard.act.gov.au

Wednesday, 3 August 2016

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Wednesday, 3 August 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.

Petition

*The following petition was lodged for presentation, by **Mr Corbell**, from 68 residents:*

Hackett rezoning—petition No 6-16

The Speaker and Members of The ACT Legislative Assembly

We, the residents of Bragg St Hackett and near neighbourhood, request consultation regarding re-zoning and high-density development after demolition of Mr Fluffy houses. Bragg St consists of just 31 houses; 4 in the street contain Mr Fluffy insulation, and there are more in the near vicinity.

The Mr Fluffy crisis can be an opportunity for high-quality planning and consideration of the needs of local communities. Multiple occupancy developments that cover the block with houses, driveways and prominent garages, leaving no space for any garden, are environmentally disastrous ‘hot spots’ that destroy the consistency of green streetscapes and impact on the wellbeing of communities.

Leafy Bragg Street has old street trees, established gardens and is renowned as friendly and communal, with many long-term residents. Regular get-togethers in the local park attract large numbers, cement friendships and welcome newcomers.

We care for our streetscape and our community. We are grieving the loss of valued residents through the Mr Fluffy crisis. We are anxious about the impact on the character of our area.

We petition the Asbestos Taskforce and the ACT government to:

- Consult with our neighbourhood in a timely manner about proposed re-zoning after demolition of Mr Fluffy houses.
- Protect the character of streetscapes through restriction of envelope and location of building on site, limitation of concrete pads and assurance of garden set-backs and conservation of street trees, consideration to neighbours with heights and scale of developments.
- Plan replacement developments that enhance community interaction and wellbeing and promote energy efficiency and conservation.

The Clerk having announced that the terms of the petition would be recorded in Hansard and a copy referred to the appropriate minister for response pursuant to standing order 100, the petition was received.

Petition Ministerial response

The Clerk: The following response to a petition has been lodged by a minister:

By Mr Gentleman, Minister for Planning and Land Management, dated 1 August 2016, in response to a petition lodged by Mr Doszpot on 9 June 2016 concerning Variation No 334 to the Territory Plan, Red Hill public housing.

The terms of the response will be recorded in *Hansard*.

Red Hill public housing—petition No 3-16

The response read as follows:

I write to you to provide my response, pursuant to standing order 100, to petition No. 3-16 lodged by Mr Doszpot MLA in the Legislative Assembly (the Assembly) on 9 June 2016.

All variations to the Territory Plan require the agreement of the Minister for Planning and Land Management and the majority of the Legislative Assembly to become a part of the Territory Plan. Variation 334 Red Hill was approved on 18 February 2016 and after a disallowance motion was defeated in the Assembly it commenced on 15 April 2016.

Variation 334 was part of the Omnibus Variations which sought to redevelop Canberra's ageing public housing stock. This project improves the conditions of this housing and provides an opportunity to meet several key town planning and development strategies.

The ACT Planning Strategy (the Strategy) supports an increase in the range and density of housing within established areas. In particular the Strategy supports more affordable development near local centres and encourages a range of facilities and services to be provided at these locations.

Variation 334 Red Hill was approved because it renews public housing stock and provides a range of community benefits. It also contributes to achieving the outcomes of the Strategy by providing a greater range of housing choice in the inner-south of Canberra that is more affordable and more environmentally sustainable than the current development.

Variation 334 and by extension TA2016-08 supports high quality development in close proximity to the local Red Hill shops and this will benefit businesses in the area.

Red Hill is excellently located within Canberra, is close to a suite of existing services and facilities, and is a highly desirable location to live. Variation 334 and TA2016-08 allows a greater diversity of people to live in this convenient and highly desirable location.

The Environment and Planning Directorate (EPD) actively undertook consultation with the community on Variation 334. As a result of feedback during the public consultation period, the overall building height was reduced from a maximum of six storeys to a maximum of four storeys in selected areas. Further commitments were made in the Assembly to release a Technical Amendment to clarify certain provisions introduced by Variation 334.

All the issues raised within the petition have been responded to in the Report on Consultation and agreed to by the Assembly and myself. This report is available at

http://www.planning.act.gov.au/tools_resources/legislation_plans_registers/plans/territory_plan/approved_variations.

All development in the ACT, by law, must comply with the building code of Australia as part of a building approval. Sustainable design principles are contained within both the building code and the Territory Plan and are assessed at the development assessment and building approval stage.

Technical Amendment 2016-08 Red Hill (TA2016-08) proposes to, among other things, further clarify the desired character and height control provisions introduced by Variation 334. TA2016-08 was released to the public for comment for a period of 20 working days, closing on 12 July 2016. Eight Submissions were received from the public with issues ranging from:

- enhancement of desired character statements
- ultimate housing density and typology
- further control of height, including prohibition of plant rooms, attics and amending the definition of basement
- retention and movement of landscaping areas
- movement of the MT1 area and allowing further commercial uses
- relationship and disparity between the Estates development plan, Territory Plan and the Technical Amendment
- traffic and parking
- RZ5 High Density Zoning
- Minister 'Call in Powers' in relation to the Technical Amendment, Estates Development Plan and future Development Applications.

The above issues will be responded to in the Report on Consultation which will be made available on the EPD website when the report is finalised. EPD are currently considering an amendment to TA2016-08 as a result of public consultation. This amendment could result in stricter control on building heights in metres to compliment the current controls for building height in storeys. The details of this amendment are still being formulated and will be available to the public in due course.

Pursuant to the *Planning and Development Act 2007* (the Act) there is no process to review or appeal a variation to the Territory Plan. The Standing Committee may undertake an inquiry prior to the approval of a variation to the Territory Plan. I note that the Standing Committee did not request to undertake an inquiry and was briefed on this matter by EPD officers.

I am confident that a proper and robust process has been followed for Variation 334. The community has been involved throughout the process and concerns

have been incorporated through a reduction in building height and the formulation of TA2016-08. The majority of the Assembly agreed with Variation 334 and agreed to the development of TA2016-08. Public consultation for future development applications undertaken in accordance with the Act, represents additional opportunities for the community to comment on any future redevelopment.

The petition before the committee raises issues that have already been considered and adequately addressed by the ACT Government. It also proposes to undertake an inquiry after Variation 334 has been approved, which is not consistent with the provisions of the Act. As Variation 334 has been approved by the Assembly, robust process has been followed, and the community has been, and will continue to be consulted regarding the redevelopment of Red Hill.

Government integrity

MR HANSON (Molonglo—Leader of the Opposition) (10.02): I move:

That this Assembly:

- (1) notes that there is a perception of a lack of integrity and probity around the ACT Labor Government, including:
 - (a) the ongoing investigation into the Brumbies into a \$7 million lease variation waiver signed by the Treasurer;
 - (b) a series of land property deals currently under investigation by the Auditor-General;
 - (c) the decision to provide pokies to the Casino that will possibly reap the Labor Party affiliated Construction, Forestry, Mining and Energy Union (CFMEU) millions of dollars from the sale of gaming machines;
 - (d) the dismissal of the Police Minister after her office provided sensitive information to the CFMEU;
 - (e) a Canberra Times editorial titled Government by Cronyism;
 - (f) the CEO of the Council of Small Business editorial titled Living in the crony capital;
 - (g) a Canberra Times editorial of 17 March headline that The deal between the state government and UnionsACT just doesn't smell right;
 - (h) a Canberra Times editorial conclusion that "Many voters have concluded the inflexibility of thinking and disdain of criticism the Chief Minister affects from time to time betrays a familiarity with power not wholly admirable nor indeed desirable.";
 - (i) comments by the ACT ALP General Secretary in response to an ALP sub branch president that "if we started throwing people out of the Labor Party for fines we probably wouldn't have many members left";

- (j) the ACT Master Builders Association statement that they are "... deeply concerned about the integrity of the ACT Government's tendering processes";
 - (k) recent comments by Mr Michael Moore that "there is the smell..." and "there is also a whiff around planning and development"; and
 - (l) an ACT Government Minister has called for an integrity commission to examine the conduct of the ACT Government; and
- (2) support extra funding for the Auditor-General and a fully independent Public Service Commissioner in order to help restore integrity and public confidence in the ACT Government.

This motion follows on from debate we were having yesterday in the chamber on the matter of public importance as well as a series of questions that were being asked and a lot of commentary that has occurred in the media over the preceding 12 to 18 months. I think there is a reality when you take a step back and look at this, when you have one party in power, regardless of the party, for a protracted period. What we have seen very clearly is what went very sour in New South Wales with New South Wales Labor and its right faction in New South Wales. Governments, after 15 years, start to smell.

That is very much the case that we have here in the ACT. There is a smell, an odour, around this government when it comes to integrity matters. I think that what we have seen now is a position where we have this tangled web of developers, particularly right faction Labor apparatchiks, husbands and ministers, ex-members of this place, all entangled together in this sort of mire overlaid, of course, with the CFMEU.

We have seen many of their practices revealed in the trade union royal commission. We know that they have just been raided and that there are serious issues relating to the CFMEU. When you put this all in a mix—the longevity of this government, the wheeling and dealing that we are seeing from people so close to this government, and the thuggery and the issues relating to the CFMEU and its practices in this town—we have a situation where serious-minded people are very concerned about issues of integrity related to this government.

Of course, there is always going to be a perception and there will be a reality. It is difficult to navigate through that. But what we need to do is make sure that we have the processes in place and that the structures that are there are adequately resourced to restore the faith of the community that their government is an honest broker and is working in their interests, not in their own interests and that of their mates, which is increasingly the view of people when they look at this old government.

The reality is that there are currently police investigations occurring into certain deals. We have seen the removal of a minister because of her very close relationship and that of her office with the CFMEU and dealing with sensitive police information. The Auditor-General is currently conducting a number of investigations.

We do need to restore faith, Madam Speaker. I would argue that after 15 years the best way to do that is through a change of government essentially to unpick the tangled web that we have. We have reached a point where unpicking it is very difficult. With those relationships and the perception, the lack of trust, really the only way to get around that now is to sweep that away with a change of government. Obviously I will be arguing for that very strongly.

Regardless, we do need to strengthen a number of our mechanisms, processes and structures when it comes to integrity in the ACT. There are a number of options on the table. Mr Rattenbury at the Greens campaign launch on Sunday noted some of these concerns and noted some of the issues that have been raised directly with him. I am disappointed to hear that he has not then passed those on to appropriate authorities but he does accept that a number of issues have been raised with him. He has called for an ICAC. I have to say that we have looked at that as a potential way forward. That is something that I have looked at and I have looked at the way that the structures are established in other jurisdictions.

We have to make sure that we have the model that best suits the ACT in terms of the way that we can move forward. We do have a number of existing structures that have similar powers, which have the ability to conduct investigations. I think that the appropriate way forward at this stage, Madam Speaker, is to reinforce and empower those structures.

What I am calling for today is additional resources for the Auditor-General. I have been reading the report that was tabled yesterday by the Standing Committee on Public Accounts. It tabled its report on the inquiry into the 2016 strategic review of the ACT Auditor-General. The recommendations of the report have called for additional funding for the Auditor-General to conduct performance audits. We welcome that.

But also there is the reality that she has an increasing number of public interest disclosures being made to her. She is only one of two officers in Australia designated as the sector-wide disclosure officer. So the Auditor-General has significant powers and she can make those investigations. But the problem is, as this report makes clear and as we are aware because of the pressure on the Auditor-General's program, that if she picks up more work in the public disclosure area, which I think is a good thing, resources are being drawn away from performance audits. That is a difficult balance to maintain. Performance audits are a very important part equally of maintaining the faith of the people in this government.

What the PAC report talks about is developing funding models to support the growth in the performance audit program. We support that recommendation, recommendation 5, of this bipartisan report. Recommendation 6 states:

The Committee recommends that the ACT Government provide designated funding for the Auditor-General to discharge statutory responsibilities under the *Public Interest Disclosure Act* as distinct as funding available for performance audits.

So the Canberra Liberals will provide an additional \$3 million to the Auditor-General over our first term of government. There will be a balance then between enabling her to do more performance audits but also doing public interest disclosure investigations. We will work with the Auditor-General, through the Speaker as an officer of the parliament, to make sure that the money she gets is sufficient for her and is discrete money to conduct increased public interest disclosure inquiries in her role as a sector-wide disclosure officer.

As I have previously announced in this place and made clear, we will restore the funding that has been cut from the AFP as well. Obviously when these matters do come to light, and we are aware that some have in relation to the Brumbies issue, they are referred on to the AFP. One of the problems, though, is that the AFP is resource constrained. The AFP is trying to do many different new roles in relation to domestic violence particularly and the scourge of violence. But at the same time this is the government that has cut jobs from the AFP.

I note that there is a lot of hoo-ha from the other side of politics—on those benches opposite—talking about jobs. Andrew Barr cut police jobs through his minister Joy Burch. It is the Labor Party and their Greens coalition partner who this week are talking about government integrity, talking about domestic violence. They cut money from the police—cut jobs, Madam Speaker. That resulted in job losses. There are people out there now who are unemployed, potentially, because this mob cut jobs.

We know the reason that they did that is to try to fund their other priorities, including the tram. But their hypocrisy, when they talk about integrity measures, when they talk about dealing with domestic violence and ice while at the same time cutting resources from police, is extraordinary. We will restore that gross breach of faith with our police. At the same time—this goes to my point about integrity—the police minister's office was leaking sensitive information to the CFMEU, an organisation under a significant cloud and an organisation that bankrolls not only the Labor Party but also the Greens.

The Greens are very pious about these issues, but they take tens of thousands of dollars from the CFMEU, an organisation under a significant cloud, an organisation that has information leaked to it by the Labor Party police minister's office. Then the Greens raise concerns about donations. I remind Mr Rattenbury that the CFMEU are significant developers in this town. They have done a series of developments. Mr Rattenbury in his speech will probably talk about donations and where they come from. Have a look at whether the CFMEU have done developments. If they have, I invite you to return that money if that is your position. But I think what we might see is a little bit of hypocrisy on that issue.

There are concerns, Madam Speaker. As I alluded to yesterday when I was speaking, there are a significant number of concerns that have been raised about not just politicians but also about what is happening within the bureaucracy in particular areas. That is why the public service commissioner needs to be fully independent, needs to be divorced from government, so that if there are issues raised, or if people want to raise issues, they can go to the public service commissioner knowing full well that that is a fully independent body. That fully independent person would not actually be

working for the Chief Minister of the day. You would not have a situation where someone is raising concerns about probity within the ACT public service to somebody who quite clearly is not independent of government.

There is a very good reason why we create structures in the human rights space, integrity-type positions, as independent statutory authorities and as independent bodies. It is so that they do not have that conflict of interest that currently occurs. That is certainly no slight on the current incumbent of that position, whom I have nothing but respect for. But it is a problem that we have a position that compromises whoever is in there and will compromise anybody who wants to make a public interest disclosure or report issues of wrongdoing.

The concerns are extensive. The concerns that are being raised are numerous and come from many quarters. The media have raised significant concerns. This is not just the *Canberra Times* that Mr Barr is prone to attack. We have seen it in other print media publications, including the *Canberra CityNews*. I notice the RiotACT reporter in the press gallery. There are many people who will write in RiotACT about the concerns that they have about the probity around this government.

We have got the former head of the NCDC raising concerns. Mr Stanhope has raised concerns about the Labor Party. I think his comments are quite extraordinary. It goes to what is going on in the Labor Party and about the corruption: that the unions and the factions have corrupted the party. He is calling for an end to the rorting. He says that the factions have become a plaything of a handful of union-based factional leaders. He talks about the compromising position of the CFMEU and the Labor Party owning and operating pokie machines in this town. He says that it is morally unacceptable. This is a former Chief Minister talking about Labor Party members and the party structure and what they are doing being morally unacceptable.

He actually supported the trade union royal commission. He said that it was essentially something that needed to happen. Although the ALP will say, "That was not anything to do with us," he makes a very good point when it comes to the dealings of the CFMEU: when Mr Barr's local sub-branch is being run by the CFMEU, you cannot separate the two.

There is an integrity problem. There is a real perception of smell about this government. I call on this Assembly to act in a meaningful way to restore the community's faith in government.

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 amendment circulated in my name:

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

"(1) notes that the ACT Government has:

- (a) established and supported the operation of a wide range of integrity and accountability measures, including the Ministerial Code of Conduct, Ethics and Integrity Adviser, Commissioner for Standards, and Public Interest Disclosure framework;

- (b) introduced to the Assembly legislation establishing an independent office of the Public Sector Standards Commissioner to handle misconduct procedures and public interest disclosure responsibilities; and
 - (c) prioritised delivery of essential health services, education, and transport options for Canberrans, and considered land development and unsolicited proposals through evidence-based and accountable decision-making; and
- (2) calls on the Government to:
- (a) consider the recommendations of the Standing Committee on Public Accounts' Report into the 2016 Strategic Review of the Auditor-General in the context of the 2017 Budget process; and
 - (b) continue to deliver the health, education, public transport, renewable energy and economic outcomes Canberrans require, while maintaining high standards of integrity and accountability.”.

I am happy to stand yet again and continue yesterday afternoon's debate about the measures that successive Labor governments have put in place to improve probity, integrity and accountability in decision-making here in the territory. The integrity framework that has been built is something that would not exist but for the sustained work of members of this government. We know how important these measures have been to restore confidence in decision-making following the change of government in 2001. The framework we have put in place is structured to ensure that the community can know how and why decisions affecting Canberra are made and to be confident that the actions that are taken are for the public benefit.

That is why the government has put in place a code of conduct for members of this place, a code of conduct for executive staff, a Commissioner for Standards, a lobbyist register and supporting code of conduct, an Ethics and Integrity Adviser, a contemporary public interest disclosure legislative framework, and a code of conduct for the ACT public service supported by a performance framework. We have also established a cabinet deliberation process that is the most open to the public in the country, releasing cabinet documents after only 10 years, and summaries of cabinet decisions and outcomes two weeks after the relevant meeting.

The government supports this level of openness, scrutiny and accountability and has put this framework in place. But it is not a one-off task; it is something you must continue to work at to make sure that it is current and fit for purpose. It is about being mindful of the probity risks that emerge over time and taking steps to manage or eliminate them. That is why in this sitting period the Assembly will debate the government's Public Sector Management Amendment Bill which, among other things, establishes an independent office of the public sector standards commissioner to enhance and promote public sector values, principles and conduct.

To promote the independence of the role, the bill prohibits the occupier of the office of the public sector standards commissioner from also being an ACT public servant. The creation of this independent role in the bill is one very important part to legislation establishing and regulating the public service and ensuring it maintains the highest standards of ethical conduct and integrity. We look forward to the debate on that bill tomorrow.

In relation to appropriate funding for the Auditor-General to investigate public interest disclosures, I note in the just tabled Standing Committee on Public Accounts report into the 2016 strategic review of the ACT Auditor-General, the cost of dealing with all representations and the two PID investigations in 2014-15 was \$94,751 with a projection of around \$158,233 for this purpose in 2015-16 out of a total budget of around \$7 million per annum. The government will, of course, seriously and fully consider all committee recommendations in the report in the context of the 2017 budget, subject to the election outcome, of course.

Contrary to the allegations in Mr Hanson's motion which impugned the motives of investors and of those public officials assessing development proposals, the framework we have put in place to ensure that such proposals are properly and transparently considered is robust and draws on the best practice across the states and territories. But the government has developed a framework for assessing unsolicited proposals. The process gives proponents a channel to present unique and innovative ideas to government in a way that protects their intellectual property but also, importantly, makes sure the government can consider the idea with probity.

We have received 15 unsolicited bids since launching the program in 2013. Of those 15, only six remain active. There are three phases to the process. In the first phase the government receives the proposal and receives an initial assessment to determine whether it meets the purpose and intent of the framework. This phase gives a timely decision on the ACT government's intent to proceed or not with a more detailed consideration. This assessment is conducted at officials level.

If a proposal makes it to phase 2, the proponent is invited to develop a detailed business case. An assessment panel is convened to formally assess the proposal and to make a recommendation to government on whether or not to proceed with the proposal under a commercial arrangement. Again, this assessment and recommendation is made at the officials level with information presented to government at the end.

If the government agrees to take the proposal forward, phase 3 is where the relevant commercial relationship option is negotiated, again, at officials level. This process surpasses most, if not all, Australian jurisdictions in terms of the rigour applied to the assessment of proposals put to government. All of these accountability and integrity measures have been important reforms. All have served to improve the operations of government in the ACT, but they are, nonetheless, a means to an end, that being the effective governance of the territory for the benefit of the entire community.

The government continues to work hard to make Canberra an even better place to live by strengthening our world-class education and health systems, by planning and delivering an advanced transport network, by supporting the creation of 21st century jobs in a resilient skills-based economy, and by fostering a supportive and inclusive community. We are building the essential transport, health and education infrastructure our growing community needs to ensure the problems facing other cities—like traffic congestion, substandard schools and dilapidated hospitals—are not experienced here in Canberra.

We have opened new schools in growing regions and we have upgraded existing facilities such as the Woden campus of the Canberra College and the Belconnen High School. We have rolled out an upgraded wi-fi network in all of our public schools so that our kids are the best connected in the country.

Over the past few months we have commenced construction of the public north side teaching hospital at the University of Canberra. We have commenced a major renovation of the city's law courts and we have commenced construction on the first stage of the light rail network, all conducted through best practice procurement processes. We have reduced elective surgery wait lists, and last month I announced the expansion of nurse-led walk-in centres to Gungahlin and Weston Creek after their successful establishment in Belconnen and Tuggeranong.

Our city's economy continues to perform strongly: we have the lowest unemployment rate in the nation at 3.6 per cent; retail trade grew by 4.7 per cent in the year to May 2016, well above the national average of 3.4 per cent; building approvals increased by 8.2 per cent in May and increased 35 per cent in the year to May; service exports have increased by 65 per cent since 2010, which is well above the national average of 30 per cent growth in that same period; and growth in economic activity as measured by state final demand in the ACT was the highest in the nation in the March quarter.

Madam Speaker, these are the sorts of tangible, practical improvements the government is making in the lives of Canberrans; actions that are supported by a strong and coherent accountability and integrity framework. I therefore commend my amendment to the Assembly today.

MR RATTENBURY (Molonglo) (10.26): Following on from yesterday's debate we have another opportunity this morning to discuss the accountability mechanisms in the ACT and how we give the community the greatest possible confidence in the government and the public services of the territory, because it is a broad and encompassing domain that we are discussing. It is an interesting debate to be having, and it is worth reflecting on the mechanisms we have and then the options that are on the table before us.

Of course, the Assembly have a number of mechanisms in place. We have the Ethics and Integrity Adviser to advise members of the Assembly on ethical issues relating to conflicts of interest and entitlements in their roles as MLAs. That is a role that is really a proactive one—an opportunity for members to seek advice at the beginning of a story or at least in a proactive way ideally to avoid coming into a conflict of interest situation.

We of course have the independent arbiter to rule on the release of government documents, and that came about after a number of disputes about the release of documents. We now have a mechanism to resolve those issues. We have the lobbyist registering code of conduct which has been in place since the beginning of 2015. It is there to aid transparency by ensuring that MLAs understand the interests of who is lobbying them. This also prevents MLAs, Assembly political staff and public servants from lobbying on areas related to their previous work in a certain period after they have left.

We have the Commissioner for Standards who was appointed in 2013 to investigate specific matters in relation to the members code of conduct. We have had, I think, two investigations under that process now, and that has proven to be an important mechanism to take some debates out of this chamber and give them an objective place to be assessed so that members can get a fair hearing and also so the community can get an objective assessment of an issue. As well as the members code of conduct for which the Commissioner of Standards has oversight, there is also the ministerial code of conduct.

At a government level we have a number of mechanisms as well. We have the Ombudsman who examines administrative deficiencies through independent review of complaints about the ACT government. The Ombudsman investigates complaints from people who believe that they have been treated unfairly or unreasonably by an ACT government directorate or agency, including the Australian Federal Police in its community policing role, the ANU, CIT and the University of Canberra. It also conducts inspections of law enforcements agencies' use of covert powers under ACT legislation.

We also have the Commissioner for Public Administration who has a role in investigating the operation of government agencies and reports to the Chief Minister on these matters. The Public Sector Management Bill the Assembly will debate tomorrow includes creating a new position of public sector standards commissioner, which will be independent and for the first time will not be an ACT public servant. We, of course, have the Auditor-General, who has been discussed this morning, responsible for audit of all ACT public sector agencies including annual financial statements and performance audits as well as having a role in public interest disclosures. We have the Public Interest Disclosure Act, which is legislation to protect whistleblowers. These public interest disclosures are able to be referred to either the Commissioner for Public Administration or the Auditor-General, which gives the whistleblower two distinct options for investigation and they can choose the most appropriate one depending on the circumstances.

That is quite a list, and we have Mr Hanson's motion this morning calling for increased funding for the Auditor-General's Office. I note that the public accounts committee tabled a report yesterday calling for an increase in funding for performance audits starting next financial year. I have not had a chance to read that public accounts committee report yet, and I will do that and consider that recommendation. I imagine that will be something that will need to be considered in the budget process as well, and it is certainly something Mr Barr's amendment refers to.

We also need to consider the role of the Auditor-General in relation to all of the other oversight agencies I have just listed. The overlaps need to be looked at. For example, the committee report outlines the number of public interest disclosures that have been examined, but the Commissioner for Public Administration also investigates public interest disclosures. So we need to reflect on which channels are best and whether we need both channels. I do not have a view on that at this point, but these are the sorts of matters that need to be considered.

Despite all these available channels—and I think each plays their particular role—the Greens believe there is either a gap or a perceived gap in the work covered by these various mechanisms. Given that these bodies are spread across internal and external agencies—some are independent of government and some are not and some are managed by the Clerk of the Assembly—it is probably quite confusing for most people to figure out where exactly they should be taking a complaint. We must consider how these oversight roles will interact to minimise overlap but also to avoid gaps to ensure the community can have full confidence that any issues of integrity and probity have a clear channel for investigation.

It is in that spirit and having reflected on those points that this weekend gone the Greens announced that we will establish an independent integrity commission. The commission will be responsible for maintaining the standards of conduct, propriety and ethics in the ACT's public services, agencies and politicians. It will be given powers to conduct investigations into allegations of misconduct and be able to continue investigations where criminality is suspected. It will also, importantly, undertake prevention through education and support for agencies and offices to improve policies and procedures where necessary.

As I noted yesterday, the ACT is unusual in not having an independent investigative integrity body, and we believe it is time for this to change. Even the Northern Territory is on its way to putting an integrity commission into place. If we want the community to place their trust in us and if we are genuinely putting the community's needs first, we need to have the mechanisms in place to shine a spotlight into the dark corners. We believe an integrity commission is another way to build that community confidence.

I want to be clear: part of the reasons the Greens have made this commitment is because we believe in building the capacity of governance to be able to assure the community that misconduct or corruption is not occurring, not because we believe that it necessarily is occurring.

