



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**21 MARCH 2017**

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**Tuesday, 21 March 2017**

**MADAM SPEAKER** (Ms Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Petitions**

*The following petition and e-petition were lodged for presentation:*

### **Gold Creek Village development—petitions 6-17 and 3-17**

*By Ms Le Couteur, from 1,417 and 161 residents, respectively:*

#### **To the Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that: *“the proposed KFC DRIVE THROUGH at the Gold Creek Village Shopping Centre does not fit with the character of the Village. The Village includes several heritage listed buildings and the ambience of the Village will be dramatically impacted upon by the construction of the KFC situated at one of two entry points to O’Hanlon Place”*.

Your petitioners therefore request the Assembly to: Stop the proposed development of KFC. It has taken over 30 years to develop the character of the Village and once KFC neon signage takes a prominent position at one end of O’Hanlon Place, the character of the Village will diminish.

#### **To: The Speaker and Members of the Legislative Assembly for the Australian Capital Territory**

The following residents of the ACT draw to the attention of the Assembly that the proposed KFC drive through at the Gold Creek Village Shopping Centre does not fit with the character of the Village. The Village includes several heritage listed building and the ambience of the Village will be dramatically impacted upon by the construction of the KFC situated at one of the two entry points to O’Hanlon Place.

Your petitioners therefore request the Assembly to call on the Government to stop the proposed development of KFC. It has taken over 30 years to develop the character of the Village and once KFC neon signage takes a prominent position at one end of O’Hanlon Place, the character of the Village will diminish.

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

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Planning and Urban Renewal.*

**MS LE COUTEUR** (Murrumbidgee) (10.02), by leave: I am very pleased to be able to represent over 1,600 people who have a problem with this development. I say over 1,600 because there were in fact quite a lot of interstate and overseas petitioners who were, of course, excluded from that number. As we would all be aware, Gold Creek Village, which is where the proposed development is, is a tourist place and the people who came there said, “We don’t think KFC is what fits in with these surroundings.” That is very clearly what the shopkeepers of Gold Creek said. That is why they organised the petition. The petition states:

... the proposed KFC DRIVE THROUGH at the Gold Creek Village Shopping Centre does not fit with the character of the Village. The Village includes several heritage listed buildings and the ambience of the Village will be dramatically impacted upon by the construction of the KFC situated at one of two entry points to O’Hanlon Place.

I am sure they are right about that. It is very important that, as we develop Canberra, we take into account the views of the existing community. It does not mean that this is the only thing that is taken into account. Change is obviously necessary, but it is one of the things that must be very seriously taken into account, which is one of the reasons that I am very pleased to table the petition.

The other is, of course, that I am not the world’s biggest fan of KFC. That obviously does not surprise anybody. I have actually been told—I am not sure whether to say this or not, but it is cute—that some people call KFCs “kids’ fattening centres”. That is a bit like what I feel about them, too.

*Member interjecting—*

**MS LE COUTEUR:** It does depend how much of it you eat, but clearly in the ACT we are eating too much of either KFC or other things, because apparently six out of 10 Canberrans are either overweight or obese. I am reading this from—

**Mr Hanson:** Is there only healthy food at Gold Creek?

**MS LE COUTEUR:** You can get healthy food at Gold Creek; absolutely. The ACT government has been working on this issue for a while. It is something that I think we all agree is a multifaceted problem. One of the things that the government can do is look at where it sites or does not site fast food development. One of the things that amazes me with Canberra as a whole is that we are slightly lower in weight overall than residents of western Sydney but we are more overweight or obese than Gold Coast residents, which is very bizarre.

Apart from being linked with obesity, the other thing that KFC have been linked with, according to *Four Corners* and the *Sydney Morning Herald*, is very poor working

conditions. I have an article from the *Sydney Morning Herald* which suggested that they sometimes pay their workers as low as \$4 an hour. Clearly, the animals consumed in KFC—

*Members interjecting—*

**MADAM SPEAKER:** Members, please.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson! Ms Le Couteur, can you please sit down? Mr Hanson, I called members to order, and I called you by name a number of times. I expect you to heed the voice of the chair. Ms Le Couteur sought leave. She was granted leave, and I expect members to respect that leave that you have provided.