But when it comes to integrity, the aim of the game—again, as I outlined yesterday—is prevention. That is the view of the experts and the premise on which the New South Wales ICAC and the Tasmanian Integrity Commission operate. We should always ensure that those processes are robust and in place, preferably to avoid and mitigate corruption and misconduct before it happens, as well as investigate it in cases where it does happen or seems likely.

Political donations, close relationships and poor culture can all lead public officials and politicians into the kinds of behaviour that diminishes the trust the public have in government processes. In terms of political donations, I note that Greens were the only party who voted to keep our best practice electoral donation laws in place, laws that were designed to stop corporations from donating to political parties. Both the Labor and Liberal parties voted together to overturn these laws, and it is a shame because we had put the ACT in a very strong position.

We had had tripartisan agreement in the Seventh Assembly to set a cap on donations of \$10,000 and to limit donations to those on the ACT electoral role. We had reached that point, and now we are at a point where donations can come in from anyone for any amount. That is not a position that I supported in representing the Greens this time; it was a position all three parties supported last. I am disappointed that we have gone backwards when it comes to that element of our Electoral Act because it opens a gap that did not need to be opened.

I conclude by saying this: the Greens want the community to have confidence in every part of government in the ACT. I look forward to discussing the details of our independent integrity commission to maintain standards of conduct, propriety and ethics in the ACT's public service, agencies and politicians in the coming months with members of the community as I put forward the case as to why we believe that is a mechanism that adds to the systems we already have in place and fills some important roles we believe are not currently filled in the governance framework of the territory.

MR HANSON (Molonglo—Leader of the Opposition) (10.35): I am happy to talk to the amendment and close. I will not be supporting the amendment because it really goes away from the intent of the motion, which is to make sure that we acknowledge that increased funding is required for the Auditor-General to perform her important roles in both performance audits and also public interest disclosures, that we acknowledge that we need the public service commissioner to have the independence that then gives her the ability to act without feeling that she has essentially got a conflict of interest and that we make sure, more importantly, that anyone that approaches that individual does so knowing that they have got rigorous independence.

The motion does note a number of integrity measures that have been put in place but I would make the point that these have been put in place by the Assembly, not by the government—the Ethics and Integrity Adviser, the Commissioner for Standards and so on. The recommendations of the public accounts committee that arose from the 2016 strategic review—and I talked about that in my speech as well—calls for that extra funding. Simply noting it, as Mr Rattenbury has done, does not actually result in anything. In my first budget reply in 2013, I said we need to have more funding for the Auditor-General and I called for an independent public service commissioner—this is not new—and the government has been mulling that for 3½ years now. That is not good enough, and simply putting an amendment that says, “We will think further about it,” clearly shows no will and no preparedness to actually reinforce those important integrity structures. I think that we have reached a point where our positions are locked in, in the lead-up to the election.

There is one remaining issue that is going to be resolved and that is the FOI bill that Mr Rattenbury tabled and which was going to be debated this week. That has been deferred now until next week to allow me to catch up with Mr Rattenbury to see whether we can support it. I would agree with Mr Rattenbury that there is room for improvement in our FOI legislation. Whether the bill that is being presented is the right bill and whether we can actually get that done next week remains to be seen but certainly we will be looking to enhance FOI legislation.

I would put on the record that I and other members of the opposition have been incredibly frustrated by this government's obstruction to freedom of information—I know that that is the same for members of the media—and that far from being open, when you do put in an FOI request often what happens is that it gets knocked back. “We are not going to do it, there is too much,” and there is a massive bill attached if you want to have that work done or, equally, when you go through that process and you argue the case, it comes back with 90 per cent redacted. And that is not the way that we should be doing it.

I do not know whether to an extent it is a problem with the law or the spirit of the way it is being applied—probably a bit of both—but we remain open to improvement in that area. Whether we end up supporting Mr Rattenbury's bill, whether it is amended or not, I can indicate to you the opposition, whether it is in opposition next term or in government, will be very open to working to improve freedom of information laws.

The fact is that we have reached a point that this is a government that is 15 years old and this is a government now that has members of its own party raising concerns about the way that it acts. It has members of the media raising concerns. It has experienced former bureaucrats raising concerns, and rightly so, as a result of deals that it is connected with. There are now police investigations. There are Auditor-General inquiries occurring and there are, should I say, other issues that are potentially going to come forward. We will deal with those in the appropriate manner. But if we are going to restore confidence, if we are going to make sure that people have confidence that members in this place are making decisions in the best interest of constituents there needs to be a change.

Whether it is the shabby relationship between this government and the CFMEU, an organisation under a cloud and has members who are sub-branch presidents and who have faced action in the court, whether it is the issue that this is a government propped up by money that it receives from pokie machines both through the Tradies owned by the CFMEU or through its own poker machines, whether it is the fact that both the Labor Party and the CFMEU are developers and own property in this town, or whether it is the issues that have been raised by the media around the tangled web of former Labor Party staffers and Labor Party ministers involved in many of these deals with government, there is a smell. It is not me saying that. There are many people saying that, including Michael Moore, the *Canberra Times* and many others.

I am disappointed that Mr Barr has not seen this as an opportunity to take some steps to restore some of the faith around the government. This is something I have been calling for now for over three years without any action from this government. To put in an amendment saying, “We will have a look it,” is entirely disingenuous.

Fundamentally if we are the party that forms government in October then certainly one of the first things that I will do is restore faith in the integrity of government. I will wash away the smell that surrounds the Labor Party and the CFMEU and many of its fellow travellers. And we will give the resources and the independence to both the public service commissioner and the Auditor-General to make sure that a light is shone. That will happen on us and I welcome that.

The problem is that when you talk about open government you have to walk the walk. And what we have seen increasingly, particularly since Mr Barr took over, is a failure to walk the walk. We hear the rhetoric but what we have seen unfortunately, very sadly, is ACT Labor going down the route of New South Wales Labor. I do not know if it is because of the right faction affiliations or what it is but let us make sure that the people of Canberra have faith in their government and they do not see what happened in New South Wales with the community sacking that government because they have simply lost faith in them.

Question put:

That **Mr Barr's** amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Barr
Ms Berry
Dr Bourke
Ms Burch

Ms Fitzharris
Mr Gentleman
Mr Hinder
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Mrs Jones
Ms Lawder
Mr Wall

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Adoption

MS LAWDER (Brindabella) (10.39): I move:

That this Assembly:

(1) notes that:

- (a) in the Assembly on 16 September 2015 the Assembly debated a motion about the local adoption process and called on the ACT Government to prioritise faster processing of adoptions in the ACT court system;
- (b) since the motion in September 2015 a number of constituents have been in contact who are very concerned about the length of time the local adoption process takes; and
- (c) the ACT Government's new out of home care strategy A Step Up for Our Kids is costing approximately \$39 million from 2015-2016 to 2018-2019 and is not prioritising efficient and faster processing of local adoption where that is in the best interests of the child or young person; and

(2) calls on the ACT Government to:

- (a) take immediate action across all relevant government directorates and agencies to prioritise faster processing of local adoptions;
- (b) provide a detailed outline of the following:
 - (i) what progress, if any, it has made in prioritising faster processing of local adoptions since September 2015; and
 - (ii) what action, if any, it is taking to prioritise faster processing of local adoptions; and
- (c) report back to the Assembly on these matters by the last sitting day in August 2016.

Madam Speaker, I am pleased to again bring the local adoption process to the Assembly's attention. The Canberra Liberals hope that the government will support the motion today. In September last year the Assembly debated a motion about the local adoption process and at that time we called on the government to prioritise faster processing of adoptions in the ACT court system.

Since that motion in September 2015, a number of constituents who are very concerned about the length of time the local adoption process takes have been in contact with me. Some of those constituents are the same constituents who contacted me prior to the September 2015 motion and they are still going through the same process now almost a year later.

The ACT government's out of home care strategy, a step up for our kids, is costing approximately \$39 million from 2015-16 to 2018-19. It originally talked about including prioritising efficient and faster processing of local adoption where that is in the best interests of the child or young person. Securing permanency for children and young people where it is in their best interests is pivotal to their development. In an essay "Children in the out-of-home care system" published by the Australian Institute of Family Studies, author Judy Cashmore notes:

Adoption has the benefit of providing three elements of permanency ...

And these are:

a sense of belonging and security in being connected to a family for life; the physical space called home and community, and the legal framework that secures both of these with parental responsibility.

In October 2015 an answer to a question on notice showed that, according to the government, in 2014 the average time from lodging adoption paperwork in the court system to the adoption matter being allocated a court hearing date was seven weeks. But this time frame provided by the government in response to my question on notice is very different to what constituents have told me they have experienced.

I will give you one example of the length of time the local adoption process is taking. One couple I have spoken to started the local adoption process with the Community

Services Directorate in January 2015. The ACT Government Solicitor was given their adoption matter in June 2015. In mid-May 2016 the Government Solicitor finished the paperwork for their adoption matter to be lodged in the court system. In mid-May 2016 the couple was given two court hearing dates—June 2016 and a final hearing in August 2016. This couple's adoption matter is still not finalised. These are families who give so much of themselves to provide a stable and secure home—permanency, a sense of belonging—for a child.

The feedback that I have received from constituents is that they are concerned about the delays in the local adoption process and the effects these delays are having on the children being adopted. One concerned constituent said to me:

These delays impact on the children, is not in their best interest and do not align with the government's stated aims of getting children into secure permanent homes and seeking adoption as quickly as appropriate.

A quote from another concerned constituent:

We have now been told three times over three separate issues that if we don't do or do something it could affect/delay/or stop our adoption process. The first time I was given this 'advice' was three years ago when I asked for Barnardos to pay for a photograph album that I had made for [the child's] biological mum ... It has just happened again with regard to supervision of contact and asking for more support. I think that there is a real issue with not being VERY clear at the beginning of the adoption process of what our 'legal' obligations are and what their policies are. This has led to a situation where we can be 'blackmailed' into doing or not doing certain things for fear of jeopardising our adoption. We have absolutely no power and I feel our adoption has been held over us for almost three years now. It is essential that adoptions be done in a timely manner as an additional way to stop this from occurring.

The lengthy adoption process is contributing towards institutionalising our vulnerable young children. A constituent has told me they were hoping their adoption would be finalised before the child turned five. The process has been underway for quite some time. Now that the child is five her adoptive family must undergo a review by a psychologist. The constituent has said to me:

After speaking with a private solicitor I understand that now [the child] is 5 we will have to have a review by a psychologist (which hasn't been done as they initially told us the adoption would be completed before she turns five). So will have to find out if this is now an additional process we will have to undertake due to them taking so long to get this completed.

This family believed this is continually institutionalising a child who by now should be part of a secure, loving, permanent family. Other children may not have to go through these processes. It is not something that should be forced upon people when they are going through an adoption process. If the process had taken place in a more timely manner, it would not be required.

What we are asking for is not to make adoption easier or to make more children available for adoption. What we are asking for is that the adoption process take place

in a timely manner. That may have flow-on effects, because some constituents tell me they are deterred from the adoption process because they have heard the horror stories of how long adoption can take. I hear from constituents about other related matters, for example, the need for a national child protection database. One constituent has said to me:

Currently states and territories all have their own database information, and cannot easily share or see child protection information from other states.

We have spoken in this place many times about the need to share information. I am pleased that we seem to have made some small progress recently towards better sharing of information. As recently as yesterday there was legislation passed. But some families involved in the foster care system and adoption say that they are aware of families being able to cross a border and be free from supervision. They go interstate to have another child. For families in the foster system, this is a very real concern. Sharing information is very important. It is especially an issue for the ACT when we are a small territory and people can go in and out of New South Wales to escape care and protection scrutiny. It affects the ACT, and the ACT should take a lead role in these types of issues.

Other feedback I have received from constituents includes having difficulties getting in touch with case workers and uncertainty regarding whether a family wanting to adopt can use a private lawyer to do the adoption paperwork or whether they need to use the ACT Government Solicitor to do the paperwork to lodge in the court system. They ask that because of their concerns about how long it can take for the adoption process to take place. I have been told that there is a lot of toing and froing between the Community Services Directorate and the ACT Government Solicitor passing the paperwork back and forth. There is, I have been told, some duplication. For example, a constituent has told me:

After a child has remained in an 'Out of Home Care' placement for 12 months or more, carers are eligible to begin to apply for permanency orders, either Enduring Parental Responsibility or Adoption. Typically to become an official foster or kinship parent you already undergo necessary assessment, interviews, panels, reports and trauma informed training in line with the OCYFS policies and procedures. When the foster or kinship parent applies for adoption or EPR orders, you need to again go through a similar process of assessment, interviews, panels, and reports to have the child, who has 18 year orders. The child would have been placed by OCYFS for more than 12 months and during this time reports are made by case workers about the child in that placement.

This constituent stressed to me that funds and time could be better spent on other areas than this duplication of effort. Here is another quote from a concerned constituent:

Many carers with foster children on long term orders will not attempt to apply for EPR or Adoption because they do not want the stress that surrounds the process.

The government has invested in the new out of home care strategy, a step up for our kids, which the opposition has supported up to this time in this place. But we want to see this result in efficient local adoption processes that prioritise permanency where that is in the best interests of the child or young person.

Yesterday we heard from Minister Bourke about the training and development program under the new out of home care strategy. Training and development is a very important area. But, equally, making sure the local adoption process works efficiently, where that is in the best interests of the child or young person, should also be prioritised. I will quote directly from page 35 of a step up for our kids.

The strategy provides for case management of and long-term decision making for all children and young people on long-term orders (orders to 18 years) to be outsourced to non-government agencies.

At page 35 it states that one of the benefits of this approach is:

Easier, quicker opportunities to secure permanency of the relationship where that is appropriate.

It says “easier, quicker opportunities to secure permanency”. What I hear from my constituents is that this is not being delivered at this time. Waiting for three years for an adoption process to take place is not sufficient by anyone’s standards.

Adopt Change commissioned some research in August 2015 about attitudes and perceptions of adoption in Australia. Some of the findings of that research included that there is a sense that the system fails children, that children in foster care are caught in a vicious cycle where they are bounced from home to home. The perception is that the adoption process is long and complicated, involving many barriers, and the time involved in the process is too long: “Five to seven years, hence we did not continue,” said one survey respondent.

The Canberra Liberals do not want the system to fail the vulnerable children and young people in the ACT’s out of home care system. Where adoption is in the best interests of the child or young person it should be made as timely as possible. My motion today calls on the government to report back to the Assembly about the work that has taken place since I last brought the motion to the Assembly and was assured that the government was doing all that it could.

The people who have contacted me over almost the past year are the same people who contacted me before the September 2015 motion that I brought to this place. Clearly the changes prefaced in the out of home care strategy, a step up for our kids, are not making a difference on the ground as yet. For those young people, it is important to get them into a permanent, loving relationship. They are already within the embrace of that family and that community. For some of them the final hurdle of the actual adoption will make a tangible difference to their lives—not only to the child but also in terms of the stress placed on the family. It also takes them out of the system and makes them part of the wider community without the constant interaction with the government system. Madam Deputy Speaker, I understand that Dr Bourke has circulated an amendment and I will speak more to that at the time.

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) (11.03): I start by thanking Ms Lawder for bringing on this very important motion this morning. The adoption of a child is a significant moment in the life of the child, the adopted family and the birth family. For some families, adoption is the opportunity to create or complete a family. For some children, it offers a long-term opportunity to be part of a loving family for life.

Adoption permanently changes a child's identity by changing the identity of a child's birth parents. Adoption therefore is not always appropriate for Aboriginal and Torres Strait Islander children; nor is it appropriate for those children in kinship care, where changing birth parents on a child's birth certificate is not acceptable.

The decision to progress with an adoption is not a decision taken lightly, and not one that should be made without full consideration of all parties involved and the understanding that the best interests of the child should be paramount. Adoption decisions need to be undertaken carefully and thoughtfully to prevent future conflict within families.

I would like to note that adoption is not the only way of achieving long-term stability and permanency for children and young people in the ACT. Enduring parental responsibility orders provide a way for parents to build families and achieve permanent family arrangements for children. Enduring parental responsibility transfers the director-general's parental responsibilities to the carers. The director-general has no further involvement in the child's life and the carers are responsible for all parental responsibility decisions.

In many cases, enduring parental responsibility can be preferable to adoption. As already mentioned, for example, having kinship carers apply for enduring parental responsibility rather than adoption avoids confusing changes to biological relationships like changing an existing grandmother relationship to a mother relationship.

A step up for our kids, the ACT government's out of home care strategy, is committed to improving children's access to timely, stable and permanent care arrangements. A step up for our kids is emphatically child focused. It is about reunifying children with parents as quickly as possible or, for those who cannot safely return home, securing a permanent alternative family as soon as possible. This recognises the importance of providing long-term, secure, loving relationships for healthy emotional development. This is particularly important in very young children.

In order to support more timely permanent care arrangements where it is appropriate, we have introduced a raft of legislative changes over the past 12 months. These give effect to the range of system and operational changes required to deliver a system of care that gives vulnerable children and young people the most stable, productive lives possible.

We have reduced the period of time that a child or young person is required to be living in care and living with the carer who will be assuming full parental responsibility before an enduring parental responsibility order can be sought. The period of time has reduced from two years to one year or a total of one year in care during the previous two years.

While these changes relate to enduring parental responsibility, we have changed policies to bring adoption practices in line with these legislative amendments. This means that adoptions now require 12 months of stability before moving to make adoption orders.

This Assembly may recall that when we recently amended the Adoption Act to support pathways to permanency by clarifying the interpretation of the act whilst amending the Children and Young People Act, this reduced some complications to adoption orders that had previously been brought to our attention by the Family Court jurisdiction.

Adoption and all permanent care options will be one of the most important decisions in a child's life. A number of factors need to be considered, and these decisions take time. The long-term care of a child is a decision that requires careful consideration, and we need to get it right from the start. Working through the process to ensure adoption is in the best interests of the child takes time and is affected by a number of significant variables. These variables include the circumstances of each child or young person, the granting of parental consent to the adoption, the time taken to complete the work of preparing applications, and the processes of the Supreme Court.

In the case of adoptions of children through out of home care, often parental consent is not easily obtainable due to various reasons such as accessibility of the biological parents. There can also be difficulties in determining paternity, mental health and other wellbeing matters which impact on the birth parents' capacity to give consent, including their reluctance to provide information. In these instances, dispensation of consent may need to be obtained. Consistent with the 2012 Senate inquiry report into forced adoptions, dispensation with parental consent is recommended only in limited and specific circumstances.

These complex matters need to be considered and resolved prior to making any submission to court. There is comprehensive work that needs to be undertaken so that the matters can be settled quickly through the court processes and to reduce the risk that the adoption order will be later contested. Child and Youth Protection Services ensures that this work is completed thoroughly to avoid later delays in the court process.

This government is committed to improving children's access to timely, stable and permanent care arrangements, be this through adoption or enduring parental responsibility. We have made legislative amendments and we are implementing a range of new services to give children the safest and most stable lives possible.

We know that these processes are sometimes frustrating for adoptive parents. We know that keeping adoptive parents informed about the process is important. We also know that providing false hope that it is easy to dispense with birth parents' rights will not remove frustration and not be in the long-term interests of children or their families.

In order to set up a loving, permanent life for a child, we need to ensure that adoptive parents and parents with enduring parental responsibility orders are not saddled with a lifetime of conflict and legal uncertainty. We need to take time to make the right decisions for each individual child or young person and their adoptive and birth families. We need to ensure that each decision is made in the best interests of the child.

I have outlined for the Assembly the complexities of the adoption application processes and the reasons why this can take some time to complete. However, I note the comments of Ms Lawder and some concerns that have been raised in my office on the timeliness of the process. That is why I will move the amendment circulated in my name that will see a cross-directorate adoption task force formed to identify any issues and make recommendations regarding matters related to the timely and appropriate completion of the adoption process. A report will be brought back to the Assembly by the last sitting day of February 2017.

I move:

Omit all words after paragraph (1)(b), substitute:

- “(c) means other than adoption, such as enduring parental responsibility, are available to achieve permanency for children and young people in care;
- (d) the adoption process has to consider a complex range of factors, including obtaining the consent of birth parents, and that this can add to the time taken to complete applications;
- (e) where birth parent consent is not provided, special dispensation has to be sought from the Supreme Court; and
- (f) consistent with the Senate Inquiry Report into Forced Adoptions (2012), dispensation with parental consent is only recommended in limited and specific circumstances; and

(2) calls on the ACT Government to:

- (a) form a cross-directorate Domestic Adoptions Taskforce to identify any issues and make recommendations regarding matters related to the timely and appropriate completion of the adoption process; and
- (b) report back to the Assembly by the last sitting day of February 2017.”.

MR RATTENBURY (Molonglo) (11.11): I welcome the fact that Ms Lawder has brought this issue here again and acknowledge her continuing interest in the matter. I am sorry to hear that additional families are finding it difficult to finalise their

adoptions, especially after we debated the issue in the Assembly last year. I understood then that the Attorney-General had made a commitment to ensure that adoption time lines would not blow out.

In our office we have had one person who has kept us abreast of her adoption journey and her frustration with the delays. The last we heard, she had received a date for a hearing in the court, which was good news indeed.

It is very difficult when people are concerned for the welfare of their children and they just want certainty in their lives in regard to the future of their children. It is also a relief to say goodbye to all the processes and the bureaucracy when an adoption is finalised.

I understand that the processes to finalise local adoptions cut across a number of directorates. I was clear the last time we spoke about this that the Greens certainly do not want to see anything rushed around the issue of ensuring parental consent, as we appreciate that those things can take time and we do not want there to be undue pressure put upon relinquishing parents.

Of course, children come into the care and protection system for a range of reasons, and we support adoption as an option if it becomes untenable for a child to stay with their birth families. We also believe that prospective adoptive parents should be treated with respect and fairness. This is a difficult path to choose sometimes; it takes a high amount of emotional effort. If the ACT is going to have adoption as one of its pathways for children and young people, that pathway should be properly resourced so as to minimise waiting times for adoptive parents where possible, and certainly when it is just bureaucracy that is holding them up.

We support that every decision throughout these processes puts the child at the centre of decision-making. What is best for the child in the long term should guide the decisions that are made. Most prospective adoptive parents, however, want the best for their child as well, and in a local adoption situation would already generally have custody and care of the child for a substantial period before they would be finalising their adoption.

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

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

Local adoption is a delicate balancing act, and I do not think that there is any disagreement that issues of consent are paramount, as are issues in regard to the children's welfare. The first objective would be to try to support a birth family to be able to parent their children, but if that cannot happen, a permanent placement with another family may well be the best outcome for the child.

Once a child is successfully placed with a new permanent family and the permanency of that placement has been agreed, the government agencies involved, especially those involved with preparing the necessary complicated documentation, must aim to ensure that administrative processes are streamlined and be cognisant that any unnecessary administrative delays are impacting on a family and on people's ability to move forward as a family. For those not involved, another month, or two or six, may not seem to make any difference, but for adoptive parents who are looking for certainty it seems as though things are taking forever.

We want the processes to be completed right the first time and to be simple for adoptive parents to follow. This is true for Community Services Directorate officials, Government Solicitor's office officials and Supreme Court officials. If we believe that our strategy a step up for our kids is important, we must ensure that all areas of government involved have the same priorities and the same focus.

As such, I welcome Dr Bourke's amendment to Ms Lawder's motion, as it seems that it is time to take a closer look at what is actually happening in regard to finalising adoptions in the ACT and to see how this can be improved.

I note that the amendment focuses on domestic or local adoptions only, and I wonder if there might be some merit in widening the brief to include inter-country adoptions, acknowledging, of course, that much of the adoption journey is different but that at the finalisation end of the process there may be some similarities. If not, at least one would hope that the findings of the task force could be utilised to streamline any finalisation processes required by inter-country adoptive parents as well where this is appropriate.

Again, I would like to acknowledge Ms Lawder's pursuit of this matter. The Greens will be supporting the amendment brought forward by Dr Bourke, because the creation of a dedicated task force is a good response at this point given that Ms Lawder has had to bring this matter back before the Assembly today.

MS LAWDER (Brindabella) (11.17): I am heartened that this is another of those instances where we all agree on the overall need for this but we perhaps disagree on how to get to a certain point. But for those families who have opened up their hearts and homes to take in a child in an out of home care system and then decided to progress with an adoption process, this is not a decision that any family can take lightly. Having made that quite momentous decision, the stress on that family cannot be overestimated. There are court hearings, lawyers, psychologist appointments, interaction with government agencies. These are not things that most other families have to go through, and the families who have opened themselves to this process deserve to be supported throughout that process to make it as painless as possible. The timeliness of the process is one way to try to address some of the stress that people feel as they are going through the process.

Back in September 2015, when I brought a motion to the Assembly about adoption, Mr Gentleman, who was then the Minister for Children and Young People, put forward an amendment to my original motion. It called on the ACT government “to recognise the benefits for children, young people and families in making sure that adoption processes give careful consideration to the circumstances of each child, that each adoption is in the best interest of a child and accommodates the need to appropriately work through issues around birth parents’ consent to adoption, and works with prospective adoptive parents in a collaborative manner”. That is the point we got to at the end of the motion back in September.

The a step up for our kids strategy has, at its core, the aim to provide permanency and long-term stability for children and young people in out of home care who are unable to live with their parents. We all understand, I think, that that is the basic starting point, and for children who can remain with their birth family that will often be the best outcome. But there is always a small cohort of children and young people for whom that is not possible. Trying to reduce the amount of time that a child must be in a foster care placement before being considered for adoption was part of the reason for bringing additional legislation to the Assembly to give effect to the strategy.

We have not seen that take place as yet. It is difficult to imagine and understand that for a child who has been in out of home care, in a foster care placement, for a period of 12 months on a care and protection order and who has then been part of an adoption application for one, two or three years, that might not be in the best interests of that child. If it is not in the best interests of that child, surely the department, the government, in some way, will have changed the placement of that child.

If we take it for granted that it is in the best interests of that child to remain with that family, why are they being forced to wait one, two or three years into the process? And when I say three years, that particular case is still ongoing. It is still ongoing, Madam Deputy Speaker.

I would like to thank Dr Bourke for his amendment today. I support the major thrust of his amendment, but I have circulated an amendment to Dr Bourke’s amendment. I seek leave to move an amendment to my amendment to replace the word “March” with “February”.

Leave granted.

MS LAWDER: I thank members for their indulgence. I move:

Omit paragraph (2)(b), substitute:

- “(b) report back to the Assembly by the last sitting day of February 2017 on the work of the cross-directorate Domestic Adoptions Taskforce; and
- (c) provide a detailed outline and report back to the Assembly by the last sitting day in August 2016 on the following:
 - (i) what progress, if any, it has made in prioritising faster processing of local adoptions since September 2015; and

- (ii) what action, if any, it is taking to prioritise faster processing of local adoptions.”.

The amendment that was circulated referred to the last sitting day of March 2017, but my new amendment refers to February.

We would like to retain the thrust of Dr Bourke’s amendment. I think a task force is appropriate, but that it is perhaps at a lower level, not agency heads. It needs to be the people actually on the ground, who are trying to make adoptions happen. I think they are the ones who will understand where the blockages in the processes are.

As an aside, I could perhaps suggest that it is unfortunate that this cross-agency or cross-directorate collaboration has not already taken place. It is the government as a whole, and it is an unfortunate indication of perhaps a siloed approach if these agencies or directorates are not already appropriately engaging with each other to understand where there may be issues and to provide feedback as to where processes may be improved.

For example, the Community Services Directorate may fill out some paperwork and provide it to the ACT Government Solicitor. From what I hear from families, and it is part of an affidavit process, often that paperwork goes backwards and forwards between the directorate and the Government Solicitor. Are there improvements that can be made there? It is a pity that that work is not already taking place.

I support and welcome the minister’s suggestion that a cross-directorate task force be created and report back to the Assembly by the last sitting day of February 2017, but I would like to reinstate from my original motion that the ACT government come back to the Assembly on the last sitting day of August 2016, which is next week, and provide a detailed outline about what progress, if any, has been made since my original motion back in September last year. It has been nearly a year since that motion. The government assured me that they were taking steps both legislatively and otherwise to ensure that adoption took place in a timely manner where it was in the best interests of the child. I would appreciate it if the government could come back to the Assembly and provide the detail about what has taken place since that motion in September 2015.

Once again, I would like to thank Dr Bourke for his helpful suggestion in the amendment and to thank Mr Rattenbury for his helpful comments. I hope that the Assembly members will support my amendment to Dr Bourke’s amendment.

MR RATTENBURY (Molonglo) (11.25): May we divide the question?

Ordered that the amendment be divided.

Proposed paragraph 2(b) agreed to.

Question put:

That proposed paragraph 2(c) of **Ms Lawder’s** amended amendment be agreed to.

The Assembly voted—

Ayes 7

Noes 8

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

Question so resolved in the negative.

MADAM DEPUTY SPEAKER: What we now have before the Assembly is that Dr Bourke's amendment, as amended, be agreed to.

Amendment, as amended, agreed to.

Motion, as amended, agreed to.

Economy

MR HINDER (Ginninderra) (11.31): I move:

That this Assembly:

- (1) notes the importance of:
 - (a) a strong economy in delivering sustainable growth in jobs and wages;
 - (b) a AAA credit rating; and
 - (c) maintaining high quality local services and infrastructure;
- (2) further notes the recent ABS economic data that shows the ACT economy has weathered the storm caused by the Liberals' deep cuts to jobs and spending in the Australian Public Service, particularly:
 - (a) that the ACT has the lowest unemployment rate in the nation, at 3.6 per cent;
 - (b) that retail grew by 4.7 per cent in the year to May 2016, well above the national average of 3.4 per cent;
 - (c) that building approvals increased 8.2 per cent in May, and increased 35.1 per cent in the year to May;
 - (d) service exports have increased by 65 per cent since 2010, which is well above the national average of 30 per cent; and
 - (e) growth in economic activity, as measured by State Final Demand, in the ACT was the highest in the nation in the March quarter;

- (3) further notes the actions of Liberal State Governments around Australia in cutting public service jobs, particularly:
 - (a) in Queensland, where the Liberals cut 12 800 jobs;
 - (b) in New South Wales, where the Liberals cut 10 000 jobs;
 - (c) in Victoria, where the Liberals cut 4200 jobs; and
 - (d) in Western Australia, where the Liberals cut 1000 jobs; and
- (4) calls on the ACT Government to maintain:
 - (a) its commitments, including not tearing up legal contracts;
 - (b) high quality public services;
 - (c) high quality public infrastructure; and
 - (d) a responsible path to return the budget to surplus without massive job cuts.

I move this motion and call on this Assembly and its members to show bipartisan support for maintaining a strong ACT economy, honouring the light rail contract and returning the budget to surplus. The government is performing well by all key economic indicators and regardless of the outcome of the October ACT election it falls on all parties in this place to continue the work that this government has done in tax reform, red tape reduction and infrastructure investment, particularly the light rail contract. A strong ACT economy is important for all Canberrans. It means a more prosperous society for everybody in our city but, most importantly, when economic growth is inclusive, it raises the standard of living for thousands of people living pay cheque to pay cheque in our community.

A strong economy means strong job creation. Indeed 3,100 new jobs were created over the past year in the ACT and our unemployment rate is the lowest in the country, at 3.6 per cent. It is a testament to the work of the Treasurer that despite federal Liberal cuts Canberra continues to grow. As a small businessman and employer for many years I know that being able to find a job is the cornerstone of wellbeing for individuals and for their families.

A strong economy means rising government revenues to support the services we need and deserve, including schools, medical facilities, critical infrastructure, roads and additional transport options such as light rail. A strong economy makes it easier to pay down debt, return to surplus and maintain our critical AAA credit rating thereby securing our economic future through better loan deals. This means that Canberrans can have the infrastructure, jobs and services they need now rather than having to wait 20 years when under the alternative government the city might be in gridlock and services may be nonexistent.

This motion goes to the heart of the Barr government's strong fiscal strategy and responsible management of the territory's public finances, balancing sustainable rates and charges—revenues—with a high standard of service delivery. It is this strong fiscal strategy that has given Canberra the flexibility required to deal with the challenges that inevitably fall upon us when a federal Liberal government shows its true colours and cuts Canberra's jobs and services.

Those opposite lecture about a return to surplus but choose to ignore the impact of Mr Fluffy on the territory's finances. The Mr Fluffy debacle started well before self-government but when federal Liberal governments abandoned victims the Barr Labor government did not pass the buck. We acted and stepped up to support those affected. Only the sound financial management of the Barr government has allowed us to weather the over \$400 million hit to our budget as a result of the federal Liberals abandoning Mr Fluffy victims.

The government has been able to support the ACT economy in the face of commonwealth Liberal cuts over recent years, and we have been able to deliver a coordinated and compassionate response to the complex issue that is asbestos removal. While absorbing this massive impact, we continue to have a very credible path to surplus. The government must remain committed to its fiscal strategy and remain on a consistent path to surplus. Other parties in this chamber must do the same and commit to supporting the government's tax reform and economic development program.

Returning the budget to surplus is a clear signal that the ACT government is not living beyond its means. A strong fiscal position will enable the government to respond to future economic and fiscal shocks, should they arise. This commitment has meant that the territory has retained its AAA credit rating, as assessed by Standard & Poor's, and we are one of only three jurisdictions in the country to hold this highest possible rating. Net debt remains at prudent levels as a share of gross state product and is broadly in line with other AAA-rated states.

But there is always more to be done, and this government is getting on with the job of investing in Canberra's future. In the 2016-17 budget the Barr Labor government is supporting the economy in the short term, while continuing to deliver high quality services to the community and building a strong operating balance over the medium term.

Our government understands that investment in local infrastructure is critical for continued economic prosperity and has continued its significant investment in transport, schools and the health sector. I am particularly pleased that we have allocated over \$100 million in upgrading and maintaining facilities at the Calvary hospital, in my electorate, as well as the Canberra Hospital and other health buildings, all of this while we await the additional capacity and capability the new teaching hospital at UC will deliver when it comes online at the end of 2018.

I also welcome the Chief Minister's recent commitment that a re-elected Barr Labor government will deliver a new nurse-led walk-in centre for Gungahlin. This follows on from the success of the walk-in centre in Belconnen, which I constantly hear positive community feedback on.

On top of the Barr Labor government's record investment in health, our investment in education of \$70 million this year will benefit Canberrans across the education system, from expanded preschool facilities in Weetangera, Hawker, and Palmerston to new teaching spaces at Maribyrnong Primary School in Kaleen and \$1.7 million in upgrades to CIT Bruce. That long-term investment shows that this government cares about the future of Canberra long beyond the immediate political cycle.

These investments in health and education are critical to building a strong economy and delivering sustainable growth in jobs and wages. Likewise, continuing to invest in transport infrastructure across Canberra will be critical to the strength of our economy. I am pleased that the recent ACT budget continues to invest in better roads for Canberra and I know that local residents in Belconnen and Gungahlin will see less congestion as a result of the duplication of Aikman Drive and Horse Park Drive.

I am sure that you will agree, Madam Deputy Speaker, that in order to keep our city the most livable in the world our government must also invest in integrated public transport infrastructure projects. One such significant infrastructure project is, of course, the light rail project. Through delivery of this project there exists an opportunity to create local jobs during construction and operation and build new capabilities and skills that will enable businesses in Canberra and the region to participate in the global supply chain for future light rail and infrastructure work.

The light rail project is expected to support more than 3½ thousand jobs during construction and many more permanent jobs into the future. The ACT government and Canberra Metro are committed to ensuring that as many Canberrans as possible can work on the first stage of light rail and experience the benefits that will flow from it. City-wide light rail will support more than just technical rail jobs. A large component of the work required will be in civil construction trades and this area will be a specific focus for local industry participants and activities.

Light rail is not just about the immediate construction jobs either. Light rail has led and will lead to thousands of jobs and hundreds of millions of dollars in investment along the corridors through development of residential housing, businesses and urban spaces. By a factor of four to one, Canberrans have invested in homes in Gungahlin along the light rail route.

Although stage one of light rail will obviously directly benefit residents in Gungahlin and the inner north there will be benefits to the entire city even from just this first stage. Together with increased parking and reduced congestion in the city, the millions of bus kilometres that currently run along the Northbourne Avenue and Gungahlin routes will be reallocated to new suburban and direct routes. This means the entire city will get more bus services and increased frequency as a direct result of just this stage one of light rail. This is before we start on stage two and beyond, eventually connecting all the town centres to the system and linking the airport and Russell.

This project will see Canberra come of age. It is a visionary project that is worth every cent we spend on it and will pay for itself time and time again through investment and growth in our city.

Cancelling the light rail contract would create massive uncertainty about doing business in Canberra. It is absolutely critical for business certainty and investor confidence that the government meet their commitments and legally binding contracts are honoured. At the heart of this government is the knowledge that government can drive economic growth and can secure investment in our city.

Responsible governments do not go back on their promises. The Canberra Liberals' plan to rip up the light rail contract is economic vandalism at its worst. And it is not just me saying that, it is their federal Liberal counterparts. Mr Hanson and his team are so hell-bent on gaining government at any cost they would willingly take a sledgehammer to business confidence across our city.

As a commercial lawyer I know how ridiculous their light rail vandalism would be. It would set a terrible legal precedent in the territory that you can sign a contract, get some of the benefits of that contract and then change your mind and go back on your commitments. That is a joke, and a joke it would be to create that precedent. It shows up the amateur hour on the opposition benches. Their most experienced member ditched them two months out from an election because he knows that they simply cannot win and cannot form a decent government.

Much has been said by the opposition about the cost of light rail. The Canberra Liberals either cannot read budget papers or are willingly misleading the public. The facts are clear for all to see in the 2016-17 budget. Light rail is both affordable and already budgeted for.

Today we had the revelation that the Canberra Liberals would likely fire more than 2,000 Canberrans to fill their massive \$400 million budget black hole. We know they will do it because they and their colleagues have done it before. We all saw it in 1996 under Howard. We all saw it in 2013 under Abbott. And we have all seen it from every state Liberal government that has come to power. Liberals love sacking Canberrans and cannot help themselves, such is their contempt for this city and for public servants.

As it stands, there are two plans for the territory. More accurately, there is one plan and half an idea. On the one hand there is this government's plan for driving economic growth through investment in infrastructure, services and our key industries such as tourism and education. On the other hand there is the opposition's half plan of tearing up contracts, literally ripping up infrastructure, cutting local services and sacking Canberrans. Our plan will see economic growth and prosperity coupled with social inclusion, while theirs will put this city back 30 years with no economic growth and higher social inequality.

Make no mistake, this lot sitting opposite me are the worst of the Liberals in the country. They call themselves the Canberra Liberals but in truth they are neither Canberra nor Liberal. But it is not too late. Unlike Mr Smyth, I truly believe that there is hope for the Canberra Liberals. You can teach an old dog new tricks. They can turn around and support the work this government is doing and commit to tax reform, economic investment and the light rail project and put the needs of Canberrans before their own petty, short-term political ambitions. I call on them to join the government and support this motion.

MR HANSON (Molonglo—Leader of the Opposition) (11.45): I am delighted to be able to speak to this motion. This is classic A-grade political nonsense from Mr Hinder. It is disappointing that Mr Hinder as a new member would use one of his rare opportunities to speak in this place to simply run out the Labor right faction scare campaign tactics that we have seen deployed with some success, I would have to say, across the country. We know the way the Labor Party does its business in concert with its mates from the CFMEU.

The only thing that I would agree on with Mr Hinder about this motion is that it is not just about the next economic cycle; this is about the long-term future of this city. This is what we have been talking about for several years now. The fundamental choice is this: a future where just about every single available dollar is spent on trams. The first phase alone is a nominal cost of \$1.78 billion, and that is a figure from the Auditor-General.

That money has to come from somewhere, and it comes from a couple of places. It comes from your rates that are going up on average 10 per cent a year. I notice that for units this year it is 20 per cent and for businesses it is another 10 per cent. It is coming from revenue, as in this government squeezing you until you bleed but not until you die.

The only other place it can come from is a reduction in basic services, important services, like health, education and police. This government has started cutting already to fund light rail. This government cut \$15 million from the police budget. At the same time this government is demanding our police deal with domestic violence and with ice and with increased issues in Civic and elsewhere as they cut their funding to pay for light rail.

They have done it by cutting hospital beds. The promise was an additional 200 overnight beds at the University of Canberra public hospital, and they cut it by 60 beds. This government promised to rebuild the Canberra Hospital. Senator Gallagher, as she is now, promised an \$800 million renewal of the Canberra Hospital. Some \$41 million was put in the budget prior to the last election to start that process. Then Mr Rattenbury got into government and that money was ripped out. That \$41 million was taken out of the budget.

This government has cut police numbers, has cut hospital beds and has decided on a long-term future where it is all based on a tram. Our future is different, and proudly so. Because we will not do the tram—just \$1.78 billion for the first phase—that means I do not need to triple your rates. I will not be tripling your rates as Mr Barr is. I will not be putting up through the roof all the other fees and charges making life unaffordable in this city. What we will do, Madam Deputy Speaker, is invest more into health and into education and restore funding to our police.

You have seen it already with our education package that will attempt to restore some of the damage done by Mr Barr when he cut 23 local schools. This is the bloke that cut 23 local schools and had the audacity to come to this place and talk about funding for education and commitment to education. We have seen under this government and

under your ministership, Mr Barr, when you were education minister our schools become overcrowded to the point where we saw an autistic child locked in a cage. Other schools are bursting at the seams because of a lack of investment because this Chief Minister when he was education minister cut 23 schools.

Where are your priorities? I will tell you where they are—they are on a tram. It is every single available dollar on a tram. That is not our priority. Our priority is to restore funding for police, to make sure we have money for education and health, and to make sure we are not tripling your rates, putting up parking fees in Civic and things like that. Remember that—Mr Barr's concerns for low-paid workers? I remember when Mr Barr put paid parking in Civic till 10.30 at night. We asked questions. I think it was Ms Lawder who asked questions about what this means for low-paid hospitality and retail workers. What was Mr Barr's response? It is the difference between sparkling and still water when you are having a \$100 dinner in Civic. Remember Marie Antoinette? That was the let-them-have-cake moment from Andrew Barr. Outrageous!

The government comes in here and skites about their budget. One thing Mr Barr is good at—I will give him that—is promising surpluses. But as Dr Khalid Ahmed, a former director in Treasury, said in the *Canberra Times* last week, the return to surplus in 2018-19 was even more miraculous and unbelievable than this year's figure. That is not the Canberra Liberals saying that; that is a former Treasury director saying that it is unsustainable and is not believable.

With some of the critique we have heard from the government on our policies on building better roads and bus systems and education and so on, it is ironic that they have copied so many of them: the duplication of Cotter Road, a number of road improvements that we have talked about in Gungahlin, some of the bus improvements Mr Coe has outlined with more direct routes. It is funny that they railed against it and said, "Oh, this is terrible from the Liberals," and then they copied it.

It reminds me of this critique about Mr Smyth. Andrew Barr and those opposite spent the last decade bemoaning Mr Smyth. They criticised him, "He's just another Liberal. Got no credibility." They spent 10 years saying that. If that were the case, why has Mr Barr just appointed Mr Smyth to work for him?

We know they like our policies because they copy them. We know they like the fact that we have better members on our side because they pay very good money for them. Mr Barr has just paid \$300,000 a year to employ Mr Smyth. So if our economic policies are such a problem, if he does not like what we have been saying for so long about rates and about lease variation charge and about the tram—eloquent points that Mr Smyth has been making in this place for a decade—why did he employ him? If the opposition is so wrong, if he does not like what we are saying, then why did Mr Barr see the need to recruit a Liberal?

I appreciate the fact you have a problem; not only have you got a budget deficit but you have got a talent deficit on your side. I understand that, but I do not know that you needed to come to the Canberra Liberals to try to rectify your talent deficit after poor old Mr Corbell was cut by the CFMEU. Anyway, I digress.

The point is that we manage budgets to enable us to deliver services so that we can then invest long term in what it is we need to do. Mr Barr talks of the surplus, but I remind you that he has never delivered a surplus. They promised one in 2011; they said there would be a surplus in 2014—not true. In 2012 they promised a surplus in 2015—not true. In 2013 they promised a surplus in 2015—not true. In 2014 they promised a surplus in 2017—abandoned. In 2015 they promised a surplus in 2018—abandoned. Now the latest promise has been ridiculed by the former Treasury director saying it is miraculous and unbelievable.

Regardless of the state of the budget, not spending \$1.78 billion over the next 20 years will enable the Canberra Liberals, if we form government, to invest much more into health, education and better local services and make sure we are not tripling rates in the meantime. We are very proud of our policy announcements. We have been engaging with the community over a long period doing the hard work that an opposition needs to do, and we are very proud of what we have announced.

A lot of our money will go to support better roads, better infrastructure, better public transport, and education. I find it shocking in some regard that this Labor Party would criticise the Liberals for having said we are going to invest in education and public transport, that we are going to restore money that was ripped out from police. Why are they criticising us for announcing the sorts of policies that you would expect a Labor Party to deliver on; a Labor Party that was not driven by an obsession with a tram which had its origins in politics—in negotiating a deal with the Greens—and not in what is best for public transport.

I think everybody knows the very sad story of what happened in the lead-up to the 2012 election. This government promised to invest money to rebuild the Canberra Hospital and put \$41 million into the 2011 budget to do that. Then it got to the other side of the election where they did and said and were prepared to do anything to secure power with Mr Rattenbury. They have now ripped money out of the redevelopment of the Canberra Hospital and are spending, nominal cost, \$1.78 billion on a tram that is the wrong transport option for Canberra.

If the government were investing in things that we supported and we thought were right for Canberra—health, education, better local services, reducing the cost of living for Canberrans—we would be delighted to support them. But this is the wrong option and, over the longer term it is a very bad decision for Canberra.

We will not be supporting Mr Hinder's motion. Firstly, on a number of levels it is factually just wrong. It is built on this straw man that Mr Barr is going to at some stage deliver a surplus. I have been in this Assembly a lot longer than Mr Hinder and I have heard Mr Barr promise surpluses for the past five or six years since he has been Treasurer. I have been here long enough to know that he never does and while this government pursues this reckless policy of spending billions of dollars on trams, they never will.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (11.58): I thank Mr Hinder for bringing forward this motion this morning. I

am pleased to reiterate to the Assembly just how well the ACT economy is performing now that we have well and truly turned the corner after the recent deep cuts to the commonwealth public service brought about by Mr Hanson's political bedfellows. These were considerable shocks to our economy with nearly 9,000 jobs lost between June of 2012 and December of 2015. Our economy is now performing well across a range of key economic measures. I am pleased to say that the one thing that is tripling in this territory is its rate of economic growth, from 0.7 per cent in 2013-14 to 2.25 per cent in the coming fiscal year. The economy is expected to continue to expand with growth projected to reach 2.5 percent from the 2017-18 fiscal year onwards.

The government has been working hard to support this economic growth, continuing to invest in infrastructure and services and we continue to support jobs in the territory. Despite the commonwealth's deep cuts, we have maintained spending and services and confidence in the economy. What we have just heard from the Leader of the Opposition is his alternative economic strategy, and that would have been a path of austerity. He has said it was bad public policy to run deficits during this period of massive economic shock. I am happy to have a disagreement with him on that point because our fiscal policy settings during that period kept Canberra out of a recession, kept our economy growing and kept people in jobs. Faced with the same circumstances, I would make the same decisions again.

If the government changes in October it is a recipe for recession for this territory because that is the Liberal Party's history. Their policy platform is based on austerity. That is the point of difference. They do not see a role for government in supporting the economy during periods of significant economic shock. It has always been that way; it always will be that way that we have differences on those key points, and that is fine. I am comfortable with my position, and I am sure the Leader of the Opposition is comfortable with his fiscal conservatism and the position of Tony Abbott and Joe Hockey. They are his ideological bedfellows; that is the sort of administration he would run, and that is fine; a Tony Abbott approach versus our approach. That is a clear point of difference in terms of economic policy in this territory.

Keeping the economy strong means the government revenues are there to support the services and infrastructure we need. A strong economy makes it easier to return to surplus. Again, you can go down the austerity path, but that will reduce your revenues, reduce economic activity and make it hard to keep people in employment and keep the economy growing.

Our approach has been one of jobs first. That is why we have the lowest unemployment rate in the country. That is why we have maintained our AAA credit rating and why we are securing our city's economic future through the range of policies that we have put in place. A strong economy is vital to create more and better paid jobs and finding a job is the cornerstone of wellbeing for individuals and their families. That will always be my government's priority.

If we had cut spending at the time that the commonwealth government was cutting spending and cutting the public service, the ACT economy would have plunged into recession. Business confidence and consumer confidence would have been further

damaged. What is pleasing to see as a result of our policy interventions is that both business and consumer confidence have returned and we have an improved fiscal outlook built around a responsible fiscal policy.

As Mr Hinder's motion correctly notes, our unemployment rate has fallen to 3.6 per cent, the lowest in the country. That is a significant achievement for this economy given that the major employer has been shedding jobs. Employment growth was a solid 1.5 per cent in 2015-16. This equates to the creation of 3,100 new jobs. Another key indicator, retail trade grew by 4.7 per cent over the 12 months to May 2016, a stronger performance than the national growth rate of 3.4 per cent over the same period. That is a good indicator of consumer confidence.

In the construction industry the number of residential building approvals rose by 35 per cent over the past year, and their value has almost doubled. Importantly, these approvals continue to translate into construction commencements with dwelling commencements for houses or apartments increasing by almost 90 per cent over the past 12 months.

It is not just about what is happening internally in our economy; it is about our national and international engagement. The ACT's service exports increased by a significant 16.2 per cent in 2015 to reach \$1.6 billion. This was the highest growth rate of any Australian state or territory. It was driven particularly by growth in international education exports of 10.3 per cent in 2015, bringing their total value to \$451 million for our economy. International tourism exports also grew in 2015 before the direct international flights commenced, increasing by 5.1 per cent to reach \$208 million. In 2015 technical, trade-related and other business services, such as engineering, increased by a whopping 35.2 per cent to bring in \$165 million for the territory economy.

Over the past five years our service exports have grown by 65 per cent, well above the national average of 30 per cent. My government's economic policies, particularly focused on exports and international engagement, have delivered significant results for the territory. That is why Mr Smyth is now part of our team working with the government to achieve better outcomes for Canberra. He saw no future in the policies of the Leader of the Opposition and walked out and is now part of implementing this government's policies, a task I am sure he will do with great distinction.

I note the supportive comments that came from the Leader of the Opposition in relation to Mr Smyth's appointment. It demonstrated significant bipartisanship on my part to welcome such a qualified applicant. That stands in marked contrast to the position of the federal government, for example, in not even being prepared to nominate a former Australian Prime Minister for the United Nations Secretary-General position, but I digress.

Our economy is transforming. We are creating knowledge-based jobs and our economy's diversity is making it more resilient to the impacts of the commonwealth's ongoing cuts to the public service. The most recent state final demand data shows the ACT recorded the highest growth as measured by state final demand of any state or territory, higher than the national average and it comes at a time when many states

and territories have been recording declines. Our territory's AAA credit rating is an important indicator of the strength of our economy and the fiscal policies of my government. It demonstrates that the territory is a good place to do business; it signals strong financial management, a strong economy and strong budgetary performance.

There are not many jurisdictions in the world that have this credit rating. It has been hard fought; we have worked very hard to retain it and those opposite put it at risk by the sorts of behaviour they have been outlining in recent times as to how they would behave were they to form a government. Ripping up contracts and pushing the budget into a permanent deficit through irresponsible policies are all part of the recipe of the Leader of the Opposition. (*Time expired.*)

MADAM SPEAKER: Before I call the next speaker I remind members of the provisions of standing order 58.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport Canberra and City Services and Assistant Minister for Health) (12.08): I thank Mr Hinder for bringing forward this important motion today. I am proud to speak in support of this motion to highlight the true needs of our city's future both from an economic standpoint and a transport standpoint. As a Labor government we will always work towards ensuring there is growth, opportunity and fairness in our community. We are focused on health, education and jobs and we are investing in the services our growing city needs now and into the future.

This government is building a new hospital to better care for people in our community, renewing our public housing stock across the city so that people have comfortable places to live in and that are more accessible and safe, delivering new roads and new infrastructure from Gungahlin to Tuggeranong, investing in a world-class integrated transport system to keep our city moving and much, much more, too. And yet strong economic management is at the heart of everything we do.

This government will deliver a surplus in 2018-19. The 2016-17 ACT budget delivers more services today and in coming years with a clear path back to surplus because that is what the ACT community expects.

Our economy has weathered the storm from the commonwealth government's job cuts because of the work this government has done to diversify and support our economy. Unemployment, as the Chief Minister has said, in the ACT is the lowest in Australia. We have a AAA credit rating, good wages and high quality local services despite what those opposite would suggest and we have world-class services.

As Mr Hinder mentioned, this positivity is spreading throughout the ACT economy. Whether it is retail sales, building approvals, service exports or economic activity, all of these indicators show that consumers and industry have trust in our economy. And just last month we were found yet again to have the world's highest quality of living. We are lucky to live in this beautiful city.

This ACT Labor government will continue to work hard to diversify our economy. Our focus on knowledge-based industries including higher education and technology

places the ACT in good stead for the coming decades regardless of which Liberal Prime Minister is cutting public service jobs right here in Canberra. This commitment to a strong, diverse economy means we will not take financial risks. We will not risk losing taxpayers \$300 million by tearing up the light rail contract and we will not risk this territory's reputation and credit rating by such a reckless act. We will not rack up more than \$400 million in uncostered suggestions and thought bubbles leaving a budget black hole for every Canberran to pay back. We will not do this because we recognise our city needs high quality infrastructure and more jobs and a balanced budget.