**MS LE COUTEUR:** I must admit I am shocked that it could be funny that people might be paid routinely as low as \$4 an hour. I thought I might have had various reactions regarding what I was going to say, that is certainly not one of them. I do not have much more to say. I am proud to be able to table this on behalf of many people in Canberra and the surrounding areas. I commend the petition to the Assembly.

## **Petition—ministerial response**

The following response to a petition has been lodged:

### **Access to cannabis medicines—petition 1-16**

By **Ms Fitzharris**, Minister for Health, dated 20 February 2017, in response to a petition lodged by Mr Rattenbury on 13 December 2016 concerning medicinal cannabis.

*The response read as follows:*

I refer to the ACT Legislative Assembly Petition 1-16 sponsored by Mr Shane Rattenbury MLA regarding medical cannabis and am pleased to provide my response.

You would be aware that on 4 August 2016 I announced that the ACT government will work to establish an evidence-based Medicinal Cannabis Scheme (the scheme) in the ACT. The scheme will allow eligible patients safe and legal access to high quality medicinal cannabis products via prescription.

In addition, the government will appoint two expert advisory committees from across the spectrum of government agencies, non-government agencies, medical specialists and law enforcement to address the issues associated with the introduction of the scheme—including providing advice to government on the broader economic, legal and social issues and opportunities related to the introduction of a Medicinal Cannabis Scheme. I called for expressions of interest for the first of these, the Medicinal Cannabis Medical Advisory Panel, in December 2016 and will shortly recruit to the second committee, the Medicinal Cannabis Advisory Group.

On 1 November 2016, the Therapeutic Goods Administration implemented a decision to down schedule medicinal cannabis from Schedule 9 (prohibited substance) to Schedule 8 (controlled drug). This has the immediate effect of making medicinal cannabis (when produced in accordance with commonwealth legislation) a controlled medicine which can be prescribed in the ACT with Chief Health Officer approval.

In order to prescribe cannabis as a controlled medicine, doctors are required to obtain authority from the ACT Chief Health Officer under the same process which currently applies for other controlled medicines such as opiates and amphetamines. Only registered medical practitioners can apply for an authority to prescribe a controlled medicine for one of their patients. An Application for Approval to Prescribe Medicinal Cannabis is available on the ACT Health website.

I note that amendments made to the *Narcotic Drugs Act 1967* (Cwlth) mean that only the Commonwealth Office of Drug Control has the authority to license the cultivation of medicinal cannabis in Australia.

I look forward to providing the community with further updates as work towards the implementation of the Scheme progresses. We are working closely with other jurisdictions as well as at a national level to ensure the introduction of medicinal cannabis allows eligible patients safe and legal access to high quality medicinal cannabis products.

## **Justice and Community Safety—Standing Committee Scrutiny report 3**

**MRS JONES** (Murrumbidgee) (10.07): I present the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 3, dated 14 March 2017, together with the relevant minutes of proceedings.

I seek leave to make a very brief statement.

Leave granted.

**MRS JONES:** Scrutiny report 3 contains the committee's comments on three bills, 52 pieces of subordinate legislation, two national regulations, one government response and four regulatory impact statements. The report was circulated to members when the Assembly was not sitting. I commend the report to the Assembly.

## **Economic Development and Tourism—Standing Committee Statement by chair**

**MR HANSON** (Murrumbidgee) (10.07): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Economic Development and Tourism. At a private meeting on 21 February this year the committee resolved to conduct an inquiry into a new convention centre for Canberra. The committee, noting

that the proposal to construct a new convention centre for Canberra has attracted tripartisan support in the Assembly, resolved to inquire into and report on the proposal to construct a new convention centre for Canberra, including:

- The level of demand from business and clients for a new centre and the likely economic impact of a new centre on Canberra;
- Whether the “Australia Forum” proposal has the support of stakeholders;
- The amount of work required to take the proposal to an investment ready stage;
- The appropriate source of funding (federal, territory or private sector) for each stage of the project;
- The level of priority that should be given to a new convention centre in relation to other infrastructure projects in the ACT; and
- Other matters arising during the inquiry.