Unfortunately those opposite are not so committed to balancing a budget or delivering the services the city needs. Like Liberal governments around Australia they cannot be trusted not to cut jobs. I note the words "efficient" and "focused" are already being used by Liberal candidates around the city with regards to the ACT public service. We all know this is shorthand for job cuts. So it seems a Hanson Liberal government would seek to cut the jobs of Canberrans. Cutting ACT public service jobs would force more Canberra families to do it tough. It would place Jeremy Hanson in company with Tony Abbott, with Campbell Newman and with Denis Napthine. And that did not that go well for any of them. We will not do this.

We value the ACT public service. We value its integrity, its honesty and its ability to deliver the services our community needs, services like those delivered by nurses in our walk-in centres, teachers in our schools and mowing by our city services staff. The people of Canberra also value what the ACT public service offers. Nine out of 10 people are satisfied with the management of our parks, nine out of 10 Canberrans are satisfied with the maintenance of children's playgrounds and three-quarters of people are happy with the way our suburban shopping centres look.

We are also maintaining our commitment to local services by investing record amounts in this year's budget in health, education, transport and city services. When it comes to transport, we are delivering on our commitments. Unlike those opposite we will not tear up contracts because such an act would damage the ACT's reputation for many years to come. What our city needs is a commitment to better public transport, an integrated transport network. As we know, an integrated transport network means parents can get their kids to school, people can get to work quickly, businesses can grow and Canberrans can take a new job in another part of town and not risk losing their lifestyle.

Canberra's population is growing. By the end of this year our city will be home to 400,000 people. That is over 60,000 new Canberrans in the past 10 years and this means congestion on Northbourne Avenue is bad and getting worse. Other roads are following. Congestion drains our community and our economy. It costs all of us and this government wants Canberra to remain the most livable city in the world and not become the world's most unnecessary traffic jam.

New roads, better and wider footpaths, easy to access cycling networks, an integrated freight network and light rail, better buses, they are all part of the plan to keep Canberra moving. That is why we are building light rail, why we have continued to improve our buses and our road network and why we are making it easier and safer to walk and cycle to school or work. We are keeping Canberra moving and we are

creating jobs as we do this: 500 construction jobs alone on the light rail project. And it is all affordable. We are getting back to surplus in the same year we start paying for light rail.

Light rail has been in our budget since 2013 and we continue to retain a AAA credit rating. For example, for every \$1 we spend on stage 1 of light rail we will spend \$33 on health and \$24 on education. It is one per cent of the ACT budget. We can afford light rail and a better public transport network now.

The ACT government has signed a contract with some of the world's biggest infrastructure companies to deliver stage 1 of light rail. This was the government's commitment, it is the government's plan and we are delivering it. This is a contract that was negotiated in good faith and it brings high quality public infrastructure to the ACT. It should be honoured.

This, though, is not what Mr Coe wants to do. Mr Coe, as a potential treasurer of the ACT, wants to tear up this contract, which would cost Canberrans at least \$300 million. Canberrans would get nothing but debt and the potential loss of our AAA credit rating in return. This is not a commitment to strong economic management.

Just last week Mr Coe actually told a policy forum he was going to try to rescope a light rail contract. He wants to tell the Canberra Metro consortium to build roads or bus lanes instead of light rail. The man who wants to be Treasurer wants Deutsche Bahn, the second largest transport company in the world and the largest railway operator in Europe, to build bus lanes. He wants to tell CAF, the Spanish railway manufacturer building our light rail vehicles, to stop that and build something else instead. And one of the first conversations he wishes to have as Treasurer is to tell the largest bank in Japan, the Bank of Tokyo-Mitsubishi, to stop financing our light rail and to finance something else instead. That is not strong economic management. That is economic recklessness.

After all of these conversations, the Canberra Liberals say that Canberra will actually need light rail in 20 years time. Mr Coe indeed has said he would use the existing light rail plans because we would still own the plan for the rail and the design work. The Canberra Liberals would build light rail in 20 years time but they would use the plans drawn up in 2016 to do it, and they would pay four times as much. This is not strong economic management. This is, as a former Abbott government minister once said, economic lunacy.

Then there is the Canberra Liberals' bus plan. It is an idea with attractive, colourful lines on a map of Canberra but it is not an integrated transport system, which is what our city needs, as was outlined by this government in 2011 and 2012 in the transport for Canberra policy plan.

Let us just remind the chamber of the Liberals' track record on public transport. In 1998 Kate Carnell said that she would trial a test track for light rail. In 2005 the Canberra Liberals supported light rail. In 2008 they said it was not happening quickly enough. In 2009 the Canberra Liberals voted against rapid bus routes. In 2012 the

Canberra Liberals had virtually no public transport policies, and in 2016 they claim to want to deliver lines on a map. You cannot trust the Canberra Liberals on public transport.

Certainly the man who would like to be Treasurer has still not costed his own bus policy. No costings have been provided. And on the day the plan was announced Mr Coe told the ABC that he had not done any modelling on how many people would actually use the Canberra Liberals' buses. This is not sound economic policy or good policy planning.

Canberra Liberals also want to scrap the popular city loop service and replace it with a tourist route that would take at least an hour. Again, there is no modelling on how many people will actually use this service and patronage figures would already be under what the current City Loop service is operating; not sound policy.

Canberra deserves high quality infrastructure, public services and secure jobs. Canberra deserves a government that plans for our very exciting future. Canberrans deserve to trust their government to deliver on its promises.

MR HINDER (Ginninderra) (12.18), in reply: I would like to thank all members for their contributions to this debate. Much was made of this scare campaign that I heard heckling about during my motion. I do not believe that I need to run any scare campaign. I think the prospect of a Hanson government is reason enough for economists, businesses, Canberrans and voters here in Canberra to be frightened. We ought to be afraid, because it is the nature of Liberal governments to cut jobs and services. Every conservative government does it. We have already felt the brunt of the federal Abbott and Turnbull cuts in this town.

Let us have a look at all of the state Liberal governments that have come to power and have a look at their record on cuts to public sector jobs. Just look at New South Wales. The Baird Liberal government cut 10,000 jobs. In Queensland the Newman Liberal government cut 12,800 jobs. In Victoria the Bailey-Napthine Liberal government cut 4,200 jobs. In WA the Barnett Liberals cut 1,000 jobs. This is because they have no economic experience. The only tool they seem to have in their economic toolbox is cuts.

Why do they need to cut? They need to cut to pay out a \$400 million black hole they are going to create by ripping up the light rail contract and for all of the promises they made to everybody to supply everything in their quest to become the next government of the ACT.

There will not be any \$1.78 billion black hole because it is an illusion. The \$1.78 billion is an illusion. It does not exist. The contract we have signed is for something like \$700 million. The \$1.78 billion that those on the other side keep talking about is if you add up every dollar we are going to spend over 20 years. It is not real. It is an illusion. Or is it a lie?

This scare campaign seems to be coming from the Canberra Liberals, not from our side of—

MADAM SPEAKER: Mr Hinder, will you sit down for a second, please. Did you just say that something was a lie?

MR HINDER: I questioned whether it was a lie.

MADAM SPEAKER: Could you withdraw, please?

MR HINDER: I withdraw.

MADAM SPEAKER: Thank you.

MR HINDER: The scare campaign from the Canberra Liberals is common. They are masters of it. If it is not “triple your rates” it is this \$1.78 billion. More recently we have heard about a smell, and we continue to hear about a smell; more scare campaigning. It appears that if Mr Hanson talks about a smell often enough, people might believe there is a smell. It is a cunning plan, cunning like a fox. It has worked before. It might work again. I think Mr Hanson needs to be careful, though, because there is an old saying about foxes: a fox smells its own scent first.

Any government run by Mr Hanson would definitely have a scent about it, and it will not be a good one. I think the smell is coming from over that side of the house, not from over here. While we are on the subject of foxes, I think he has become the desert fox pretty quickly, because that is what Canberra’s economy would become, a desert, under any Liberal government.

In finishing, I would like to suggest that people reflect on the government’s performance to date as opposed to the lack of any ideas coming from the other side other than cuts and damage to our economy. I commend the motion.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Barr
Ms Berry
Dr Bourke
Ms Burch

Ms Fitzharris
Mr Gentleman
Mr Hinder
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson

Mrs Jones
Ms Lawder
Mr Wall

Question so resolved in the affirmative.

Motion agreed to.

Sitting suspended from 12.26 to 2.30 pm.

Questions without notice**Centenary Hospital for Women and Children—staffing**

MR HANSON: My question is to the Minister for Health. The *Canberra Times* reported on 23 July 2016 that staff were under pressure at the women's and children's hospital. The Australian Nursing and Midwifery Federation ACT branch secretary, Jenny Miragaya, was quoted as saying that there had been a number of "critical incident" notices about staffing numbers. She said there had been "rumblings" for "at least six months". The union said that it was conducting site visits at the hospital. Minister, how many "critical incident notices" have been lodged at the women's and children's hospital in the past six months?

MR CORBELL: I thank Mr Hanson for his question. I will have to take on notice the specific number of the matters he asks about, but in relation more generally to the delivery of maternity services at the Centenary Hospital for Women and Children at the Canberra Hospital, what I can say is that we have a very high level of staffing at the facility. Indeed, from my briefing from the Health Directorate earlier this week I can advise that there were only a handful of vacancies, fewer than five, in the total staffing complement. That is a very low level given the relative level of turnover you would expect in a large organisation like the Health Directorate. Nevertheless, my directorate continues to work hard to identify people to be placed in those positions.

Further, I am pleased to say that we are seeing a very high level of support from the community for the Centenary Hospital for Women and Children. This is a multimillion dollar project that has been delivered by this Labor government, a state-of-the-art women's and children's hospital for our community. Canberrans, particularly Canberra women, are voting with their feet. They want to see their children born in this facility because it has modern facilities and very capable and highly skilled staff.

Overall, across the ACT health system we have sufficient capacity to meet the overall number of births for our city. That is across both Calvary public hospital and the Canberra Hospital through the centenary hospital. However, the challenge remains that many women choose and prefer to give birth at the centenary hospital because of the very modern nature of the facilities there, and we will continue to work hard to manage demand associated with the choices that those women legitimately make.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, how many of the critical incident notices specifically related to staff shortages and at any time were patients, both mothers and children, put at risk?

MR CORBELL: I am not aware of any instances where there has been any risk to mothers or their children. It is simply the case, as I have indicated in my previous answer, that the total number of vacancies in the staffing complement at the centenary hospital is only a handful, in single figures, and it is a matter that we continue to work hard to address.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, what is the number that you are short of staff at the women's and children's hospital and at the Canberra Hospital generally?

MR CORBELL: In relation to the latter part of Ms Lawder's question, across the hospital as a whole I would, of course, have to take that matter on notice. In relation to the centenary hospital, as I have indicated, the total number of vacancies in the staff at that part of the hospital, based on the advice I have received this week, is fewer than 10.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, what has been the result of union representations concerning staff shortages?

MR CORBELL: We have a very strong complement of staff there. As I have indicated, there are a number of vacancies, most of which are currently the subject of recruitment action, and they are small in number, as I have indicated in my previous answer. In relation to the union's representations, the government takes the union's representations seriously. The management of the centenary hospital and the Chief Nurse are meeting with the union on a weekly basis in relation to the matters they are raising in relation to this particular part of the hospital.

Visitors

MADAM SPEAKER: Before I call the next member I acknowledge the presence in the gallery of the north Canberra and south Canberra branches of National Seniors Australia. Welcome to your Assembly.

Questions without notice

Education—school closures

MR JEFFERY: My question is to the Minister for Education. The ACT government promised to not close any schools prior to the 2004 election. In 2006 Mr Barr closed 23 schools despite widespread community protest, including Tharwa and Hall schools. Now, 10 years on, what has been the impact on these rural communities of the government's decision?

MR RATTENBURY: Mr Jeffrey might be interested to know that I was not in the Assembly in either 2004 or 2006, which is the basis on which most of his question was asked. I was, in fact, not even living in Canberra at the time, having taken a short sojourn to work overseas.

In terms of the ongoing impact, I do not have any specific advice on that. All children of school age in the ACT are entitled to a place in an ACT public school, and I am not aware of anybody who has not been able to access a place that wanted one.

MADAM SPEAKER: A supplementary question, Mr Jeffery.

MR JEFFERY: Minister, why did the Greens abandon their support for Hall and Tharwa schools?

MR RATTENBURY: Madam Speaker, you know that question is out of order.

Members interjecting—

MADAM SPEAKER: He is the Minister for Education now and he happens to be a Greens member. I do not see that there is any problem with the question. Mr Jeffery, could you repeat the question and then I will call Mr Rattenbury?

MR JEFFERY: Why did the Greens abandon their support for Hall and Tharwa schools?

MR RATTENBURY: The Greens did not abandon our support. Again this is before my time.

Mr Coe: No, it was 2009.

MR RATTENBURY: I am sorry, Mr Coe is right. The Greens have continued to advocate for the rural villages of the ACT on many fronts and will continue to do so. In fact, we have had volunteers visiting those areas of Canberra in recent times.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Why do we have a situation now where many schools are stretched to the limit, minister, while nearby schools are empty?

MR RATTENBURY: Mr Doszpot's motion on this very matter will come up just after question time today and I look forward to having that conversation again then. All that I want to say in that debate, if I am not foreshadowing a matter that is due to come up later, if it is not in breach of the standing orders—

MADAM SPEAKER: No, it is not in breach of the standing orders, otherwise I would have ruled the question out of order. So feel free to answer the question, Mr Rattenbury.

MR RATTENBURY: Thank you, Madam Speaker. I will outline to Mr Doszpot and the rest of the chamber at that time that I have already given a full explanation of how the government is dealing with capacity pressures in our schools. I have been quite open about the fact that there are a range of capacity pressures in a few of our schools. We also have some schools that are significantly under capacity and they also have enrolment management plans in place seeking to make sure that those schools also remain viable.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: What analysis is in the government's possession about the future demand for schools in the far south and north of Canberra?

MR RATTENBURY: Mr Doszpot may recall from the last time the Assembly met that I had just published a range of forecasting figures, projections of student enrolment at schools for 2017 and 2018. Mr Doszpot may also recall from the budget process that the government has allocated an additional \$250,000 to increase the capacity of the Education Directorate to do further forecasting work in the future.

We are seeing changing demographic patterns in the territory, which means that historical projections are in some cases coming into question. So I have commissioned the directorate to undertake further work to make sure that we have an even greater level of confidence in the projections that we have for the future so that we match the changing demographic patterns, the growing population in the ACT. The fact that people are coming to enrol their students in the public education system in far greater numbers than population growth reflects the very strong confidence the community has in our excellent public education system here in the ACT.

Symonston Correctional Centre—security breach

MR WALL: My question is to the Minister for Corrections. Minister, I have been advised of a major security breach that occurred at the Symonston Correctional Centre in the early hours of 3 February this year involving a number of prisoners. I am informed that corrections staff discovered damage caused to an external perimeter wall of the jail at that time as a result of an escape attempt. Were you made aware of this incident? If so, when were you made aware?

MR RATTENBURY: I do not recall that incident. I will go and check my records and I will provide Mr Wall with the information that he is seeking.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: I would assume that the minister would also need to take on notice how the incident was described in any reports that do exist and what the titles of all those reports are.

MR RATTENBURY: I will take that on notice and bring Mr Wall the information he is seeking.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, what regular reporting do you have about activity in this facility?

MR RATTENBURY: I meet with the Justice and Community Safety Directorate on a regular basis and I also have, obviously, mechanisms in place because things happen outside of those regular meetings. I have a range of reporting and meeting mechanisms in place to keep abreast of issues within the system.

MADAM SPEAKER: A supplementary question, Mrs Jones?

MRS JONES: Minister, is the facility still being used as full-time accommodation at all for detainees or prisoners, or are there any plans to use the facility again as full-time accommodation?

Mr Rattenbury: Which facility is that?

MRS JONES: Symonston.

MR RATTENBURY: Symonston? There are currently no full-time detainees at Symonston. It has been closed. The government have been open about the fact that detainees were going there. We also indicated that it would be a temporary operation until the extra capacity was constructed at the AMC. All full-time detainees have now been returned to the AMC. In fact, weekend detention is coming towards the end of its period as well; that will also wind up at Symonston in the near future.

Mrs Jones: Will it be used again?

MR RATTENBURY: At this stage the government has taken no decision on the future of that site.

Housing—homelessness

MS BURCH: Could the minister for housing and community services update the Assembly on the execution of funding agreements for the ACT's housing and homelessness services and how the government's approach is supporting service providers and the clients?

MS BERRY: I thank Ms Burch for her question. This government recognises that the wellbeing of disadvantaged people and families is one of the most important responsibilities for the government and the wider community. This week in national Homelessness Week it is important to note that equal access to housing is an essential part of ensuring that all Canberrans have an equal chance to fully participate in our community. This is why the ACT government has been investing and will continue to invest in housing and homelessness services.

The quality and reach of local services to some of the most vulnerable people in our community also means we have a full picture of our homelessness challenge here in the ACT as we continue to work to get homelessness numbers down. This is why the ACT government has extended funding arrangements for the ACT's 48 homelessness services for a minimum of three more years with provision for an extension for two further years, giving them the flexibility they need to respond to the gaps in the existing service systems.

These arrangements, which commence on 1 July, will bring the government's spending on homelessness service delivery for our first three-year term to almost \$63 million. The execution of these funding arrangements and the processes we have

undertaken to bring them to this point illustrates the government's commitment to working with the sector. We are doing this through open communication as together we build a homelessness service system that will best meet the needs of our service users and the organisations that support them directly.

We are proud of this record, established under successive Labor governments. Due to the approach the ACT government has taken to meet the needs that have been identified in housing and homelessness, the ACT has the lowest rate of rough sleeping: 0.8 per 10,000 against the national average of 3.8 per 10,000. We also have triple the national rate of people accessing supported accommodation: 30.9 per 10,000 against the national average of 9.9.

ACT Labor has been able to achieve the most significant social housing system in Australia with 30 dwellings per 1,000 people compared to the national average of 17 per 1,000. The ACT government's deep commitment to both our service providers and their clients is reflected in the combined investment of \$354 million in the 2016-17 year alone when you consider public housing renewal service funding and our support for public housing tenants.

Right across government and throughout the community ACT Labor is confident that the recent funding arrangements as well as ongoing support for service providers and their clients has led to the nurturing of a safer, more inclusive and caring territory.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, what is the significance of the longer term funding agreements and how has the government's decision been accepted?

MS BERRY: Longer funding cycles create vital stability and certainty amongst local services. What our community service providers have told us is that people facing hardship in our community often come to service providers not with short-term problems but problems and challenges that require support for the long term. The hardworking staff members of Canberra's front-line service providers also do not make a commitment to their work only for the short term. These are people who are committed to their clients, to their organisations and to their communities for the long term.

Government needs to consider and provide appropriate long-term funding in order to design and provide long-term solutions. A constant need to reapply for funding means that service providers spend more time on administration and recruiting short-term staff rather than on providing effective and sustainable front-line service delivery.

In response to how the sector has responded to the longer term funding arrangements, the CEO of St Vincent de Paul in Canberra, which delivers five homelessness services, had this to say on the ACT government's extended funding arrangements: the longer funding continuity provided under the new contract "allows St Vincent De Paul to plan improvements to homelessness services with confidence and enables us to attract and retain quality staff".

I would also like to point to the Senate committee report released in September 2015 on the impact of service quality, efficiency and sustainability of recent commonwealth community service tendering processes by the Department of Social Services. The report findings, as well as subsequent support from Senator Zed Seselja, who was recently appointed to the role of assistant minister for social services, recommended that five-year contracts should be awarded to ensure stability and the sector can then plan and deliver valuable services.

MADAM SPEAKER: A supplementary question, Mr Hinder.

MR HINDER: What are some of the challenges facing ACT housing, homelessness and community services during this funding cycle?

MS BERRY: I have already raised the matter of funding certainty which is critical to housing and homelessness services in community services. As we approach 2017, despite the calls of housing, homelessness and women's safety ministers from every jurisdiction across the country, as well as recommendations from the Victorian Royal Commission into Family Violence, the Turnbull government has not funded the national partnership on homelessness, the NPAH, beyond 30 June 2017. This places uncertainty on the sector and it is particularly worrying when you recall that domestic and family violence is the biggest cause of homelessness. It is vital that early in the term of the new Australian government they end the uncertainty facing homelessness services, take greater action on housing affordability and match their statements on family safety by securing funding to services already on the ground.

Being able to work towards a future where Canberrans can live with housing certainty is a responsibility that the ACT government does not take lightly, especially in the face of the alternative. This government recognises the need to pursue the right choices for vulnerable Canberrans when it comes to housing rather than treat homes like commodities that can be sold off. It is estimated that 2,000 Canberrans will lose their jobs if the Liberal Party wins the next ACT election, based on the analysis of the \$400 million black hole in its budget. The ACT government is firmly committed to its principled position of ensuring that all Canberrans have access to safe, secure and affordable housing well into the future.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Minister, has the commonwealth put any restrictions on shifting public housing tenants into the community housing sector, and therefore into the community, and therefore being able to claim CRA?

MS BERRY: I ask Ms Lawder to repeat the start of that question. I did not quite catch it.

MS LAWDER: Minister, has the commonwealth put any restrictions on shifting public housing tenants into the community sector and therefore being able to claim CRA?

MS BERRY: Of course, the ACT government has community housing providers here in the ACT that provide housing through Argyle Community Housing and Community Housing Canberra. In fact, the ACT government provided a loan to Community Housing Canberra so that they could start their operations here in the ACT and provide more affordable options to housing tenants who were not eligible for public housing in the ACT but then could be eligible for more affordable housing under that model—

Ms Lawder: Madam Speaker, a point of order.

MADAM SPEAKER: Order! Ms Lawder on a point of order. Stop the clock.

Ms Lawder: The question related to whether the commonwealth has indicated that these tenants will not also be able to claim commonwealth rental assistance if they are moved into a different system.

MADAM SPEAKER: So that is what CRA is?

Ms Lawder: To the point of relevance; yes, CRA.

MADAM SPEAKER: Thank you.

Ms Lawder: Sorry, Madam Speaker. I presumed the minister would understand what CRA was.

MADAM SPEAKER: Yes, I was just wondering. The question was about commonwealth restrictions. If you are able to come to the point of the question in accordance with standing orders, Ms Berry, thank you.

MS BERRY: Yes, thank you, Madam Speaker. Of course, commonwealth rent assistance is something that is very important to tenants here in the ACT but I would not say that the ACT government believes that it would be the position it would take to lose public housing to the community housing sector, which I understand is the decision that the Liberal Party has made in New South Wales to sell off their public housing to a community-for-profit to make profit out of public housing in New South Wales.

Ms Lawder: Point of order, Madam Speaker.

MADAM SPEAKER: Point of order. Stop the clock.

Ms Lawder: As to relevance.

MADAM SPEAKER: As to relevance. I think I understand the point you are going to make, that you asked a question about commonwealth restrictions—

Ms Lawder: Yes, under the asset recycling initiative. My question related to whether the commonwealth will indicate that the ACT government cannot double dip by then allowing previous public housing tenants to claim commonwealth rent assistance. It is nothing to do with New South Wales, I might say. It is about the ACT.

MADAM SPEAKER: Thank you. Minister, I remind you of the standing orders that state that the answer should be directly relevant to the question. Could you come to the point about whether there is any commonwealth restriction?

MS BERRY: What I can say is that I can bring some more information about commonwealth rental assistance, how it supports tenants here in the ACT and how important it is. But I would also say—

Ms Lawder: Point of order.

MS BERRY: No, I said that I am going to come back on that. I am entitled to do that.

Ms Lawder: I am not interested in an explanation of CRA.

MADAM SPEAKER: Ms Lawder, I have not called you for a point of order yet. Can you stop the clock? On the point of order, Ms Lawder, now the clock is stopped.

Ms Lawder: Sorry, I am just a bit excited, you know.

MADAM SPEAKER: I know but it is not a debate.

Ms Lawder: The question is not what CRA is. My question related to whether the commonwealth government have imposed any—

Mr Barr: What is the point of order?

Mr Hanson: Relevance; clearly relevance.

Ms Lawder: As to relevance, I am trying to help Ms Berry by explaining the question once again.

Mr Barr interjecting—

MADAM SPEAKER: Mr Barr, I will not hear from you. On the point of order, which is clearly about relevance, three times Ms Lawder has raised the question of relevance because she has asked: has the commonwealth put any restrictions on matters relating to tenancy? So, Ms Berry, in the remaining 30 seconds, can you be directly—

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

MADAM SPEAKER: On the point of order?

Mr Corbell: Madam Speaker, the minister has said very clearly that she has taken that element of the question on notice and she is now elaborating on the broader range of issues raised in Ms Lawder's question.

MADAM SPEAKER: No, I am sorry, Ms Berry did not say that she was taking that question on notice.

Mr Corbell: Yes, she said that she would come back to the member.

Members interjecting—

MADAM SPEAKER: Hang on, I am the Speaker here. I am adjudicating. Ms Berry did not say that she was going to take the question of restrictions on notice. She said that she was going to take a wider question about commonwealth rent assistance on notice. In the 30 seconds remaining, Ms Berry, can you be directly relevant to the question: are there commonwealth restrictions?

MS BERRY: Yes, the CRA is not relevant to public housing tenants transferring over to Community Housing Canberra in the ACT. I will bring some information. As I went to the end of my answer—

Opposition members interjecting—

MADAM SPEAKER: Order! I want to hear Ms Berry.

MS BERRY: I said that I would bring some information back if there is any about any of the concerns that Ms Lawder has raised about—*(Time expired.)*

Sport—ACTSport

MR DOSZPOT: My question is to the minister for sport. In 2015, ACTSport ceased operation after 30 years. In 2014, its demise was accelerated by its forced relocation to the University of Canberra sports hub from Sports House in Hackett. Minister, why was it so important to move ACTSport against its will, and was the move intended to force its closure?

MS BERRY: That decision was made before I was appointed as sport and recreation minister, although the advice I have is contrary to what is being implied in Mr Doszpot's question: that it was designed to make it difficult for ACTSport to do their work in the ACT. That was not the case. From what I have been advised, the decision was not made to make it difficult for ACTSport to do their work; not at all.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what role did officers of your directorate play in persuading ACTSport to move to the sports hub?

MS BERRY: I am advised that the decision was an agreed decision between ACTSport and Active Canberra to move.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: What issues or difficulties have other sporting organisations had with moving into the UC sports hub, and how many stayed at Sports House?

MS BERRY: I have not been advised of any other organisations that have had any difficulties because of a move.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, what role did officers in your directorate play in establishing the UC sports hub?

MADAM SPEAKER: I am sorry, could you repeat that? I did not hear the beginning.

MR COE: The question was: what role did officers in your directorate play in establishing the UC sports hub?

MS BERRY: I will have to take that question on notice and come back to the member with more information.

Budget—rates increases

MS LAWDER: Madam Speaker, my question is to the Chief Minister. Chief Minister, why have you chosen to drastically increase residential rates charges on residents of multi-unit dwellings?

MR BARR: I thank Ms Lawder for the question. In essence, the change in methodology is around fairness, designed to ensure that as the mix of housing types—

Members interjecting—

MADAM SPEAKER: Order! I want to hear the Chief Minister.

MR BARR: As the mix of housing types in the city changes, we have seen considerable change in the housing mix from the Canberra of 50 years ago to the Canberra of today where certainly there are more people living in apartments and townhouses than was the case in the 1960s and 1970s. That change in housing mix has resulted in a disparity and an unfairness whereby people who were living in stand-alone houses were paying more than their fair share of the total rates burden. A fairer system that changed the methodology of calculation on the average unimproved value of units and townhouses ensures that into the future houses will pay less and units will pay a little more, to more fairly distribute the rates burden.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Chief Minister, did you take into account the impact of your rates increase on residents of multi-unit dwellings who will now be compelled to meet steep increases in property rentals?

MR BARR: Yes, we certainly did, and that is why we are phasing in the change over a number of years and why the impact of the change in dollar terms is a little over \$100 a year, around \$2 a week.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, can you provide to the Assembly if you are aware of alternative policies on rates for the ACT?

MADAM SPEAKER: This is a question about rates to units, so it would have to be alternative policy in relation to rates to units and be relevant to that.

MR BARR: Yes, indeed, Madam Speaker. There are, of course, a range of options as to how government would go about calculating the value, the average unimproved value, of a unit. What we have sought to do in our approach is to ensure that there is greater fairness and equity so that, for example, a multimillion dollar unit on the Kingston Foreshore pays more rates than it paid previously and that that is not disproportionately less than, for example, a standard suburban house in Banks or Charnwood. So there is much greater correlation now with the value of the property than there was under the former system. That is a more equitable outcome for Canberrans and it is a more sustainable outcome for the city in the longer term.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: How many households who reside in retirement villages will be caught by this change in the ratings methodology?

MR BARR: Very few, as most retirement villages are exempt from rates altogether. However, there are some that would have commercial arrangements. It would be a very small number, and my advice to date is almost none. There may be some, but it is almost none.

Public land—illegal bike trails

MRS JONES: My question is to the minister for transport and municipal services regarding unleased public land. What action has the government taken in the past year to convert illegally constructed mountain bike trails into permitted activities on unleased public land?

MS FITZHARRIS: I believe this is a question for the Minister for Planning and Land Management.

Mr Coe: Point of order. Under the administrative orders I understand that unleased public land is the responsibility of the Minister for Transport Canberra and City Services. To that end, I just ask for a ruling on who is the appropriate minister.

Mr Barr interjecting—

MADAM SPEAKER: First of all, Mr Barr, you are not the presiding officer: if you would like to keep your own counsel. I actually do not have a copy of the administrative orders in front of me but, on the basis that I do not have a copy of the administrative orders in front of me and on the basis that the minister needs to refer it

to another minister, I am happy for the minister for planning to answer the question. However, I am mindful of the point raised by Mr Coe and I will consider that separately. Mr Gentleman.

MR GENTLEMAN: I will answer that as Minister for Planning and Land Management of course. The government has done quite a bit of work on mountain bike trails across the territory. We want to make sure that any use of these trails is safe. We have engaged with the community and with sporting groups across the territory to ensure that the allocation of those areas is proper and fit for purpose as well.

Some of the concerns that we have seen, particularly in Isaacs where we have had activity of mountain bikes in the area and pedestrian activity as well, on occasion would present an issue of safety. So the government has communicated with the residents and with those groups.

The government allocated \$185,000 in funding in 2015-16 to upgrade the existing unsafe, downhill trails at Isaacs Ridge to meet the standards so that they are safe for all users. Of course Isaacs pines on the ridge is adjacent to residences and is a valuable resource for walkers—dog walkers of course, horse riders, runners, orienteers and bike riders. The local mountain bike club has run a small-scale downhill event there for over 10 years. The focus on the area for informal recreation that caters for all users will be maintained.

Community consultation was undertaken in August and September last year and the on-ground works will be completed early this month.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, in the past year, what action has the government taken to catch and/or prosecute organisations or groups constructing illegal mountain bike trails in urban parklands and unleased lands, and what do you say to residents who say that the new situation leaves them quite fearful when walking in the area?

MR GENTLEMAN: Our urban rangers and open space rangers have been out looking at these areas for quite some time. As I said, this area in particular has been used for 10 years for those mountain bike riders. The process here is to look at providing some safe operations. That is the engagement that we have had, to provide a safe opportunity for mountain bike riders and pedestrians as well as residents who live around the area.

The engagement has been quite extensive. We have talked with residents about parking operations as well. In response, some concerns were raised during the consultation process about the potential conflict of different user types. They worked through that process with both the residents and the mountain bike groups. We want to make sure, as I said, that we have the safest possible operations, but we do want to encourage people across the territory to exercise in the safest possible manner.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, has the government taken any action over the past year or so to remove any illegally built mountain bike trails, to make them safer or to deter people from acting in an unsafe way?

MR GENTLEMAN: I thank Mr Coe for his supplementary. Yes, we have, Madam Speaker. In fact, I have attended several areas across the territory that are being used inappropriately for bike riding, both mountain bikes and motor cycles. My rangers have been out there excavating the areas that were previously used for jumps, for example, and filling in areas where erosion had occurred because of unsuitable motor bike and mountain bike use. So yes, actions have been on the ground. It is quite a costly exercise, in fact, in some areas, particularly in the Pierces Creek area where you see watercourses diverted because of those actions.

We do want to provide a safe area for these people to recreate in and also one that is suitable for the environment.

MADAM SPEAKER: Supplementary question, Mr Coe.

MR COE: Minister, should people want to establish mountain bike trails in a legal and safe way, what is the process for doing such?

MR GENTLEMAN: It is a very good question. The process would be to present themselves through their sporting organisation, which is what generally occurs, to EPD to ensure that they can use the most accessible areas and the most suitable areas for mountain biking in the territory. We have set aside quite a few mountain bike areas and they have been very successful: Stromlo; Isaacs, for example, is a new one; the new Majura Park mountain bike area is also very successful; and Sparrow Hill where a number of bike paths have been set aside. The operation of those clubs and those entities with the ACT government has been fluid and there continues to be consultation with a view to ensuring we have the safest and most appropriate use of those areas.

MADAM SPEAKER: Before I call the next member, I refer members to *House of Representatives Practice*, page 550, which is the practice we follow:

A Minister may refuse to answer a question. He or she may also transfer a question to another Minister and it is not in order to question the reason for doing so. If a question has been addressed to the incorrect Minister, the responsible Minister may answer, but if necessary the Member can be given an opportunity to redirect it. In many instances the responsibilities referred to in a question may be shared by two or more Ministers and it is only the Ministers concerned who are in a position to determine authoritatively which of them is more responsible.

Land—block 24, city

MR COE: The question is to the Chief Minister. What deal has been struck with Aquis regarding the block adjacent to Glebe Park, that is, city block 24, section 65?

MR BARR: None that I am aware of.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Chief Minister, what rights or options exist for Aquis regarding this block, and when were the rights or options afforded to them, if they have been?

MR BARR: I am not aware of any such arrangements. The casino lease includes a parcel of land adjacent to the National Convention Centre but that has been part of the casino lease for, as I understand it, the history of the Canberra casino. If that is the block that Mr Coe refers to, that has been under the casino's control under previous owners, not just the current casino owners.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, when did Aquis first come to the government seeking rights over this block?

MR BARR: I would need to check the record as to whether that question itself is factual in terms of the assertion contained within it and, if that were to be the case, then I will find out what date and advise the Assembly accordingly.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, does Aquis or a consortium or entity linked to Aquis have an unsolicited proposal before the government for this block?

MR BARR: It could only be in relation to their proposal for expansion of the Canberra casino. I will need to check the block in question and the nature of the business case Aquis have put forward. If Mr Doszpot were listening earlier in the debate today in relation to the unsolicited proposals process, he would understand that that level of detail has not yet come before cabinet.

Transport—light rail

MR HINDER: My question is to the Minister for Transport Canberra and City Services. Can the minister provide the Assembly with details about the construction schedule for stage 1 of Canberra light rail and the benefits that this will bring to the Canberra community?

MS FITZHARRIS: I thank Mr Hinder for his question. I am also pleased to confirm that construction on the light rail project is now well underway with the first sod for the project being turned on 12 July 2016 at the site of the future light rail depot in Mitchell. The light rail depot will incorporate a stabling yard for light rail vehicles, a maintenance facility and the operations centre. The depot will be completed in early 2018.

Construction of light rail in the stage 1 corridor will be undertaken in six key zones from Gungahlin to the Civic terminus. These zones are: Gungahlin to Hibberson Street; Flemington Road north; Flemington Road south; the Federal Highway; Northbourne Avenue; and the Civic terminus.

A common package of works will be undertaken in each of these zones, including relocation and protection of utilities, earthworks, civil and track works, roadworks, the construction of light rail stops and landscaping. A detailed construction timetable will be released shortly.

The point I would like to make is that the vast majority of construction will be completed by the end of 2017 with work beyond that date concentrated on establishing the final light rail stops and landscaping along the full length of the corridor. Light rail will, as we know, begin running along the track early in mid-2018 for final testing and commissioning before commercial services begin later that year.

Even before light rail begins to operate we have seen significant benefits for our city. More than 100 people are already engaged in the project's design, planning and early construction activities. The construction and operation phase I have just outlined will generate up to 500 local construction jobs through direct employment and subcontractor arrangements.

The EY jobs analysis estimated that 3,500 direct and indirect jobs would be supported during the delivery phase of the project, with a total jobs footprint of 50,000 jobs being supported in the light rail corridor stage 1 long term.

But, of course, Canberra light rail will deliver much more than jobs. It will alleviate congestion on the stage 1 corridor, particularly along Northbourne Avenue. Many more people can get to work more quickly, more reliably. Light rail is not only about addressing Canberra's future congestion problems. It is about dealing with them now.

The average road vehicle journey time from Gungahlin to the city has already reached 45 minutes during periods of peak congestion. Modelling shows that across the next decade and a half journey time will increase to nearly an hour. Our 20-minute city has become a 30-minute city. For some it is already a 60-minute city.

The day that light rail begins offering services, this journey will be halved—guaranteed to be halved, Madam Speaker. Congestion will be a thing of the past for thousands of Canberrans. Light rail users will, of course, experience a consistent and reliable journey of 24 minutes, and in greater comfort.

Light rail also offers benefits to those who rely on our ACTION bus network. As stage 1 completes, the government will redirect 1.2 million bus kilometres to other parts of the network to deliver more services more frequently to add to the services that we have already announced in this year's budget to keep all of Canberra moving.

International experience clearly shows the city shaping power of light rail. These benefits—reducing congestion, improving the travelling experience and helping to drive economic development and create jobs—are within reach of our community.

MADAM SPEAKER: A supplementary question, Mr Hinder.

MR HINDER: Minister, given that the construction scheduled is based on a signed contract—

MADAM SPEAKER: Preamble.

MR HINDER: I beg your pardon.

MADAM SPEAKER: Don't have a preamble, please; just get to the question.

MR HINDER: Minister, what possibility is there to rescope the construction contract if somebody wanted to build something different?

MS FITZHARRIS: I thank Mr Hinder for his supplementary. I would like to be very clear about this point. It is not feasible to rescope the contracts associated with the light rail project and seek for the parties involved to build something different. The private investors have backed this transformational project because they have an appetite for light rail, not for other investments. As I said earlier, the work is now underway, with more than 500 jobs depending on it—500 jobs. Years of work have gone into getting approvals, an environmental impact statement has been completed, and the National Capital Authority has given its consent to the project. This all cannot be simply rescope for something else.

Members interjecting—

MS FITZHARRIS: The individual experts engaged on the project are experts in designing, constructing and operating light rail. There is no obligation on Canberra Metro to rescope—

Mr Hanson interjecting—

MADAM SPEAKER: Could you stop the clock, please. Ms Fitzharris, could you sit down, please. Mr Hanson, I do not want to hear a conversation initiated by the Chief Minister across the chamber. The minister has the floor and she is answering a question asked by Mr Hinder. Can we cut the conversation, please. Ms Fitzharris.

MS FITZHARRIS: Thank you, Madam Speaker. As I was saying, the Canberra Metro consortium is here to deliver light rail, and that is their focus. The contract that the government has signed is specific to light rail. To ask the government to rescope a light rail contract to produce something completely different is like signing a contract to build a house, waiting for work to start and then asking the builder for a car instead.

Every serious commentator in the industry knows that calls to rescope the light rail contract are completely unworkable. What the industry expects and deserves is a government that honours its contracts, that understands commercial contracts; a government that delivers certainty and predictability for our construction industry. That is what a Labor government will deliver.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, how important is it that the government maintain a consistent position in its dealing with industry, the light rail consortium and local businesses?

MS FITZHARRIS: I thank Ms Burch for the supplementary question. It is extremely important that the government maintain a consistent position when it deals with the consortium and with local and national businesses.

Canberrans know where we stand on light rail. The Canberra Business Chamber has partnered with us to help advocate for local businesses in the construction of this significant public infrastructure project—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, you are running close to the wind.

MS FITZHARRIS: We promised this project before the last election and we are delivering it now. The government has remained steadfast in its commitment to this transformational infrastructure project. Businesses can only prosper when they have a predictable and stable investment environment.

Compare, for example, this government's clear position on light rail to that of the opposition. In 1999, then Liberal Chief Minister, Kate Carnell, was enthusiastic about light rail, even promising a test track. In 2005 the Canberra Liberals said that the case for light rail was strong. Then in 2008 they complained that it was taking too long to deliver light rail.

Now, in 2016, those opposite say they will tear up the light rail contract and try to rescope it. I assume that would involve tearing up their own glossy booklet published in 2008 entitled *Getting light rail on track*. In that booklet the Liberals stated that on light rail:

... the community are crying out for vision and for something to be done on this issue.

This government is pleased to deliver for the Canberra community. We have been consistent and we can be trusted to deliver a public transport network for Canberrans.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, do you have an actual or perceived conflict of interest regarding the location of light rail stops on stage 1?

MS FITZHARRIS: No, I do not have a conflict of interest on stage 1 of light rail. I, of course, live in Gungahlin. Many Gungahlin residents have recently bought property along the corridor principally because they know this government is delivering a light rail network along the stage 1 route. They have invested in businesses and in residential property. Many Canberrans are buying their first home on this route principally because it is on the route of a public transport project.

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

Supplementary answers to questions without notice Symonston Correctional Centre—security breach

MR RATTENBURY: Mr Wall earlier today asked me about an incident at the Symonston correctional facility. I can report to Mr Wall that, in February 2016, detainees were found to have broken plasterboard of an internal wall of the Symonston correctional facility. Detainees were concealing this plasterboard with a picture or poster. On the other side of that plasterboard, the internal wall was a solid brick wall. This does not even qualify under the definition of an escape in the report on government services, given they had not even got to the brick wall at that point in time. If that is the incident Mr Wall is referring to, I hope that answers his question. If he has further questions, I am happy to take them.

Housing—homelessness

MS BERRY: To help Ms Lawder understand the comments I made about the New South Wales government and the commonwealth rental assistance structure, the commonwealth rental assistance structure has a kind of perverse incentive for governments to sell off or transfer their public housing to the community housing sector. New South Wales are transferring their public housing to the community housing sector, which is about the federal government passing off their responsibilities.

There is no restriction on moving tenants to community housing. However, in the ACT, under the asset recycling initiative agreement, it is specific in that it says that the ACT government needs to retain the 10,848 public housing dwellings. Here in the ACT, the CRA, the commonwealth rental assistance, is helpful, but it is limited in the ACT. We do want to expand our community housing services, but not at the expense of our public housing.

Education

MR DOSZPOT (Molonglo) (3.26): I move:

That this Assembly:

(1) notes that:

- (a) it is 10 years and one month since Andrew Barr, as Minister for Education, announced a large school closure plan, called Towards 2020, which proposed the closure of 39 schools, including nearly one-third of all primary schools in the ACT;
- (b) the rationale at the time was declining enrolments in many ACT schools, the need to ensure ongoing sustainability and to provide real choice for students;
- (c) the plan was highly flawed with costs of small schools over-stated and the savings from the closures overestimated;

- (d) 10 years on, we have a number of schools in those same areas now over capacity, no measurable benefits from the closures, students placed in temporary classrooms and parents scrambling to find places for their preschool children; and
 - (e) despite three Education Ministers holding the portfolio since Mr Barr, the problems continue; and
- (2) calls on the Government to:
- (a) acknowledge that many ACT schools are at or near capacity and need upgrade;
 - (b) clarify why it was considered necessary to change the methodology for calculating the definitions for measuring school space;
 - (c) commit to better communication with parents about school enrolment pressures; and
 - (d) commit to a genuine infrastructure upgrade plan and fund it appropriately.

Ten years ago, in 2006, the Canberra community was thrown into great turmoil when the then education minister, Andrew Barr, announced to a stunned community that the ACT Labor government intended to proceed to close a number of schools across Canberra. Perhaps inappropriately called towards 2020, the school closure plan was announced as part of the 2006-07 budget. The key feature of this rhetoric-laden work was the proposal to close 39 government schools and preschools and the amalgamation of others. After a notional six-month consultation period, education minister Barr announced the government's decision to close 23 schools, including 11 primary schools and one high school, with a new P-10 school to be established on the old high school site. It was also decided to partially close four other primary schools and convert them from K-6 schools to P-2 schools with early childhood facilities. In addition, a number of preschools were closed.

That started the ongoing abuse of the ACT public school system at the hands of this government that has today led to a significant number of schools being at capacity, other schools with little room for expansion, old schools in need of upgrade and repair and newer schools left with a confined footprint and no opportunity to grow because of densification and the desperate need to make revenue from land sales.

History shows that the process was flawed, the basic premise on which the decisions were made was incorrect, and the outcome for some schools and families painfully disastrous. Today we are seeing the results of those bad decisions—decisions that could have avoided the difficulties the education system faces today, if only the government had listened to the community, had done its homework and had not tried to fudge the books.

When you look back at all the discussion about the school closures, there is a pattern that is as evident today as it was then. It appears that the government has learned nothing in the past 10 years. Ten years ago it took the community for granted, and a decade later it has just broadened and deepened that arrogance and inability to listen to community needs.

Reading over submissions to the Assembly's education, training and youth affairs inquiry in 2009 into school closures, there were complaints about the public being misled about the government's intentions. Not surprisingly, there was no mention of school closures in the 2004 ALP election platform—a bit similar to the supposed mandate for light rail. Apparently it was only a couple of months after the 2004 ACT elections that plans to close Ginninderra High School were being made—plans to close that school and others—while statements in the press were suggesting “no active consideration of school closures at the moment” and “not on the government's agenda”. Does this not also sound like the denials over closure of the Manuka childcare centre?

Due process not being followed was another issue. The Education Act 2004 requires that, before closing or amalgamating a school, the minister must have regard to the educational, financial and social impact on students at the school, the students' families and the general school community. The Save Our Schools organisation showed the government's insincerity and breach of this section of the act through FOI requests that showed no work had been done to analyse any impact that school closures might have. Compare that also to the lack of disclosure, the lack of information that the parents at Telopea school got about the reasons for their oval being taken from them.

Another topic was false representations of research done to justify the closures. Minister Barr has real form in this area. At the time of the school closures he misused research by Professor Caldwell, suggesting Caldwell's research proved that small schools were unviable, when in fact the research showed exactly the opposite. He had a similar confusion about research into the value or otherwise of small class sizes. He made dodgy claims about small class sizes and then conveniently dropped them, probably just about the time many schools had classes well in excess of the supposed ideal.

The education efficiency dividend, supposedly based on sound economic research, was another poorly researched blunder that had the potential to damage our schools. Education minister Barr was forced to withdraw this ridiculous and damaging decision, but only after it was pointed out by angry parents that the cut would slash services to the visually impaired and services to the hearing impaired; that it would cut the Aboriginal and Torres Strait Islander literacy and numeracy program and take out several school counsellors.

Since then there have been three education ministers and all have blundered their way through the portfolio. Education minister Bourke's short tenure was highlighted by building issues due to the absence of appropriate maintenance plans, especially in our older schools. When you have a school in a suburb like Forrest with filthy and smelly toilets and unusable wash basins, other schools like Weetangera with almost permanently leaking roofs and Farrer Primary School with mould that made children sick, that had been ongoing since Minister Barr's days, that ought to send warning signals.

But it did not, and so we had Taylor Primary School found to be riddled with dangerous asbestos and the school forced to close for almost a year while repairs were done at a cost of almost \$13 million. Remember this was only a few years after education minister Barr did a major slash and burn in closing 23 schools because he said this would provide more money for older schools and for new schools to be built.

Minister Bourke was followed by Minister Burch who refused to realise the importance of nurses in special schools, who thought it quite appropriate for students to sit in classes during heat waves and freezing winters without appropriate cooling and heating systems because older schools did not need money spent on them when we could talk instead about the new school at Gungahlin.

This is the same minister who claimed shock and horror when her own directorate's failed policies led to the caging of a student and the sacking of a principal. Responsibility should always rest at the top but it was a principal who lost her job when a crisis in our schools in dealing with students with challenging behaviours and complex needs was exposed so sadly, even though there had been calls for additional professional support for such students from teachers and their union.

After Minister Burch chose to retire to the backbench, in an interesting move, the Labor government decided to appoint a Greens education minister. Given the crisis in accommodation in our schools, perhaps this was the best way for ACT Labor to distance itself from 10 years of failure to plan and predict school populations, failure to manage and maintain older schools and failure to support students with challenging behaviours.

Earlier this year in a motion in the Assembly I spoke about the crisis in our schools. I said at the time that by March this year there had been a series of interesting reports, the first an ABC story headlined "Garran Primary School bursting at seams". The article had used public school enrolment projections, extracted from the ACT Education Directorate's own modelling, to highlight a number of schools that would, most likely, be facing overcrowding difficulties this year.

The second was the publication of the February 2016 schools census which outlined actual enrolments for each year in each school throughout the ACT. At the time I called on the government to publish their own projections for school enrolments. Minister Rattenbury did his usual "on the one hand and on the other hand" type of speech, sort of acknowledging that there were some schools a little under pressure, but he was quick to assure us that there were strategies in place to manage them: moving enrolment areas and the like.

He refused to accept the fact that the ACT public school system was facing any crisis of capacity. He effectively challenged my claims that schools like Harrison Junior School had potential enrolments of 1,099 with enrolment capacity of only 1,050, that Hawker Primary School had enrolments close to their maximum and that even Gungahlin College, which opened in 2011, has now had to restrict enrolments for 2017 as it is over capacity. I understand Macquarie primary is not far behind. Remember, Macquarie was one of those areas that Minister Barr said only 10 years

before was declining in population and had fewer young families moving in. At least Minister Rattenbury did not go as far as his predecessor in trying to gild the lily, as when Ms Burch claimed 18 months ago, “In each of our four networks school capacity will remain comfortably above projected enrolment growth.”

In March I listed a number of schools that were struggling across Canberra—from Red Hill to Mawson and even in the Gungahlin area—that education minister Barr had claimed was to be a focus after closing schools elsewhere. I also pointed out that perhaps the problem might not have been quite so dire had the government delivered on its 2012 election promise of an additional—and I stress an additional—\$70 million for older school upgrades.

I called on the government to provide projections for 2017, 2018 and 2019 and how they are responding to those projections. When Minister Rattenbury agreed to deliver those projections and to provide enrolment details for schools, I wondered why he needed several weeks to do so. Once I got the figures I could see why he needed all that time.

Instead of working on what is regarded as a standard way of measuring class space, someone in the directorate came up with a, supposedly, ministerial face saver called total school capacity. Minister Rattenbury was able to table a new set of data in the Assembly that showed there was no capacity problem in nearly all of our schools. It was suggested that this new way of measuring space in schools was more accurate, rather than relying on the established and tried method of actual classes. Instead, you effectively measure absolutely every space available within the school grounds, including the special learning units, even though they were designed for a minimum number of students, including purpose-built areas such as music rooms, science rooms and the like. This helped to show there was more room than first thought. The *Canberra Times* saw through this ruse. As their editorial said at the time, “Massaging school figures is not management”. Minister Rattenbury should have been well aware of that because that is all it was—massaging and data manipulation.

However, there was one small problem. The minister’s response that he tabled in the Assembly in June included the February 2016 census data. You could then compare that to this new total capacity number, except the February census data was not correct. Whoever devised the new formula had conveniently removed preschool enrolments from the count. They were included in the February figures but, had they been included in the new chart, it would have shown the extent of overcapacity.

In Minister Rattenbury’s defence, from his surprise when I pointed this out in estimates, he was not aware of this data manipulation. But he has done nothing since then to correct the record and has offered little more than a temporary demountable at Garran primary for 18 months to fix the problem; not much of a response and not much of a fix.

But it goes to highlight a consistent pattern of managing community expectations. I would prefer to use stronger language, but Madam Speaker would no doubt pull me up if I did. It is a not dissimilar story to how hospital records have been recorded and reported and it has the same intention of calming an otherwise concerned community.

But the community is smartening up. There is a higher level of distrust in the government. No matter how much Minister Rattenbury is trying this week and last to distance himself from Labor, and how much Labor tries to rewrite history, it is not fooling anyone.

Ask families of Telopea Park School and the MOCCA community about trust in the current government, including the total cabinet, which includes a Green education minister. They make no distinction between a Greens minister and a Labor minister because both have let them down and failed to communicate openly and honestly with them. That is why, in this motion, I am calling on the government to own their mistakes. They need to acknowledge that closing schools was a mistake and that doctoring enrolment methodology is not only unethical but also not very smart. The government need to commit to genuine and appropriate infrastructure upgrades and they need to be honest with parents about what the future options are for school enrolments, especially in those schools that simply cannot fit the number of students they need to.

The ACT public school system has much to be proud of. However, that is not as a result of but in spite of what this government has done with closing schools, neglecting schools, overcrowding schools, taking ovals from schools, promising schools upgrades years and years before they are delivered. Our schools deserve better. Under a Canberra Liberals government they will get better. We have already announced \$60 million in additional funds to help address the chronic infrastructure problems. We have announced more money for special schools and we will be announcing more in the weeks to come. I commend the motion. (*Time expired.*)

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (3.41): I have listened to Mr Doszpot's dissertation on history; he left out important parts of that history, and I will take the time to fill those blanks in for him so that we do not have such a selective take on it.

What he does know, I imagine, is the ACT's position and concerns 10 years or more ago on the school closures. That is well and truly on the record and I do not intend to repeat that today, but he did conveniently leave that out—or perhaps he just chose—

Mr Doszpot interjecting—

MR RATTENBURY: It has taken Mr Doszpot only about 32 seconds to start interjecting in my speech, which again underlines the very contempt he holds for the standing orders of this place and the rudeness of his demeanour.

Mr Doszpot's motion today reads as though it was another shadow education spokesperson that brought a motion to this place in April of this year on similar issues. It also appears that, at best, Mr Doszpot was not in the chamber on 9 June this year, as I comprehensively answered the questions which he puts again in today's motion.