The committee will today call for public submissions.

## **Health, Ageing and Community Services—Standing Committee**

### **Statement by chair**

**MR STEEL** (Murrumbidgee) (10.08): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Health, Ageing and Community Services. At a private meeting on 1 March 2017 the committee resolved to conduct an inquiry into the employment of people with a disability. The committee notes that:

- (a) the employment rate of people with disability in the ACT public service is 2.2 per cent as at June 2016;
- (b) the Australian Human Rights Commission report, *Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability* found the ACT to be the only jurisdiction with an increase in the employment of people with disability over the 2013-15 period; and
- (c) the ACT government’s new Office for Disability and Disability Reference Group has been established to provide strategic policy advice on disability issues.

As such, the committee has adopted the following terms of reference:

- the implementation of the ACT Public Service Disability Employment Strategy;
- the effectiveness of current attraction and retention programs in the ACT public service;
- the effectiveness of current attraction and retention programs for ACT based private enterprise and community organisations;
- data collection, monitoring and reporting mechanisms;
- relevant experiences and learnings from Australian state, commonwealth and international jurisdictions;
- the applicability to the ACT public service of recommendations and findings from the report *Employing people with disability in the APS* published by the University of Canberra;

- gender related matters that intersect with the employment of people with disabilities;
- any other relevant matter.

The committee has called for public submissions and will report back to the Legislative Assembly before the last sitting day of 2017.

## **Justice and Community Safety—Standing Committee**

### **Statement by chair**

**MRS JONES** (Murrumbidgee) (10.10): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety relating to statutory appointments in accordance with continuing resolution 5A. Continuing resolution 5A was agreed by the Legislative Assembly on 23 August 2012. The requirements of the resolution set out a transparency mechanism to promote accountability in the consideration of statutory appointments. The resolution requires relevant standing committees which consider statutory appointments to report on a six-monthly basis and present a schedule listing appointments considered during the applicable period.

The schedule is required to include the statutory appointments considered and, for each appointment, the date the request from the responsible minister for consultation was received and the date the committee's feedback was provided. For the applicable reporting period—1 July 2016 to 31 December 2016—the committee considered one statutory appointment. I therefore table a schedule of statutory appointments for the period 1 July 2016 to 31 December 2016 as considered by the Eighth Assembly's justice and community safety committee, in accordance with continuing resolution 5A.

## **International Women's Day**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (10.12): It is great once again to mark International Women's Day by providing a statement to the Assembly about the status of women and girls in the ACT. This also gives me the opportunity to update members on our most recent announcement on strategies to work on building a better city for women and girls, with the release of the ACT women's plan 2016-26 first action plan this month.

On 8 March 2017 the world celebrated International Women's Day, which is an annual global celebration where we commemorate women's achievements socially, economically, culturally and politically. This year the theme for International Women's Day was "be bold for change", calling on communities, governments and individuals to help forge a better world—a more gender-inclusive world.

Achieving gender equality requires commitment and leadership. Each of us can be a leader within our own spheres of influence, and we can all take action to ensure

women and girls reach their potential. The ACT government strongly supports women and girls in our community, and the past year has been an incredibly important one in many different areas.

Before we focus on this work, I would like to outline the clear disparities that still exist in almost all areas. For example, 90 per cent of adult victims of sexual assault are women, while 95 per cent of offenders are men. 22 per cent of Australians still believe domestic violence is acceptable, and over 70 women are killed every year by a current or former partner in Australia.