I acknowledge the pressures facing some ACT public schools. Today Mr Doszpot has come in here and again selectively ignored the fact that I have been quite open about

acknowledging that some of our schools are under pressure because of the changing population patterns in some of our suburbs. He was very churlish about the fact that I tabled the new school capacity projections and I outlined updates to school capacity profiles. Mr Doszpot may have also been distracted during the announcements I made as part of the 2016-17 budget addressing a number of these concerns.

Beyond that, it appears that Mr Doszpot has not taken the time to even google this information, as much of the information he is asking for in today's motion is actually available on the Education Directorate website. I made it available there in a spirit of transparency and openness with our community, enabling people in our community to look at this information for themselves, as well as for other members of this place to do so. I directed that the information be made publically available—and that is an unprecedented publication of forward capacity projections, as far as I am aware—because, as I said, I wanted to promote transparency and clarity for members of this place, parents and school communities.

So I do not think this is a very genuine motion. I think the motion on paper was just an excuse for Mr Doszpot to give the speech that he wanted to give. That is fair enough; that is his prerogative. But given that I will respond to the motion that he put forward today, I will focus on the information that he sought. There is little point in spending too much time on it really, but I would like to make sure that these matters are on the record so that if anybody goes back and looks at this transcript at a later time, they can see the information that Mr Doszpot asked for in his motion.

As I said, I have already acknowledged that there are some schools facing enrolment pressures. I have made no secret about that. I have not denied it. All you have to do is look at the data to know it. I have outlined what we are doing to support those schools.

Right across the ACT, enrolments in public schools are growing, with our school census showing a 14.9 per cent increase in the past five years. As I have publicly stated, we have no reason to suppose that the enrolment growth rates Canberra public schools experienced in the past few years will abate and I and the ACT government offer an ironclad guarantee that no student will be turned away from a high quality and free education.

I am actually very pleased to see the very significant growth in public education numbers in the ACT. As I said in question time, they are far outstripping the ACT's overall rate of population growth and I think this is a strong endorsement of the ACT's public school system in particular. This is something which Mr Doszpot has just sought to paint a very bleak picture of but in fact it shows that the parents of Canberra know that these are great schools with great teachers that are producing good outcomes when it comes to educating their children. When the people are voting with their feet in putting their children into public schools in the ACT, that is a testament to the ACT's education system.

I have clearly outlined that we have included all teaching spaces and student spaces when considering the overall capacity of schools. Both Mr Doszpot and sections of the media seemed to have missed this in my tabling statement in June this year. I will quote what I said and then I will give my commentary on their commentary. I said:

... the definition of school capacity has been expanded to ensure that all learning and teaching spaces, including curriculum flexibility spaces and special education spaces such as learning support units, have been included.

We have had an odd debate since that time. I was very transparent in coming in here and saying it in the Assembly. There was all this stuff about the various comments that people made in the press. I saw them. They have the right to say those things, I suppose. But we have a situation where Mr Doszpot and the *Canberra Times* think it was somehow inappropriate to include things such as our learning support units in our count of spaces in our schools. I genuinely struggle to understand that approach.

In an era in which parents and advocacy groups are asking for a more inclusive approach, in which we see more and more students with special needs and behavioural issues being supported in our schools, there seems to be a suggestion, from Mr Doszpot in particular, that those students should not be counted and the spaces they are taught in should not be counted in the way we measure our schools. That is how I see this. We saw Mr Doszpot describe this as an outrageous manipulation of data. The approach I have taken, which is to include learning support units in our calculation of spaces available in schools, in Mr Doszpot's words is an outrageous manipulation of data. I just do not accept that.

There are at least 74 learning support centre units and autism support units operating across the ACT's public schools. These contain six to eight students each but were historically excluded from capacity figures. That is what the *Canberra Times* says. That matches my understanding of the situation.

I have taken the decision to allow them to be included in our counting. Somehow that is seen by Mr Doszpot as an "outrageous manipulation of data". I find that an extraordinary position for Mr Doszpot to take, and I do not accept it. I do not accept the analysis. Later in the article, he is quoted as saying:

I can tell you, there is nothing wrong with the previous definition, but there is something very wrong with schools increasing their sizes without adequate planning.

I think there was something wrong with the previous definition. I think it is quite appropriate to include those things. The *Canberra Times* goes on to say in this article:

The previous *2013 Act Public School Enrolment Projections* calculated capacity for "mainstream students only".

Again, that is not where education is going.

I do not consider this an endeavour to introduce some new or sudden change or some particular agenda, as Mr Doszpot seems hell-bent on assuming. In fact, it is interesting to look at the time frame given what he just alluded to in his remarks. He suggested that the reason it took a while to get the figures back to the chamber was that this new definition was being worked up.

In fact, in 2011 a team of officers from the directorate's central office were engaged to review the student enrolment capacity of ACT public schools, excluding special schools and preschools. That was 2011. We cannot, as those opposite want, just pick and choose which particular school to pay attention to as the politics of the day dictate. The government must consider the wider system, population movements and the ever-changing needs of more than 40,000 students.

The review involved interstate comparisons, reference to historical practices in the ACT and interviews with over 20 principals across various sectors and school structures. A model was devised and trialled in a number of schools. After review and incorporation of feedback, a model was adapted and applied to most other school settings.

I and the directorate remain committed to ongoing communication with parents, schools and the broader community about these challenges. Here I speak to the point Mr Doszpot was making about needing better communication with parents. As I have said, I have released all of these figures in the spirit of transparency. I have attended parent and citizen council meetings around the unique issues facing our fastest growing region, Gungahlin. And the directorate met with local residents at a community schools forum on 15 February to discuss enrolment pressures, population growth and new school construction. Similarly, I have met with a range of other stakeholders across the school sector and discussed these very issues.

I have personally visited Garran Primary School—a great school that I know has caught the attention of media and the opposition—to hear directly from the school board and the parents' representatives about their concerns. I can say that the directorate is working closely with Garran school in particular because they, particularly, are right on their capacity threshold. No-one makes any bones about it. It is a very popular school and people want to come there.

There is a range of schools facing enrolment challenges. There are some that have low enrolments. As I said in question time, each of these is supported to develop an enrolment management plan. These plans are developed by the principal, in consultation with the directorate's capacity working group, managed by the Infrastructure and Capital Works branch, which monitors school capacities and undertakes reviews in accordance with a two-year cycle, and are available for school communities to comment on.

Any adjustment to the priority enrolment area boundary, just one of the many strategies the directorate has at its disposal, can often take up to two to three years before the change occurs, as it requires community consultation and advice to minister of the day.

At Garran, for example, the changed priority enrolment area boundary was foreshadowed from May 2015, and the website was updated in April this year to reflect the approved change prior to enrolments for the 2017 school year. Mr Doszpot made a remark about the additional transportable building that will be sent to Garran. When I went to Garran, I walked around with the chair of the board, the P&C and the school principal. We had quite a discussion. The directorate is taking a number of steps in addition to the transportable building.

At the time, the discussion I had with those present was that they were particularly interested in having a space for STEM work, having a dedicated STEM space. We had a bit of a chat about that and we agreed that a transportable building would be a great way to deliver that. That is what we have done. I had that direct conversation with the school. I went there; I met them. I talked about what their needs were; they identified that that was the most pressing need that they had, so I have delivered it.

Mr Doszpot may not be satisfied with that, but I am satisfied. I went to the school, I engaged with the relevant stakeholders at the school, and I have delivered the very thing that they said was most of interest to them. I am quite comfortable that better communication with parents about school enrolment pressures is taking place.

There will be other schools that I will need to go and talk to. There will be other communities. The directorate also is talking to people. The school network leaders are talking to the schools. All public school principals have had direct communication with the directorate about their schools' current and future capacity and been involved in discussions about what strategies and support are available.

I am not sitting idly by as these challenges arise. Canberra's fastest growing region, Gungahlin, has seen significant population growth, of 44.8 per cent over the past five years, with existing suburbs expanding and new suburbs being developed. In the 2015-16 budget, \$28.6 million was allocated to build a new primary school in north Gungahlin ready for the 2019 school year. In addition, the budget that we have just been through, the one that I delivered as the education minister, provided new funding for Amaroo School to have 12 new classrooms to cater for 300 secondary school students; an expanded gym to accommodate increased student capacity and allow for additional community use; and installation of new hard courts. Harrison School will see the installation of eight new classrooms for 200 primary and middle school students. Neville Bonner and Palmerston primary schools will be receiving new and expanded primary and preschool facilities.

I have also provided an extra \$250,000 towards the school modernisation program which is increasing the planning capabilities of the directorate to respond to the future needs of public schools.

As I said earlier, the Greens' position on and concerns about the school closures are well and truly on the record, and I do not shy away from that. We did take a different position. That is something that we do. We take the position that the Greens think is the right position. That said, I will work in the current government to deliver the best outcome for students. In 2016, as the Minister for Education, as a progressive member of a progressive government, I am committed to working with the community and for the community here and now. I am committed to working for the community in the future.

If Mr Doszpot, after my explanation today, still needs further answers to the issues raised in his motion, I recommend that he print out *Hansard* for today or some of the previous occasions or bookmark the Education website. Things he has talked about here are available. I have been perfectly transparent about providing them. I hope I have answered the questions that Mr Doszpot has and that the other members of the chamber have found those pieces of information useful.

There are ongoing challenges here. We do see some schools under pressure. I make no bones about it. I have never made any bones about it. What I can guarantee is that I am quite focused on working with the schools that are facing enrolment issues, be it low enrolments or high enrolments, to do the best possible job for them. I move:

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

“(1) notes:

- (a) that, on 6 April 2016, the Minister for Education provided the Assembly with a comprehensive summary of issues relating to public school capacity;
- (b) that, on 9 June 2016, the Minister for Education presented to the Legislative Assembly:
 - (i) February 2016 Census enrolments;
 - (ii) 2016 school capacities;
 - (iii) 2017 and 2018 enrolment projections for all Canberra public schools, except for four specialist schools;
 - (iv) explanations for changes to methodology of quantifying school capacity; and
 - (v) an updated glossary of terms that relate to student enrolment; and
- (c) this information and other relevant information regarding student enrolment is published on the Education Directorate website at http://www.education.act.gov.au/school_education/enrolling_in_an_act_public_school; and

(2) calls on the Government to:

- (a) continue to work with students, schools, parents and local communities in response to increased enrolments in ACT public schools; and
- (b) maintain its strategic approach to school capacity and infrastructure funding as evidenced by the 2016-17 Budget.”.

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) (3.56): I welcome the chance to speak to and support Minister Rattenbury’s amendment today. I believe that it is a balanced amendment that acknowledges the need for evidence-based future planning and a strong investment in ACT public schools.

Projecting population growth and school demand is a difficult task. I appreciate the level of information that Minister Rattenbury has provided to this place during our previous sittings, which he has referred to. The information that he included in that

was around the 2016 schools capacity, the enrolment projections for future years and explanations for changes in the methodology in quantifying school capacity.

This information was also provided publicly, as he says, on the Education Directorate website and received coverage in multiple news outlets. Like the minister, I have to say that I was a little surprised to see in the motion from Mr Doszpot a request for the same information only one sitting after it was provided to all members and made available to the public.

The minister made references to the LSU being counted as part of the methodology. I think that is the right way to go. Certainly the Labor Party and the government see that every child should be counted and their learning spaces should be counted and treated of equal value. That is this government's commitment to those children, that every child, regardless of how they learn or where they learn, will be treated with equal value.

However, I will always welcome a conversation about the importance of planning and investing and providing high quality public education for Canberra. As the minister has indicated, the ACT government is going far beyond just talking to parents about enrolments at schools. As a government we have been committed to making sure that parents are able to be fully engaged with their school community and with their child's learning.

As a busy single parent, I understand how difficult this can be in practice and the extraordinary lengths that many teachers in the ACT education system take to ensure that every child in their classroom can experience the benefits that come from having their parents engaged in their learning. That is why in the 2016-17 budget, the ACT government committed \$10 million to a streamlined business management system that will make interaction with schools simpler for parents out in the community.

In that same budget we committed to a significant infrastructure plan that responds to the needs that have been highlighted by the data that the minister presented to this place in a previous sitting. This includes the expansion of Harrison School, Neville Bonner Primary School, Amaroo School and Palmerston preschool in Gungahlin where population growth is creating demand for more school facilities. We have also committed to better preschool facilities at Hawker and Weetangera where there is increasing demand for public education.

In Belconnen this adds to the recent funding to improve Belconnen High School and Latham Primary, as well as a significant commitment that would have expanded the capacity at Macgregor Primary School. The Macgregor Primary School example probably set the tone for the ACT government in conversations with the school community conducted by the previous minister for education, Joy Burch.

She had the same kinds of conversations that the minister has referred to today—going out to the school and finding out what the school's needs were, what the school's parents and community wanted provided at that school. That school had a significant upgrade because there were more families and a number more children growing up in west Belconnen. So the expansions to Macgregor Primary School met those people's needs.

There have also been commitments to improve facilities across Canberra—in Tuggeranong and Woden, as well as the inner suburbs—so that our kids have access to great schools regardless of whether they are in growth areas for schools in demand or in an area where the demand is ebbing. This is the way that our schools should be. Schools are important hubs in our community that provide facilities and a focal point for the community.

In my own portfolio responsibilities I also see how important they are. As sports minister I have been working with the Minister for Education to open them up to sports clubs. Recently Minister Rattenbury and I went out to Alfred Deakin and announced the relationship between Alfred Deakin School and the Weston Creek Woden Dodgers Basketball Club, which had been displaced following the closure of their Woden basketball stadium.

In the multicultural affairs portfolio I am pursuing similar goals to make our existing spaces available to our diverse community to meet and to share their culture. As minister for community services I also see how important schools integration is for referral pathways and community projects. The Kingsford Smith School in Holt is working with community organisations and businesses in the area to improve outcomes for their students through work and cultural experiences.

This community use in schools reflects what I know as a parent: a school is much more than just a building. This is why the ACT government is investing in the important work that goes on inside the classrooms and buildings that we are refurbishing. This includes the \$21.5 million to strengthen the capacity of schools to support students with complex needs and their families in response to the recommendations made in the schools for all report.

An amount of \$300,000 has been allocated to strengthen Ngunnawal culture and history in schools by encouraging schools and students to engage with traditional owners, improve access to Ngunnawal culture and resources and increase cultural awareness. Also, an amount of \$300,000 has been provided over three years for teacher scholarships to support post-graduate learning and additional teacher expertise in science, technology, engineering and maths.

In his original motion, Mr Doszpot identifies that the way schools were planned and managed in the early years in the ACT made it necessary to undertake closures that were disruptive to the strong communities that form around local schools. In my community in west Belconnen I still run into former parents and students who have a strong historical connection to the schools that were closed. Many of them have become amazing advocates for building community spaces and organisations on those sites.

Today we have a responsibility for Canberra's current school students and to the communities around them to ensure that we are planning new funding and facilities in a way that creates spaces that are flexible to the inevitable fluctuations in demand over time. Having taken the time to look at the information provided by the minister in the previous sitting, it is clear that we have demand areas across Canberra. The new

populations in the northern suburbs across Canberra are seeing a new influx of young families. I am confident that this demand is reflected in the funding package delivered by the ACT government in the 2016-17 budget, which responds to evidence-based needs.

As a government, we will continue to plan for our schools in a way that gives continuity to the surrounding community and delivers quality education to kids attending school, no matter what stage of growth their school is at. I commend the minister's amendment to the Assembly.

MR DOSZPOT (Molonglo) (4.04): Mr Rattenbury expressed some concern. He said that he has told us everything and that we should know better than to think other than that everything is going well, that the planning is there, that we can change definitions and still come up with the correct plans. He asks why it is so important that we are making such a fuss about it.

Mr Rattenbury, the issues that we are trying to face head on are issues that I have got from talking to the schools, talking to the school communities, talking to school principals, talking to teachers. It is their concerns that I am reflecting and have been reflecting for the better part of 2½ years.

I said these things 2½ years ago when Ms Burch was education minister. We were told that everything was fine, that in all of the four directorates there were no capacity issues. I have to say that I did have higher expectations of Mr Rattenbury when he took over. I am very disappointed that he is still not listening to the real issues. It is a bit concerning.

Minister Rattenbury mentioned the fact that I have brought up all these issues regarding school capacity. I have done so in the interests of the school community, of the principals who are forced to work under the conditions they work under, the conditions that teachers have to work under, and in the interests of children who are shunted between rooms, for example, from a normal class to a library where science experiments are carried out because there is no other room available.

It is also interesting that Mr Rattenbury has mentioned the *Canberra Times*. I guess he has got more good mileage from the *Canberra Times* than many other people in this place, but he seems to find the criticism that finally has been given to him to be a bit of a problem.

Let me quote a complete *Canberra Times* editorial—headed “Massaging school capacity figures is not management”—that was published on 16 June:

Earlier this month, Education Minister Shane Rattenbury advised the Legislative Assembly that “the definition of school capacity has been expanded to ensure that all learning and teaching spaces, including curriculum flexibility spaces and special education spaces ... have been included”.

The elucidation was little remarked upon at the time, being part of a longish statement Mr Rattenbury gave in relation to the tabling of the 2017-18 enrolment projections for Canberra public schools. Mr Rattenbury's media release of the

same day outlining how the projections were assisting “in planning for and managing” growth in public schools didn’t mention it either. It’s not escaped Steve Dospot’s attentions, however.

The Opposition education spokesman accused the government of an “outrageous manipulation of data”—

I emphasise that:

to allow it to evade criticism over allowing schools to enrol more students than their mainstream capacity.

The ACT Council of Parents and Citizens Association were concerned about it. The Australian Education Union was also very concerned about it. Returning to the editorial, it goes on to state:

The ACT Council of Parents and Citizens Associations, meanwhile, has said the change “appears to be a very cynical move” while the Australian Education Union is seeking a briefing from Mr Rattenbury.

They also felt that it was inappropriate to make it look like space for children with special needs should be so callously used to try to underline a shortcoming in their planning process. I return to the editorial.

At the heart of this contretemps is the reality that more and more schools are struggling to deal with expanding enrolments. This is not an unusual occurrence in countries of rapid population growth, as Australia is.

Perversely, overcrowding in Canberra is occurring more often in established suburbs than in the newer suburbs—a result of Labor’s urban infill policies. Garran Primary, for example, is currently at 98.7 per cent of capacity—defined by the Education Directorate as “the total number of students that a school can hold before any additional infrastructure works is required”.

I turn to the crux of the problem. I will use Garran Primary School as a very good example of this whole misunderstanding this minister seems to have. I have not heard Mr Rattenbury describe the effects of densification in the Garran area on Garran Primary School. The information that came to me came from parents, from the principal, from people—sorry, it came from parents, basically; the school body, the P&C and the school board who were concerned about what was happening in their neighbourhood. Complete complexes of townhouses were being built where previously single dwelling houses existed.

It does not matter how much you tinker with the priority enrolment areas that Mr Rattenbury refers to. That will not have any impact on the number of people within the area because they are already in the area. It is part of the government’s policies to push this densification in all of our inner suburbs.

The same problem is going to occur in Red Hill should the government’s plans go ahead with the densification around the Red Hill shops. Red Hill Primary is just across the way. If you put another 500 to 1,000 people into that area, as currently are the plans, there are going to be huge problems.

But for some reason Mr Rattenbury fails to see that these are issues that the community well understands, we understand, the P&Cs understand, the union understands and the editorial writers of the *Canberra Times* understand. The only one who is missing the essential issues that the community is concerned with seems to be the Minister for Education. I find that very much a pity.

I am not at all surprised that the government, including its Greens minister, does not wish to own up to the mistakes it has made in school closures. Yet, sometimes the more you try to cover the problems that you have created, the more problems you create for yourself. This is the situation that is becoming quite a strong issue within not just Garran and nearby schools but also numerous schools in the inner south and inner north, even at Gungahlin College.

It does not surprise me that Mr Rattenbury continues to avoid the fact that schools have been getting more and more overcrowded because insufficient funds have been directed into their care only 10 years after closing 23 of them. One of the reasons provided was to ensure that sufficient resources were available to remaining schools. Obviously that did not work. In essence, if Mr Rattenbury thinks there is nothing wrong with a year 6 class having 37 students, he is not the right person to be in the education minister job. And temporary transportables at Garran are not the be all and end all.

Eighteen months ago, the Garran community came to me with issue with regard to a walkway between the primary school and the preschool. It was not attended to for 18 months. Yet Mr Rattenbury keeps telling us that he and his predecessors listen to the community. There was an issue where a teacher broke an arm and that meant that for about 18 months they had to transport certain children who needed wheelchair transportation via a cab to go from Garran Primary around to the preschool because there was no other way of getting the children there.

For 18 months they were waiting for something to happen. What has happened, Mr Rattenbury, is that finally some attention is being given to them. But it has taken 18 months of inaction.

Mr Rattenbury: And how many months have I been in the job, Steve? You fool!

MR DOSZPOT: Well—

MADAM ASSISTANT SPEAKER: Order, members!

MR DOSZPOT: Madam Assistant Speaker—

Mrs Jones: Point of order. I believe the minister just called Mr Doszpot a fool.

MADAM ASSISTANT SPEAKER: I did not hear exactly what Mr Rattenbury said. Could you sit down for a moment, Mr Doszpot? Thank you. I ask Mr Rattenbury if that was the case. Mr Rattenbury.

Mr Rattenbury: Yes, that is the word I used, Madam Assistant Speaker. I am not sure that it is deemed unparliamentary, though.

MADAM ASSISTANT SPEAKER: That is a fair point. I will have a look to see if there is any precedent, Mr Rattenbury.

Mr Rattenbury: And certainly when I reflect on some of the other things that are said across the chamber, I suspect it is about on par with some of the things that Mrs Jones, Mr Doszpot and their colleagues use in the chamber on a frequent basis. But I will defer to your ruling.

MADAM ASSISTANT SPEAKER: Thank you. There is precedent. In fact, it was Mr Rattenbury himself as the Speaker who asked someone to withdraw it back in 2009. Mr Rattenbury, I ask you to withdraw.

Mr Rattenbury: I am happy to withdraw then, Madam Assistant Speaker.

MR DOSZPOT: Madam Assistant Speaker—

MADAM ASSISTANT SPEAKER: Sorry, Mr Doszpot, I did not stop the clock. Your time has expired. You only had about 20 seconds left.

Mr Doszpot: I have not made a statement about which way we are going on this amendment.

MADAM ASSISTANT SPEAKER: That may become apparent in the voting.

Mrs Jones: Can he seek leave to speak? Is he able to seek leave to speak, Madam Assistant Speaker?

MADAM ASSISTANT SPEAKER: Possibly, yes. You may seek leave to sum up very briefly on that.

Mr Doszpot: I seek leave, Madam Assistant Speaker.

MADAM ASSISTANT SPEAKER: You must stand up to seek leave.

Mr Doszpot: I seek leave to do so, Madam Assistant Speaker.

Leave granted.

MR DOSZPOT: Madam Assistant Speaker, I think what has been said over the last five minutes or so just about explains the issues we have with Mr Rattenbury as Minister for Education, someone who has got so little respect for the colleagues that he works with that he would use the sort of language that he has used while previously, when he was the Speaker, he would not allow other people to say this.

Minister Rattenbury did nothing for Telopea. That was another issue that we did not get around to speaking about. Overall, I just say that I am very disappointed in the government's and the Minister for Education's response to my motion. My motion simply asks the government to address the issues that have still been not addressed correctly. The minister has, in his own way, written his own epitaph for what he has done for education to date. We will not be supporting his amendment.

Question put:

That **Mr Rattenbury's** amendment 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 Wall
Mr Corbell	Mr Rattenbury	Mr Hanson	

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Multicultural and multifaith groups

MRS JONES (Molonglo) (4.21): I move:

That this Assembly:

(1) notes:

- (a) the enormous contribution multicultural and multifaith groups make to the broad Canberra community;
- (b) the importance for these groups to have a place to hold festivals, for worship and language classes as well as a place of support for their community;
- (c) the importance of having a facility that is accessible by public transport and has adequate parking; and
- (d) many multicultural and multifaith groups have experienced significant distress in their own countries for their faith or ethnicity; and

(2) calls on the ACT Government to treat multicultural and multifaith groups with respect by implementing a clear process for groups seeking land or facilities for multicultural or community use.

I am pleased to stand today to speak to the motion in my name on the notice paper. In February this year I brought a motion about multiculturalism, recognising the important contribution made to Canberra by people of various different ethnicities, faiths and cultural backgrounds. I recall at the time Minister Berry stated she was in mad agreement, and Mr Rattenbury also supported the motion noting that Canberra is an inclusive and multicultural city with a rich and diverse society. I hope I have the same level of support for this motion today.

I have spoken to many multicultural and faith groups that have struggled with the government and the lack of clarity when applying for community land and being able to access several facilities to establish their cultural homes. It seems this government does not really care about some of those groups to the same extent as their rhetoric would have us believe.

These people at times experience significant persecution within their own countries and they come to Australia in the hope of making a better life. Often our multicultural and multifaith communities are at a disadvantage in navigating governmental processes as English may not be their first language—it maybe their second or their third—and there are also understandings of how culture works and how government processes work that they need to get familiar with.

These groups at times can be nervous about dealing with the authority of government and tend not to want to rock the boat. So they seem to quietly put up with being shunted around and left waiting and waiting in order to get to see if they might be able to access suitable land or facilities.

The government has a track record of showing a lack of respect for these sometimes vulnerable groups. Back in 2009 the Canberra Muslim community was in the process of buying land at Nicholls. However, by December that year, because the government had not bothered with community consultation and neither had they assessed the issues of parking and traffic, the Canberra Muslim community were forced to look for another block of land. The government had not bothered to consult with the community, which showed absolute contempt for residents of Nicholls as well. When consultation was finally cobbled together, nobody in Nicholls even knew it was happening. The consultation was carried out in the middle of the day in a suburb removed from the community.

You would think that the government would have learned from this experience and that they would have looked at the requirements for community groups, such as the size and location of land, is it sufficient for the needs of the community, is there adequate parking, will traffic be a challenge, is the location accessible by public transport? However, it seems that seven years later the ACT Labor government has not learned a thing. They continue to show a complete lack of respect for community groups seeking land and contempt for the residents where facilities are to be built.

Most recently we have seen this lack of respect apply to the Amadea Muslims. The Amadea Muslims are a group who have experienced severe persecution in other countries, particularly Pakistan. In Bangladesh they have been targeted and have

experienced severe acts of violence. In Indonesia the majority of Muslims believe the Amadea should be banned, in 2008 a law was passed to prevent them proselytising, and in 2011 a mosque was burned and six Amadeas were killed for their faith. In Pakistan where the largest population of Amadeas live, the state has declared that they are non-Muslims. This persecution and violence is relatively commonplace for Amadeas in Pakistan, and in 2010, 86 Amadeas were killed while attending a Friday service.

Here in Canberra, where the Amadeas should feel welcome, their treatment by the ACT Labor government has been far from welcoming. The Amadeas first applied for community land over six years ago in November 2014. They were finally offered a block of land in Rivett. The block was not really suitable as it was approximately 2,500 square metres. This block was offered to the Amadeas without any consultation with local residents or the broader Rivett community, who were surprised by the announcement that it was coming.

There was no thought put into how building a new community facility like this would impact on the parking in the area. The establishment of a facility for a community that has over 120 members would have a significant impact on parking at Rivett shops where only 56 car parking spaces and one disabled car parking space service all the other community facilities of an aged-care residence with 15 full-time residents and up to 15 day patients, a church with over 150 members, a SPAR grocery store, a post office, a baker, a hairdresser and a remedial massage business. Parking would have become a nightmare.

After the government was caught out not consulting with the residents about this new facility, they backflipped on offering the block of land and offered the Amadeas a block at commercial rates in Hume. Although the block was around 5,000 metres square, its location meant that it could not be easily reached by public transport, and the commercial price of \$750,000 for this option was also taken off the table.

So after being offered two blocks previously now the Amadeas have been offered a block of land in Narrabundah. The block of land is about 4,800 metres square. However, it requires some remediation and the installation of extensive driveways, which has been an estimated at a cost of around \$450,000.

So the government offered land initially without consultation with the community and without assessing the suitability of the community facility within the suburb. Then the government offered a block of land that is about 10 times the price of community land and not easily accessible by public transport, and then it withdrew the offer. Finally, a block of land has been offered to the Amadeas for which they have agreed to pay for the remediation and installation of driveways however they have been told by the government that the decision is still pending and will not be made until after the election.

The government has shown a complete lack of respect for this community group and their desire to establish a cultural home. The government has conducted no community consultation with residents in Rivett, with businesses at Hume and now residents in Narrabundah. Again, we see the government showing lack of respect for

the cultural group and contempt for residents in the area. This approach seems to have become the modus operandi for the government: dragging their feet or moving the goal posts on vulnerable community groups.

Another group that has applied for land is the Hindu community of Gungahlin. This community applied for land more than two years ago. They are looking for a large piece of land given there are between 12,000 and 15,000 Hindus in Canberra. They were initially offered some land in Kenny which they were happy with and started to have plans prepared and even commissioned some statues in preparation for the new facility. However, they were disappointed to be told that some sort of panel had met and did not agree with the group receiving this land which had been offered. Apparently it was then offered to a public housing development. They were rather disappointed.

They were then offered a block of land in Franklin, which was much smaller at around 5,600 square metres. As a community they were concerned that this really was not big enough for the festival days and the big celebrations where they expect between 300 and 400 cars. To deal with the traffic and parking expectations they have asked over and over for a block of land that is close to good car parking facilities or has enough room. However, two years into this process they still have no land and no assurance that they will ever be granted land.

I am told that they work tirelessly to raise funds to build the facility and many in their community are scared that they will never have an opportunity to build this place to call home for their spiritual experiences. Within the Gungahlin area there are no community facilities that can hold between 500 and 600 people and the only facility they have been able to rent is Albert Hall.

The Catholic church in Gungahlin when seeking land in the Gungahlin town centre were told by departmental officials that people do not go to church anymore and there is no great need for land to be made available for church groups. A church of over 300 members in the Belconnen area was also told there was no land available for them, so they were forced to spend a significant amount of money on purchasing a commercial building. However, they found the government and the planning process to be obstructionist when it came to changing the use requirements of that facility and bringing it up to current building requirements. Again, the tired government has shown a complete lack of respect for these multicultural and multifaith groups and contempt for the residents in the area. The lack of clear process has caused enormous stress to these groups as they are unsure what their futures will hold and what facilities they will be able to establish for their people.

I am sure we would all agree that Canberra is a place for everyone, and we have seen support on all sides of politics in this place for our multicultural and multifaith communities to some extent. On 30 October 2014 the government held the one Canberra symposium with the goal of promoting cultural harmony. I note the symposium's recommendations were grouped under a number of key streams, some of which include celebrating a diverse city, community leadership, community cohesion and engagement, and cultural and religious acceptance. The programs outlined in that plan would build on core commitments to three key principles to

which the government is reported to be committed: diversity and multicultural success is worthy of celebration; celebrating diverse and multicultural success assists in strengthening existing community cohesion; and community cohesion in engagement are key to resisting those voices that seek to undermine or challenge the values of the Canberra community.

The government is committed to celebrating diversity and multicultural success but is unwilling to provide a clear process for multicultural and multifaith groups to establish community facilities within our community. It seems as though the government is paying lip service to the needs of the multicultural and multifaith communities while in the background not really treating them with due respect. It is fantastic to have held a symposium to look at ways of promoting cultural harmony, but there have to be practical outcomes of this within our planning framework to ensure that multicultural and multifaith groups can, in fact, flourish within our community.

No-one in this place would dispute the extensive community work that multicultural and multifaith groups do within our city. Instead of encouraging them to continue to support people within their communities and caring for those in need and creating spiritual homes, the government is blocking these groups, blocking and frustrating and causing stress for these multicultural and multifaith groups. The attitude towards planning does not help multicultural and various faith groups to feel they are part of a culturally harmonious Canberra.

As a child I used to go with my Italian grandparents to an Italian Catholic mass in the Italian church which the people of that community had built in Hobart. It was a spiritual home for that generation of migrants who had come out. It was a place where they supported each other. From that place they ran welfare societies which managed the welfare of Italians who were in hospitals or prisons or needing assistance with managing their lives. If you allow these facilities to be built, the cultural dividend can be enormous.

I hope there will be support for this motion and that a clear process with appropriate respect for the multicultural and multifaith groups and a proper consultation process with residents will be generally embarked upon. I recognise that the minister will move an amendment to my motion, and I will speak to that in due course.

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) (4.33): I want to again thank Mrs Jones for raising this matter in the Assembly. Engaging with and responding effectively to the needs of our culturally and linguistically diverse community is a matter which generally receives bipartisan support in this Assembly, and I thank Mrs Jones for the opportunity to speak of some of our achievements today.

The ACT government acknowledges the enormous contribution that the multicultural and multifaith communities make to the life of our city. The ACT government is committed to continually enhancing their participation in order to achieve a connected community here where everyone is respected, included and valued for their

contribution to our city's harmonious way of life. This means encouraging our community to be responsible and active citizens who value our system of government and work towards a shared vision of civil life regardless of ethnicity, gender, sexuality or age.

The ACT government has demonstrated our commitment to these principles through the implementation of the multicultural framework for 2015-20. The framework promotes equality of opportunity and maintains social cohesion, builds social capital, and minimises social exclusion for culturally and linguistically diverse Canberrans.

There are a number of places in the ACT that are used by multicultural community groups in Canberra. Mrs Jones has referred to a few of those. They include the Theo Notaras Multicultural Centre, which for the past 10 years has been of great use to the growing multicultural community. The centre serves as a venue for multicultural peak bodies and cultural groups that support their respective members throughout the year. The centre is home to Muslim prayers on Fridays, a Chinese seniors group, a Tongan language group, an Italian choir, English language classes, a multicultural youth group and a range of other activities that benefit over 120,000 participants and visitors each year.

The ACT government is currently looking at ways school halls and gymnasiums around Canberra can be better utilised for community use when not needed by schools on weekends and after hours. We are also looking at existing grants programs which provide funding for community groups to gain easier access to suitable venues for their activities around Canberra.

The ACT government is committed to continuing to implement accessible and transparent systems which allow all members of the community, including culturally and linguistically diverse groups, to access land, facilities, services and support in building an inclusive and supportive environment for all Canberrans. We do this in a number of ways, but especially through our city's Human Rights Act 2004, which, for all Canberrans, ensures freedom of movement, expression, association, belief and the ability to take part in public life.

In practical terms, for members of our culturally and linguistically diverse communities, this is visible through access to facilities such as the Theo Notaras Multicultural Centre in Civic and the Aboriginal and Torres Strait Islander Cultural Centre at Yarramundi Reach on the lake; facilitation of events such as the annual National Multicultural Festival, the Ramadan Eid celebrations and the Diwali observance; support for the delivery of programs which enrich and encourage the retention of diverse languages as well as systems to ensure non-English speaking Canberrans can access government and community services as easily as English speaking Canberrans; funding to help build capacity through a range of grants programs geared at community building; and the declaration of the ACT as a refugee welcome zone in 2015.

These initiatives represent only some of what is currently taking place with respect to meeting the needs of our culturally and linguistically diverse communities in Canberra. The ACT government is presently undertaking a consultation process to find out what

more can be done to open up options for spaces to meet and celebrate across the capital. We are asking if the increased use of ACT government-operated schools and sports facilities, when available on weekends or evenings, would be beneficial. The feedback we have received so far has been incredibly positive, with communities welcoming the opportunity to be heard. There are, of course, many community groups already using school facilities for programs such as language classes. Our city, particularly our outer suburbs, is starting to and will continue to benefit from seeing more events within ACT government schools or sporting facilities closer to them rather than being concentrated in Civic or other inner city locations.

The ACT led the nation in being declared a refugee welcome zone in June 2015. The ACT has exercised both its capacity and its compassion to welcome those fleeing persecution, and we are doing our fair share to support people in desperate need. In 2015 the ACT committed to welcoming an additional 250 refugees from Syria and Iraq. This was above and beyond the usual humanitarian intake for the ACT. We have welcomed over 2,000 refugees to our city since 1997, and the ACT government plays an important role, together with the federal government and key local community organisations, in providing services to support and assist refugees and asylum seekers.

The ACT government and every cultural community in the ACT play a critical role when it comes to supporting new and existing members of our community. This means treating people with patience and respect, especially those who may have had negative experiences with government in their home countries. It also means taking the time to understand the personal experiences of each person and helping them to receive the right services at the right time. The government supports this through the *One Canberra Reference Group report*, which contains a wide range of practical initiatives that our community feels are important to further strengthen our community, diversity and cohesion and to ensure that at-risk and vulnerable members of our community do not face barriers to services, information or assistance. I am pleased to report that organisations across the ACT have been working together to enable refugees and asylum seekers to feel that they are valued members of their communities and to access services, supports and resources.

The ACT government will continue to provide open and transparent opportunities to all members of the community to access land. Under the Planning and Development Act 2007, the ACT government directly grants leases of land to eligible applicants in the not-for-profit sector as well as the commercial and government sector if it is of significant benefit to the community and aligns with government policy objectives.

At present, this process is overseen by ACT Property Group within the Chief Minister, Treasury and Economic Development Directorate, which also manages buildings which are available for use by community groups and businesses. We have had a lot of conversations this week in the Assembly about making sure that we have transparent and clear processes around these matters as a matter of integrity, and it is important for Mrs Jones and others in the Assembly to note that the government must continue to follow these clear processes around these matters. These policies have been developed to deliver fair and equitable outcomes for all members of our community.

The refugee transitional housing program has been running since 2008. Under this program, Migrant and Refugee Settlement Services is provided with up to 16 transitional properties for refugee families and helps families to transition into permanent, stable accommodation. Migrant and Refugee Settlement Services has advised that 100 per cent of the service users exiting the refugee transitional housing program to date have transitioned into private rental, facilitated through partnerships with philanthropic investors, landlords and home owners in the investors can help project.

The asylum seeker transitional accommodation program was developed to address gaps in service delivery for single male asylum seekers through the provision of transitional accommodation and support. Housing and Community Services also provide seven three-bedroom transitional properties to the Canberra men's centre to provide 21 supported accommodation places. The ACT government is supporting and will continue to support our multicultural communities. We affirmed this commitment in the ACT multicultural framework for 2015-20 and through the government's social inclusion and equality agenda.

We will continue to implement and periodically review the accessible and transparent systems already in place to ensure that our multicultural communities can make full use of the benefits available to them and all Canberrans in our wonderful city.

I move:

Omit all words after paragraph (1)(d), substitute:

- “(e) the ACT Government has led other jurisdictions to become the first Australian State or Territory to be declared a Refugee Welcome Zone;
- (f) the ACT Legislative Assembly has supported the increased humanitarian intake of refugees announced by the Australian Government; and
- (g) the efforts of local service providers in delivering vital support for refugees, asylum seekers and all multicultural communities in the ACT; and

(2) calls on the ACT Government to:

- (a) continue to implement refugee and multicultural policies that celebrate diversity and contribute to a broad social inclusion agenda aimed at giving all Canberrans the chance to belong, to contribute and be valued; and
- (b) continue to implement accessible and transparent systems which allow all members of the community, including culturally and linguistically diverse groups, to access land, facilities, services and support in building an inclusive and supportive environment for all Canberrans.”.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (4.42): I

welcome the discussion before us today and the attention the motion and the amendment bring to multicultural affairs in Canberra. I would like to acknowledge that I found most of Mrs Jones's motion amenable, other than the sting at the end suggesting that the ACT government does not treat multicultural and multifaith groups with respect. That is why I am happy to support Ms Berry's amendment to an otherwise important text, one that makes some valuable points.

The ACT government does treat multicultural or multifaith groups with respect. We are a cosmopolitan and diverse city, welcoming and considerate of people from all backgrounds. That is what happens when you have a progressive government that is in touch with the make-up of a modern community and can bring compassion and understanding to issues that may be half the world away.

I support Ms Berry's statements about how we care for refugees and newly arrived members of culturally and linguistically diverse communities. I am proud to be part of a government that so readily puts up its hand to help those in need, most recently in relation to the unprecedented and ongoing humanitarian crisis in Syria.

We also not only recognise but celebrate and actively support diversity in our existing multicultural community through a range of grants, events and forums. Most members of the Assembly will have been present at one or more of these events, from the much-loved and much-cited Multicultural Festival to new citizens welcoming ceremonies and a range of sporting events for our multicultural community; the full gamut of things that happen across Canberra that really add to this city. They add to the life of this city, add to the colour of this city and generally make it a better place to be.

The crux of Mrs Jones's motion seems focused on the need for more facilities or land for activities. As our city grows and more people are attracted to live in our community, I can understand that we are seeing more demand for a range of spaces. We are, indeed, a growing city, and it is vital we continue to invest in new facilities and spaces that can accommodate the full range of the community's needs. This can include sportsgrounds, religious buildings such as mosques and churches, or even just meeting spaces.

I am confident that members of the multicultural community are being made aware of the processes required to access the facilities. As members now know, there is a more one-stop-shop approach to accessing government information and support through Access Canberra, and I trust this is of use to the constituents that are contacting Mrs Jones's office. There is also the Office of Multicultural Affairs, which, as we all know, does a great job of providing information to the community on a range of matters. If anyone was unsure how to find out information, the office would undoubtedly take them to the right place, give them the right phone number, all of those sorts of things.

Specifically, in relation to support to access facilities, I will just make this observation in the debate. I am more than happy to talk further with Mrs Jones about her concerns to see if there is anything I can do in my role as Minister for Education to support increased access to school halls, for example. There are, most likely, opportunities to

improve the hiring of a range of government-owned or managed assets, and I am sure we can all do our bit to support this. If there are specific examples, I am more than happy to try to facilitate them.

In the previous discussion, Ms Berry referred to the fact that we have just been able to assist the Woden Dodgers basketball group to start using courts at Deakin high in a collaborative relationship between active Canberra and the Education Directorate to free up the space there. I note that there are many other schools across Canberra that are already used by a range of community organisations. But if there are particular barriers or groups that are struggling to find a place, I am quite happy to try to help them out specifically. It is important that we make the best possible use of our government assets so that as many people in the community as possible can seek to access them.

Ms Berry has already commented about the land issues. In relation to access to land, it is not my portfolio area but we need to have a really clear and transparent process so that people can access it in a way that is perfectly understandable to everybody and even-handed to the range of groups that may be seeking to access land. I do not have a lot to add on that one other than that general principle that it should be made available. It has been a great feature of Canberra's history that groups have been able to access blocks of land through time. We have community facilities and land for exactly that purpose and I hope that is something we can continue to support in Canberra, because it does help organisations get a foothold and provide to their community a facility that is suitable.

With those few remarks, let me say that I will be supporting Ms Berry's amendment. I appreciate the very important point that has been brought forward today and I am very happy to support the broad tenor of the point that Mrs Jones made in her motion.

MRS JONES (Molonglo) (4.47): I will address the amendment and close. Having now had a chance to look at the amendment, I thank the government for all the work that they have been doing in the area of new Canberrans and new Australians and refugees. I think we all support that.

With regard to the amendment, I will seek that, at the time we move them, we deal with the beginning through to (2)(a) together and simply deal with (2)(b) as a separate matter, because I think there is a lot of common ground here.

With regard to Ms Berry's remarks, the multicultural framework is obviously an important document, and I absolutely agree that the Theo Notaras centre and other community assets are very important in this space. We have all been to cultural functions held in school halls and I welcome Mr Rattenbury's collaborative approach on that because there probably is more that can be done in that space. It is worth remembering that these communities do not always know how to start a conversation on things like that and our Office of Multicultural Affairs does work in that space.

It is important to note, though, that ultimately multicultural faith communities have a strong desire, which should be part of their basic respected human rights, to worship in a space which is appropriate for that worship. I remember that when our local priest

in Gungahlin wanted to build a church for that area for the Catholic community and various cultural communities that are Catholic as well, he lamented that if he did not build something soon an entire generation of children would grow up without seeing what it was to go to church on Sunday in a Catholic church. I think the very same intention is felt strongly by the Hindu and Muslim communities: they do not want a whole generation of children to grow up without experiencing faith experiences in a place that is designed for that purpose. The nature of faith experience is that a built environment does matter to how those ceremonies and experiences are experienced.

So while I welcome that we might be able to do more to use current facilities, I stress the importance of the rights of people to worship in the way they see fit, and for us to support that in a jurisdiction which pays particular regard to the human rights of people who live in the ACT.

People can no less take off their religious beliefs than they can leave them at the front door or take a piece of their heart out. Faith, for people who have beliefs, is an inextricable part of who they are. We need to do more to allow generations to grow up in Canberra in appropriate faith, church, mosque, temple and synagogue type facilities.

There is also a strong desire for many of these communities to build these facilities at cost. They are not asking necessarily for special treatment; they just want access to a place to build. Some of them have raised hundreds of thousands of dollars already. They take pride in their success and their jobs and they are willing to invest their own money in these facilities. We need to open up the process of getting those groups a home.

Earlier arrived communities—not the new and emerging communities, but the older and more established communities in Canberra—were granted land fairly easily, from my understanding. They were also granted licences for poker machines, for better or for worse, to open community clubs. I am not saying that should be the way of the future; I am not a huge supporter of doing that to establish community clubs. But these groups tend to be able to really raise money because their hearts are truly in it. We need to have an openness towards them.

The reason I go to the issue of respect in my motion is that a lot of these communities who are trying to build a temple, a mosque or a church feel as though a carrot is held out and then withdrawn, and then it is held out and then withdrawn: the goalposts shift. They feel they are doing everything that they are asked to do, and yet decisions are being made away from them. They do not really understand how or why such decisions are made when they have been given commitments by officials, generally, that they are going to get X block of land, and then X block of land is taken off the table. That is the point I want to get to on the matter of respect.

I understand why the government would amend the motion; I know that this is the normal practice, and I understand that Mr Rattenbury would support that amendment. That is fairly normal practice. But we cannot support 2(b), because I feel that matter goes to the respect of people. Paragraph 2(b) says:

... continue to implement accessible and transparent systems which allow all members of the community, including culturally and linguistically diverse groups, to access land ...

That is not how the multicultural communities are experiencing their access to land in particular.

I support that we need to build a supportive and inclusive environment for all Canberrans, and I understand that there is a balancing act in allowing religious facilities, but we have had a history of really supporting people who might end up being marginalised in this city by allowing them to build their churches and their places of worship.

So we will agree with everything to 2(a) and oppose 2(b). If we can split, it would be great.

Ordered that the amendment be divided.

MADAM DEPUTY SPEAKER: We will take the matters from 1(e) through to 2(a) as the first proposed amendment, and then we will take 2(b) as a second proposed amendment. The question is that 1(e) through to 2(a) inclusive be agreed to.

Paragraphs (1)(e) to (2)(a) agreed to.

MADAM DEPUTY SPEAKER: The next question is that amendment 2(b) be agreed to.

Question put:

That paragraph 2(b) of **Ms Berry's** amendment be agreed to.

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Amendment agreed to.

Motion, as amended, agreed to.

Business investment

MR WALL (Brindabella) (4.59): I move:

That this Assembly:

(1) notes:

- (a) that a significant portion of the ACT's own source revenue is raised from ACT businesses and businesses investing in the ACT;
- (b) private sector investment in business in the ACT is a major driver of the ACT's economy; and
- (c) the barriers to growth and investment created for ACT businesses as a result of flawed policy decisions made by successive ACT Labor/Green Governments, including the:
 - (i) failure to remove the Lease Variation Charge;
 - (ii) disproportionate increase in commercial land rates; and
 - (iii) failure of the ACT Labor/Green Government's red tape reduction plan to provide substantive efficiencies for ACT businesses; and

(2) calls on this Assembly to condemn the flawed policies of successive Labor/Green Governments that continue to inhibit ACT businesses.

I am very pleased once again to highlight the impact of the flawed policies and philosophies of the current Labor government on the Canberra business community over the past 15 years. If we were to believe what Mr Hinder said this morning in his speech we would be all feeling very happy with the state of affairs in the business arena and in fact our economy in general. Unfortunately, though, this is not the case, and I believe Mr Hinder's views are born out of a very out-of-touch government, out of touch with what Canberra businesses really think, and a sheer lack of understanding of what the impact of some of these flawed policies spanning 15 years of this tired Labor-Green government actually has on these businesses, their families and these people's livelihoods.

This is also the out-of-touch attitude that was highlighted during estimates hearings when Dr Bourke, the minister for small business—a title, I might add, that has largely been born out of the Canberra Liberals appointing such a shadow portfolio at the beginning of this term—stated that he had not had any small businesses talk to him about the existence of the memorandum of understanding between UnionsACT and the ACT government. I would wager that this happened, firstly, because he is not speaking to enough businesses and, secondly, because most small businesses and businesses more broadly across the ACT were largely unaware of this secret agreement that was in existence until it was publicly broken in April of this year. They simply were not aware of the union movement having a veto power over government procurement decisions in this city because of the cronyism displayed by this Labor government.

I turn to the heart of my motion. Business is the beating heart of our small city—small businesses, medium businesses and also the larger businesses, ranging from sole

operators, contractors, small professional services operating as a single individual running their own business trying to get ahead, through to the slightly larger businesses where people have taken the risk, the entrepreneurship to not just better themselves but to create job opportunities and financial opportunities for other Canberrans.

I contend here today that the beating heart of this territory, the business community, is under enormous pressure. This enormous pressure is being placed on business by the ever-increasing financial burden of commercial rates and the levies and charges that have the power to impede growth and investment in this city of ours. Charges such as the lease various charge and tax impacts like the previously incentivised scale for payroll tax are all taking their toll on local businesses.

Canberra residential ratepayers are well aware of the fact that their household rates are well on their way to tripling under this government, a threat that we made most Canberrans aware of in the lead-up to the last election, which those opposite rejected, but after four years the proof is now in the pudding and residential rates are well on their way to tripling, as we described.

The other part of the rates issue that is seldom discussed in this place is the exorbitant amounts being paid in commercial rates by businesses and businesses seeking to invest in commercial property in this town. To actually illustrate what the differences here are, a residence in Forrest, a dress circle address in the ACT, with an unimproved land value of \$1.461 million is paying a whopping \$8,242 per year in rates. That is a fair amount but it is also one of the most premiere residential addresses in the ACT. If that is not gob smacking enough, a commercial premise in Fyshwick with a similar unimproved land value—in this instance, \$1.544 million—will pay almost 10 times that amount. The business owning that piece of property in this territory is paying \$70,733 in rates. That is near on 10 times the multiplier of what an equivalent parcel of land is worth in Canberra's residential areas.

Another example is a property in O'Malley with an unimproved value of \$650,000. The owners are paying just over \$3,500 in rates. Yet on a comparable unimproved value on a commercial piece of land the owners are paying in excess of \$30,000. That is \$30,000 going to this government each year before any other costs are taken into account. That is a major barrier to investment in this town and one that is seldom discussed, seldom highlighted but most definitely is having a bite on those operating businesses in the Canberra community.

If we look at the ACT government's own-source revenue in this year's budget papers and do the maths, there is a simple calculation that near on 50 per cent—half of the revenue—that this territory raises directly is coming from businesses and businesses seeking to invest in the ACT. Taxes such as payroll tax, commercial rates, commercial conveyancing, lease variation charges, portions of the fire and emergency services levy, city centre marketing, not to mention the additional charges that are added by the lifetime care and support levy which is passed on in workers compensation policies across the territory. Those combined total almost 45 per cent. Then if you factor in the costs local businesses would be paying to register vehicles, purchase vehicles in this town and then also some of the other charges and taxes that,

again, are largely through the business sector, albeit through gambling products, you get well over 50 per cent of the own-revenue that this territory raises coming from the business community.

Tellingly, the Chief Minister has conversely blamed business for not doing enough heavy lifting and has even said on radio in this term of the Assembly:

The private sector are not exactly stepping up to the plate at the moment making large investments, although we are seeing that. We are going overseas for that because we do not think we are going to get it locally.

It is no surprise, Chief Minister, that you are not going to get it locally with such punitive rates, taxes and charges being applied by you in your time as Treasurer and continuing whilst you occupy the chair of Chief Minister.

This year's budget also tells us that payroll tax is bringing in \$439,977,000. That forms 26.9 per cent of the own-source revenue that the territory is taking in this year. The Chief Minister is always quick to respond to payroll tax by saying, "The ACT has the highest tax-free threshold when it comes to payroll tax in the country." On that fact he is right. We do, thankfully, have one of the highest tax-free thresholds in the country. But the story that is never told, the story that the Chief Minister never, ever elaborates on, is that when you start paying payroll tax in this city, it is the most aggressive rate of taxation of any jurisdiction in the country.

A small business in the ACT that has a payroll of \$2.5 million is paying about \$34,000 a year in payroll tax. That equates to, at that rate, the cheapest payroll tax jurisdiction for a company with a payroll of \$2.5 million. If the business is successful and it grows and it has invested and hired more people, created more opportunities for locals to get a job, which is what we all want to encourage business in this jurisdiction to do, and it gets to the \$5 million mark in its payroll, it drops to the third cheapest in the country. Queensland has the gong for being the most efficient, at \$185,000. In the ACT you would be paying \$205,000.

Businesses, though, push through that, they persevere, they still continue to grow, they have invested further in their business, they have invested further in this city to make this their home and develop a larger workforce to become the successful business that we want them to be, they hit the \$7.5 million mark in their payroll. That would be a great success story. But all of a sudden we slip from being the third most affordable jurisdiction as far as payroll tax goes to the second most expensive. You would be paying \$376,000 in payroll tax in the ACT. The only jurisdiction dearer than us is Tasmania, at \$381,000.

But just assume for a moment that you manage to grow the business even further, you have invested more, you have grown more, you have employed more people, given more Canberrans an opportunity to grow, and you hit the \$10 million mark. By this stage you are becoming a fairly large business, obviously with a national presence. We are now the dearest jurisdiction for payroll tax. The ACT, at \$10 million payroll, is the most expensive jurisdiction in the country for a business to be hiring, paying \$548,000 in payroll tax to the government because of their success. In Queensland,

which consistently has probably one of the lowest rates of job creation, this same business would be paying only \$422,000. It is still a significant amount but the ACT at that point is in excess of \$100,000 dearer. It seems that the greatest inhibitor to jobs growth in this territory is the taxation policies of Mr Barr.

As we know, in Canberra the lease variation charge also stands as one of the most important inhibitors of growth and investment in this city, particularly in our town centres, and it has created a vacuum of missed opportunities alongside an unwarranted cost burden to business. I am proud to reiterate that the Canberra Liberals, should we win government in October, will halt the lease variation charge for development in Canberra's CBD and also in the town centres. This will provide an opportunity for growth and renewal in the property sector but will also create jobs in the construction industry and new investment opportunities.

Our commitment to scrap the lease variation charge has also been further vindicated in this year's budget where the LVC has collected only a quarter of what the government forecast in last year's budget, proving that this is, once and for all, an inefficient tax. Surprisingly—and the Treasurer promises it is our path to surplus, it is the never-ending magic pudding—the lease variation charge is expected to increase by 251 per cent in its revenue take this financial year, a figure that has never ever been able to be substantiated, a figure that has not been achieved in past budgets. Why this year will by any different we are all still wondering.

In relation to this charge, the Property Council is quoted as saying:

The lease variation charge is an anti-competitive tax which handicaps private sector innovation and investment, especially where we need it most.

We agree and, instead of sitting on our hands, the Canberra Liberals will act.

The Labor-Greens government are constantly telling us that they are reducing red tape but in actual fact there is no evidence to suggest any measures that they have put in place have actually made significant or substantial differences to the day-to-day operation of businesses in Canberra, leading them to make the decision to invest further or create new jobs. Business is heading in droves across the border, simply because it is not just easier to do business over there but it is also more cost effective. The current policies relating to red tape adopted by ACT Labor are ad hoc at best and a whole-of-government approach has not been taken, despite the rhetoric to the contrary.

Successive Labor governments have instead adopted a piecemeal approach to issues facing business and have used the term “red tape reduction” as a panacea for all. There is also a distinct lack of recognition of the contribution businesses play in the ACT and the financial and regulatory burden that the current policies bear on them, given that business is the backbone to our economy. The ACT has a gold-plated regulatory system and without any acknowledgement of the cost to business, new regulations continue to be imposed.

I am proud to be part of an alternative government that would seek to treat the business sector of the ACT with the respect it deserves and deliver policies that would greatly seek to relieve the pressures of excessive rates, taxes, fees and charges. A Canberra Liberal government will seek to ensure Canberra is the best place to start with a good idea, to start a business, to grow the business and to be successful in whichever endeavour you choose to be in. I commend my motion to the Assembly.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (5.12): The territory government has, of course, been a strong and committed supporter of local business. The best way to support local business is to ensure that our economy continues to grow strongly. I am pleased to be able to advise the Assembly that that is exactly what is occurring. Economic growth has tripled. Consumers are spending—our retail sales growth has been well in advance of the national average—construction is expanding, which is very pleasing to see, and confidence is improving. All of the recent data have demonstrated that ACT business is amongst the most confident in the nation. We are seeing significant increases in employment in the territory. Indeed, 3,100 new jobs were created in the past year and the ACT has the lowest unemployment rate in the country.

All of the economic indicators point to the exact opposite of the tale of misery and woe that we have just heard from the shadow minister. You are entitled to your own opinion, Mr Wall, but you are not entitled to your own facts and these facts belie the entire argument that you have just put forward. Overall, the ACT's economy is performing very strongly when compared with other states and territories and when compared with our long-run historic performance. Overall private sector investment is, of course, an important component of the territory's economic performance. It represented about 12½ per cent of the territory economy in 2014-15, equal to the combined share of ACT and federal government investment in the ACT in that same period.

The ACT recorded the second highest level of business confidence of all states and territories and our small and medium sized businesses are the most confident in the country in terms of the outlook for the economy over the next 12 months. There are close to 26,000 small businesses in the territory, covering about every conceivable form of business activity. It is pleasing to see that the number of small businesses in the territory continues to grow. We are supporting that growth through the business development strategy and we are committed to creating the right business environment.

We have put in place a strong regulatory reform agenda and a range of processes to reduce red tape, such as the establishment of Access Canberra and a series of annual red tape reduction legislation amendment bills through this place that have removed 70,000 administrative transactions from small businesses in the territory. A local industry advocate is working exclusively in the interests of the ACT business community to ensure that we maximise opportunities for local businesses to undertake work in Canberra and to employ and build capability.

We have established a dedicated events approval team within Access Canberra to ensure that event organisers get personalised service when planning their event and to coordinate approvals from all regulatory arms of government. We have made a range of changes and investments in programs to support new exporters and innovators. We are delivering this in partnership with the Canberra Business Chamber around brand CBR, preparing companies for trade missions, and the capital metro business link program that will help small businesses explore opportunities from the light rail project. The small business innovation partnerships program is helping local businesses work with the ACT government in a range of engaging and innovative ways. It is connecting ACT government directorates with innovative local businesses to co-design service delivery solutions and deliver quality outcomes in the ACT public sector.

This goes without saying, Madam Deputy Speaker, but the volume of opportunity that will flow for this city from the direct international flights that have been delivered by my government in partnership with Canberra Airport that will start in less than two months—to Singapore and to Wellington—will facilitate access to significant growth opportunities for local business here in the ACT but also in the broader Canberra region.

Mr Wall made a number of comments in relation to taxation. He highlighted a range of increases in rates for commercial enterprises in the territory. What he neglected to say in his summary of changes to taxation is that those firms now no longer pay any land tax or any insurance tax and those were bills that were in the tens of thousands of dollars. Mr Wall was not in the Assembly when—

Mr Coe: You shifted them into rates. That's all you did.

MR BARR: You cannot claim that rates are going up and then not acknowledge that all of those other taxes that they used to pay are now no longer there. There has been a shift away from inefficient taxes towards more efficient taxes.

Mr Wall: Tell the whole truth, Andrew, go on.

MR BARR: I am telling the whole truth, Mr Wall. You did not. You neglected to mention all of the taxes that were abolished in your miserable summary of economic conditions in the territory. But if you want to continue to talk this economy down and continue to talk down the performance of ACT small business, when it is leading the nation—you may well wish to continue that path—that is fine. I will talk about the positive achievements of small business in the territory, the positive achievements of the ACT economy and the opportunities for the future. That will be my focus. You can focus, Mr Wall, if you choose, on negativity, on talking down the achievements of small business and talking down the achievements of the ACT economy.

To conclude my remarks on taxation, I think it is important to address the issue of the lease variation charge. Again, this form of taxation has been in place in the territory since 1971. The underlying principle in relation to the lease variation charge is fundamentally economically sound. As to increases in the value of land arising from

unearned windfall gains—that is, changes in the lease conditions that are granted by government, not earned by a small business or a business or a property owner but granted by government—it is only fair that if you get a windfall gain then you pay a share of that windfall gain in taxation, because you are getting an increase in the value of your land that is entirely unearned.

The efficiency of the lease variation charge has been confirmed by numerous independent analyses. The 2010 report by economics consultants Macroeconomics noted that the LVC seeks to tax the unearned windfall gains generated by government planning decisions. The report stated:

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

When this place grants a private business a massive increase in the value of their land, of course this place should retain some of that for the community. That is why the policy position of those opposite to allow all of the windfall gain that is granted by this place—not earned by anyone but granted by a change in planning rules—and to suggest that 100 per cent of that benefit should go to developers speaks loudly to the values of those opposite.

The question is: if it is such a bad tax, why are you not advocating its complete abolition? Why are you creating a distortion in the market by suggesting that it would only be abolished in town centres and the CBD? And how are you going to define that? What about Braddon? What about Reid? What about New Acton? What about the Phillip business district? Are they all excluded from your LVC—well, let us just say “windfall gift to developers”—through your policy?

You also need to state how you are going to replace that revenue, which, of course, currently helps fund important services for the local community. Why should developers get 100 per cent windfall gains when their lease and the value of their land are changed in a positive way by this place? If we are going to make that decision then some of that value uplift should be returned to the community. It is a fundamental principle, Madam Deputy Speaker, and one that I will never walk away from. There has to be a community benefit. What the opposition are proposing in this policy is that there would not be a community benefit; it would go 100 per cent to the developers.

In regards to taxation, households and businesses do contribute to the ACT’s own-source revenue. Outside of households and businesses, there is not a huge amount of other economic activity that can be taxed. That is the case in this jurisdiction, as it is in every other state and territory and in most other parts of the world. It is the norm; so it is not an unusual thing for the ACT. What is important is that taxes are fair, taxes are simple and taxes are as efficient as possible. Given the choice between levying bad, inefficient taxes or more efficient and fairer taxes, this government falls on the side of more efficient and fairer taxes. Those opposite want to continue to levy bad taxes—stamp duties, for example—some of the worst taxes levied by state and territory governments. That is why we are continuing our tax reform agenda.

Commercial land tax and insurance duty have already been abolished, being replaced with a more efficient and fair source of revenue through general rates. We have announced in the budget that conveyance duty will be phased out completely for commercial property transactions below \$1.5 million from 2018-19. So that is 70 per cent of commercial property transactions—small and medium sized enterprises—no longer paying any commercial stamp duty. That is a reform worth delivering and worth fighting for. That is why I have delivered it in this year's budget.

The government has also cut payroll tax. We have the lowest payroll tax, as the shadow minister reluctantly acknowledged when pressed. We have the lowest payroll tax for small and medium sized businesses in the country. Again, it is a deliberate policy choice. Payroll tax is paid in this jurisdiction predominantly by national and multinational companies. They do not pay their fair share of taxes at the federal level. They certainly should at the territory level. That is why payroll tax is an efficient way of raising revenue off those businesses.

In closing, while those opposite will continue to sling mud, attack local businesses and cast aspersions on the sustained growth of the territory economy, we will continue to create jobs and to create opportunities for the many and varied businesses here in Canberra. We will not be supporting this motion this afternoon.

MR RATTENBURY (Molonglo) (5.24): I welcome the opportunity to talk about business growth in the ACT. The ACT Greens believe the territory needs a robust, diverse and sustainable private sector. We want to build on the ACT's opportunities as the national capital and support research and innovation hubs. This is the first time I remember debating this sort of topic without Mr Smyth here. But I am sure he would agree with me that we need a diversified, resilient, dynamic and sustainable business sector to complement a strong public sector. I can picture Mr Smyth giving this speech now. It is like the ghost of Mr Smyth is in the chamber as I talk about a diversified economy. The thing is, Mr Smyth never actually told us how he was going to do it. Nonetheless, I can imagine the speech.

MADAM DEPUTY SPEAKER: Back to the motion, I think, Mr Rattenbury.

MR RATTENBURY: Yes, we do need a sustainable private sector to complement a strong public sector and community sector and grow significant and meaningful employment here in the territory. Part of this make-up of our economy includes creating the settings for the private sector to be able to promote diverse, creative and vibrant industries in sectors such as arts, culture and entertainment, information and communications technology, health, research and education, tourism, retail and hospitality, all these areas where the ACT, I believe, has a degree of natural advantage.

There are obviously some areas that the ACT is never going to be strong in—heavy industries and the like. In that context, we certainly believe that part of our vision should be a clean, green ACT economy. The government needs to foster innovative sustainable industries such as energy efficiency and renewable energy as well as support research and development to cultivate zero carbon industries and processes.

The Greens, I think it is well known, want to see a transition to a clean, green economy—and it helps achieve climate change targets—as we believe that a shift to a low carbon economy will deliver the greatest economic benefits to the territory. To get there I think we need to see better collaboration of the public and private sectors to fully transition the ACT to a low carbon economy.

I understand that the focus of Mr Wall's motion today is largely about small and medium enterprises. That is certainly what I took from his remarks. Certainly his media release this afternoon particularly implied that. The Greens fully understand the important role that these businesses play in the ACT economy. We agree that simpler government processes, charges and regulations are important to reduce compliance costs and administration, particularly for small business.

However, whenever these motions come up, raised by those opposite, we never really see any substantial proposals to back them up. I do not know what the particular changes are—and obviously I will come back to that in a moment—but outside that, what are the specific issues that are being raised? We have Access Canberra in place with a continuing program of red tape reduction, particularly focused on how to help our local businesses. Those reforms have been progressively passed in the Assembly over the past few years. If there are particular ideas, then they should be given over for Access Canberra to get on with implementing so that we can actually make these improvements in a concrete way.

Certainly I have also supported the proposal to establish a local industry advocate, a position inaugurally held by Kate Lundy, which I believe is playing an important role in working to improve local procurement and support local businesses. The Greens certainly believe it is important that local and small businesses be able to compete fairly in providing goods and services to the territory and federal governments.

Government procurement decisions are certainly very important to support the local and regional economy, and I am pleased that we now have in place policies that give weighting to social enterprises and local companies. This is something that I believe the local industry advocate is also monitoring. We also want to see better use of local supply chains to support the regional community because, of course, we all know that Canberra, whilst a city in its own right, when we think about the region slightly more broadly, really is a hub in a network. That is something we should never lose sight of in these sorts of discussions. The Greens would like to see the ACT government work more closely with the regional business sector to enable it to be responsive to economic challenges such as climate change and food security and improve environmental and social outcomes.

I turn to the issue of LVC, which Mr Wall spoke of and on which I think Mr Barr made some very good comments. We recognise that there is a concern about the LVC. When it was being changed in 2011 we tried to balance the competing factors to respond to industry concerns and come up with a solution that continues to make infill an attractive commercial option whilst at the same time ensuring that the community gets a fair return.

This is something I have always said about LVC, and my colleagues in the previous Assembly made the same point at the time we were discussing this. Mr Barr has made the point very well this afternoon, so I will not go into it too much other than to say that the Greens have always said that we believe where there is to be a windfall gain, which is what it is when the lease variation purpose clause is changed, the community deserves to receive some of that benefit.

We also have in place a robust system of exemptions that will ensure that builders and developers do not have to pay the full charge when they build sustainable homes or deliver other positive community outcomes, and we know the building industry in Canberra is capable of building sustainable homes at the forefront of contemporary design. We support appropriate urban infill.

There are opportunities there. People actually want to deliver a positive social outcome. That is another way of the community achieving benefit from that windfall gain. That is where I think an exemption is appropriate in that regard.

But I cannot accept a position that says there should be no LVC. I think the point Mr Barr made earlier about the distortive approach the Liberal Party is taking, where some areas get it and some areas do not, is an additional point that is well worth adding to this conversation.

I would like to speak briefly about the night-time economy. Certainly the debate that has been had over recent weeks about our liquor licensing regime was an interesting facet of this. The Greens do want to see a thriving night-time economy, and we believe that is an area of growth for Canberra, not because people should be out all night drinking but because people do not all have the same habits and patterns. In fact, we actually want to see a more diverse night-time economy so that people can go out or be out late at night and do something other than drink. We have shift workers in our community. We have people who work long hours in the hospitality sector. We have tourists. We have business people from other time zones who travel here. We believe it is part of being a modern economy and no longer just a country town.

This means that there are people in our city who do want to eat dinner after 9 pm without being reliant solely on Chicken Gourmet and there are people who want to find a place to catch up with friends and listen to music after midnight, or perhaps even after 3 am. That does not mean that all of us need to do it. I have certainly seen a few comments in recent times: "Why would you be out at that time?" Some people are, and I think we want to have an economy that caters to that, as long as it is being done safely and under clear, relevant government regulations.

We also believe that one of the very important business sectors in town is in fact the community sector. We believe that business, government and community sectors should work together to achieve mutually beneficial outcomes, and I believe there is a lot of scope for innovation in this space. The community sector makes a huge contribution to our city and it is an important part of our economy. According to KPMG, the ACT health and community services industry injects more than \$2.2 billion into our economy each year, accounting for a 6.8 per cent share of our

economy, the fifth largest contribution of all industries. The sector is the ACT's second largest industry employer, providing jobs for more than 21,000 people, and it also has the largest number of active volunteers, which includes the health and community welfare sector.

There is a whole range of community services in the ACT, and we all know them: housing and homelessness, child protection, mental health, aged care, drug and alcohol, youth and family, women's services—all of these areas. Again members have a strong engagement with these areas that are not only community service providers but an important part of our economy. Of course, under the Abbott and Turnbull governments we have seen significant job losses in these sectors as the result of cuts to community sector programs.

It would be remiss of me, in the time I have remaining, not to mention the arts sector. Again perhaps acknowledging the ghost of Mr Smyth, there are over 2½ thousand cultural and creative businesses here in the ACT. ACT government decisions and activities should aim to create a diversified economy that incorporates and fosters the arts sector. Of course, many people in the arts sector are individual artists. They are quite small businesses. They are, I guess, that true micro business in that sense. But that is certainly a part of our economy where we see a lot of scope to really support it and to help it thrive here in the territory.

Given all of these remarks, I cannot support the premise of Mr Wall's motion. He may have some different ideas on how to do it, and I look forward to the Liberal Party actually delivering some policies in this space, because it has been a bit of a vacuum in recent years. But I cannot accept the premise of his motion and therefore I will not be supporting it today.

MR WALL (Brindabella) (5.35), in reply: To close, "fair, simple and efficient" were the lines that the Chief Minister used to describe what taxes should be in this city. You can easily argue that the rate increases that both residential and commercial property holders across the territory have seen have been anything but fair. They might be simple, they might economically be efficient, but the impact that they are having on business and family budgets is anything but fair.

I was actually very happy that Mr Rattenbury raised the issue of liquor licensing fees and the keep Canberra open campaign. It very much seems that, regarding a number of factors, what this government says and does in the lead-up to an election is not necessarily what you are going to get from government.

We have seen the backdown on paid parking in the Phillip business precinct, a move which would have slugged some of the lowest income earning individuals, who are trying to better themselves by doing a trade or an apprenticeship in that Phillip business precinct, with paid parking that would have taken as much as 20 per cent of their take-home pay in any given week. That has been suspended and further discussion has been happening, and we will not see a result of that, I dare say, until after the election. So be warned, everyone in this city, that what you hear from those opposite now is not necessarily what you are going to get after 15 October.

Liquor licensing fees are certainly one of those big ones. Look at what a business in the ACT is paying currently, what the liquor reform white paper was proposing that sort of business pay under the government's proposals, and compare that with the fees that are being paid across the border. For an off-premises licence—your local bottle shop through to some of the bigger wine and wholesale merchants based in the ACT—some of them would be paying, under the government's proposal, in excess of \$20,000 in licensing fees a year. Drive just a couple of kilometres down the road from, say, Fyshwick, where one of these businesses is located, across the border into Queanbeyan, and the same business would be paying a fraction over \$500 per year—\$20,000 in the ACT, \$500 in New South Wales. This government is sending a clear price signal of the types of businesses it wants here, and it seems liquor and entertainment is one of those that it certainly does not want operating here in the ACT.

One of those rare things I do agree with Mr Rattenbury on is that nightlife in Canberra is a big part of a vibrant economy. I previously worked in hospitality. I have worked late nights, I have worked obscure shifts. Sometimes when you finish work at 2 o'clock in the morning you do want to catch up with a few friends, have a social drink, and there should be an opportunity to do that in Canberra.

I can only imagine the shock that passengers on these international flights that are heralded, once they start coming into Canberra, will experience. All my colleagues on this side of the chamber and I welcome international flights coming into Canberra. I have been to Singapore. I have seen the way that their economy works—the activity, the thrive, the hustle and bustle that exists in that city at 2 o'clock in the morning; God forbid that they arrive here in Canberra and realise that come 9 o'clock they are going to be wondering where they landed. Any government policy that restricts trade to the early hours of the night and restricts opportunities for businesses to trade at most hours of the day is only going to deter that international traffic.

It would also be remiss of me not to address some of the Chief Minister's comments regarding lease variation charge. Those on this side of the chamber firmly believe that a suspension of lease variation charge in our town centres will not skew the market but send a clear price signal to industry of where we need and want development in this city. The town centres and the city CBD precincts are the right places for density. It does not belong in our suburbs, it does not belong in the tops of cul de sacs, which is the sort of development that we have largely been seeing under this regime. Builders are looking for the most effective and the most efficient place to build property and to increase density. Suspension of the lease variation charge sends a clear price signal of where that development should be fostered.

One other clear distinction that those on my side will bring to government and that we have not seen in the current government is that there will be no backroom deals around trams. There will be transparency. There will be no backdoor deals or backroom deals around casinos and poker machine movements. There will be transparency.

That is what the business community in this city wants more than anything, the confidence of knowing that the activities of the big government of the day are

transparent, that they are accountable and that there is no-one winning backroom deals, favours from friends, having mates in the industry. That is the kind of operation we have seen locally from those opposite: deals with the unions giving them exorbitant power over procurement, failing to recognise local content but instead contracts often going to multinationals who are not paying tax in this country, who are not paying tax in this territory, but contracts that are going outside the ACT at the expense of local businesses.

The Canberra Liberals believe that local business deserves a fair go, that there is a level playing field and most certainly a transparent and honest procurement process, and I commend my motion to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 6

Noes 7

Mr Coe
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Wall

Mr Barr
Ms Burch
Mr Corbell
Ms Fitzharris

Mr Gentleman
Mr Hinder
Mr Rattenbury

Question so resolved in the negative.

Adjournment

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

That the Assembly do now adjourn.

Australian Hotels Association awards

MR COE (Ginninderra) (5.44): I rise this evening to speak about the 2016 Australian Hotels Association ACT awards, which were presented on 11 July 2016 at the National Convention Centre, and the importance of the hospitality sector to our economy.

The AHA was first established in 1839, and the ACT branch, which was established in 1994, is a member of the AHA national network. The ACT AHA branch represents and advocates for the licensed hospitality and tourism sector in the ACT. Its members include bars, taverns, accommodation, hotels, restaurants, cafes, educational institutions, retail liquor outlets, nightclubs and the Convention Centre. The majority of AHA ACT members are successful small businesses operated by local proprietors; others are part of international hotel chains and businesses.

The AHA website highlights the significance of the hospitality sector to the ACT economy. It employs more than 18,000 people in the territory; its payroll

exceeds more than \$300 million per annum; its capital value is in excess of \$1.8 billion; and its retail sales from the public are over \$1 billion per annum. More than 440 people attended the awards night to honour the achievements of the ACT hospitality businesses and employees.

A total of 31 awards were presented on the evening, with two major awards being given to talented industry leaders. The AHA ACT's John Press Award was won by Brian Smith from Hopscotch and Young & Frisky, and Tarn Morrow from QT Canberra was crowned 2016 member of the year.

The winners included the following: best local, George Harcourt Inn; best restaurant service employee for accommodation, Dharmesh Panvelkar, Crowne Plaza Canberra; best restaurant service employee in the general division, Dexter Nathis, Black Fire Restaurant; best restaurant cookery employee, Nikhi Jain, National Convention Centre; best apprentice chef, Barsha Rai, Joe's Bar at the East Hotel; best front of house employee, joint winners, Indigo Collins from the Crowne Plaza Canberra and Madison Groom from Doma Hotels; best hotel restaurant, Monster kitchen and bar at Hotel Hotel; best cocktail bar, joint winners, Bar Rochford and Molly; best wine list, Mezzalira; best cafe restaurant, the District; best restaurant, Pomegranate; best bar presentation and service, Public; best meetings and events venue, hotel accommodation, Hyatt Hotel Canberra; best meetings and events venue, general, National Convention Centre; best new or redeveloped venue accommodation, Little National Hotel; best new or redeveloped venue in the general division, Joe's Bar; best marketed hotel, East Hotel; best environmental practice award, Crowne Plaza Canberra; best late night entertainment venue, Shorty's; best live entertainment venue, Transit Bar; best sporting entertainment venue, the Dock; best TAB licensed venue, Ducks Nuts bar and grill; best pub bistro, joint winners, Hopscotch and Meating Room; outstanding community service and achievement award, Crowne Plaza Canberra; best suite/apartment hotel, East Hotel; best mid-range accommodation, 3 to 3½ stars, Brassey Hotel; best first-class accommodation, four-star category, Little National Hotel; best superior accommodation, 4½-star category, , QT Canberra; best deluxe accommodation in the five-star category, joint winners, Hotel Hotel and Jamala Wildlife Lodge.

I congratulate all the winners on being recognised for their achievements over the past year. I would also like to congratulate the board and staff of the AHA ACT, particularly the president, Michael Capezio, and the general manager, Jo Scard, for a wonderful evening.

Finally, I would like to conclude by commending the people in the organisation who sponsored the awards, including Asahi Premium Beverages, Schweppes, Carlton & United Breweries, Hostplus, the Mark Agency, Treasury Wine Estates, Tabcorp, Templar, Fox Sports Venues, VisitCanberra, Australian Liquor Marketers, Capital Linen Service, APRA, PFD Food Services, Harvey Norman Commercial Division, ME Bank, Coca-Cola Amatil, ActewAGL, Shape, and the Canberra Institute of Technology.

I thank all those involved in the hospitality sector for the work they do in the territory and for making Canberra such a great place to live.

Tuggeranong Arts Centre

MS LAWDER (Brindabella) (5.48): I would like to take the opportunity today to acknowledge the fantastic work of the Tuggeranong Community Arts Association on their recent success with the dance production from Fresh Funk, which is an important part of the association's annual diary of events. There are about 300 dancers and dance tutors from across the ACT who worked tirelessly to develop and produce the wonderful performance, which was based on the movie *Footloose*. They had a number of pieces working towards that theme. The performance was held at the Calwell Performing Arts Centre at the Calwell High School. It was a great opportunity for family and friends, as well as members of the general public, to go and watch this fantastic dance production.

Fresh Funk started about 15 years ago when two university students approached the Tuggeranong Arts Centre with their idea to start this urban dance movement. They had been dancing and choreographing together for many years, and they had what they saw as a new and fresh dance style that they had been learning from interstate and international choreographers. The offerings have grown from there—from 15 years ago to, as I said, about 300 dancers and choreographers now. It is a great achievement for the Tuggeranong Community Arts Association and Fresh Funk on what they produce each year.

I would like to acknowledge the Tuggeranong Arts Centre CEO, Rauny Worm; Leena Wall, the Fresh Funk artistic director and tutor, who has recently returned from maternity leave; the staff and board of Tuggeranong Arts Centre; the Fresh Funk tutors; Thompson Quan Wing; the Murphy family; Shane Grieves; and ES Fotografi. The choreographers who did such a fantastic job included Sinan Amin, Isaiah Chadwick, Sarah Etherington, Jessica Gowing, Hannah Miners, Caroline Phengrasmy, Jessica Smith, Danica Spitaler, Acacia Tsekenis, Tim Walshe and Brittany Wood-Panckhurst.

Thanks also to all the cast and crew members and all of those locals who bought tickets and helped to support our local arts scene and, more specifically, the local dance scene. Thank you, again, to the Tuggeranong Community Arts Association for providing a great quality production and adding to the ACT's vibrant arts scene.

Question resolved in the affirmative.

The Assembly adjourned at 5.52pm.