As Minister for Sport and Recreation, I am acutely aware that in professional sport women earn a fraction of the money made by their male counterparts. Only 8.7 per cent of televised sports news covers women's sport. We also know that pathways for women and girls to stay in sport and progress their way up to the elite level are not as prevalent as they are for their male counterparts.

There is still an unacceptable gender pay gap of 16 per cent nationally, although we have seen an improvement in the last 12 months of a 1.2 per cent reduction. Here in the ACT our pay gap is much lower, at 11.5 per cent, and even lower in the ACT public service, at 3.6 per cent. In the media, women make up 55 per cent of journalists, but it is still primarily men who decide what we watch and read, with only 7.4 per cent of senior managers being women.

Some studies show boys receive eight times more attention than girls in the average classroom. Women are still under-represented in the legal profession, with only 3.4 per cent of all managing partners and 15.6 per cent of equity partners being women. In terms of leadership in business, only 12 per cent of CEO positions are held by women in Australia.

The ACT is doing well in many areas where women and equality are concerned, but we know there are many in our community that are not doing so well. Madam Speaker, we want to do better. We want to improve the lives of those people that may be vulnerable, isolated or experiencing discrimination. The ACT government is working hard to address these issues.

The ACT women's plan 2016-26, tabled here in August 2016, sets out some of the key directions and priorities for improving outcomes for women and girls living in the ACT. The priorities to be addressed over this 10-year period are health and wellbeing; housing and homelessness; safety; economic security; and leadership.

The plan has a particular emphasis on improving outcomes for women who are vulnerable or experience discrimination, including women with disability, women from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander women, older women, women heading single parent families and women who are socially isolated. The plan recognises that women may be even more vulnerable where there are multiple layers of disadvantage, commonly referred to as intersectionality.

The ACT women's plan 2016-26 will be implemented through a series of action plans. I was pleased to launch the first action plan at the ACT Women's Day awards on 7 March. The first action plan, addressing health and wellbeing, provides practical ways that we can work with and engage community members, the community sector and the private sector to actively work towards creating true equality for women and girls.

The plan contains two key priority areas: equity and wellbeing, and physical and mental health. The first priority area, health and wellbeing, acknowledges that gender equality benefits everyone in our community. The plan includes actions to drive cultural change and incorporates women's perspectives and the principles of gender equality in education, recreation, employment, our city planning and government policies. For example, the ACT public service will look at the impact of new programs and policies on gender and educate staff about the impact of unconscious bias on the status and wellbeing of women and girls.

The second priority, physical and mental health, seeks to make sure that women and girls have access to the right services at the right time. Health is such an important area for women and girls in our community. Some of the focus areas include perinatal services, active lifestyles and mental health, as well as improving information and services for women and girls from diverse backgrounds.

Sadly, Madam Speaker, whilst we can look at improving a range of preventative health measures, the rate of violence against women does not seem to be reducing. The Domestic Violence Crisis Service has reported a 23 per cent increase in demand over the last 12 months, with nearly 51,000 crisis intervention contacts being made with the service in 2015-16. That is almost 1,000 a week.

Similarly, the Canberra Rape Crisis Centre report an increase in demand for their services, with 18,488 calls to their crisis line in 2015-16, representing a 156 per cent increase since 2010-11. Yet, according to the Australian Bureau of Statistics, 72 per cent of Australian women who experience physical or sexual violence do not report the matter to the police. This means it is difficult to establish the cause of the increase, whether it represents an actual increase of incidents or whether it is indicative of women having a better understanding of their rights and an understanding that the support is there.

Whatever the reason, we need to take these statistics very seriously, and the ACT has become a national leader in declaring violence against women a whole-of-community challenge. In the 2016 budget we announced the \$21.42 million safer families package and levy to secure much-needed funding for new services and legal responses to domestic and family violence.

There were a number of key pieces of work which helped build the evidence base in 2016. These included the report of the board of inquiry into the system-level responses of family violence in the ACT by Laurie Glanfield AM; the ACT domestic violence service system gap analysis from our own Community Services Directorate; and the findings and recommendations from the Domestic Violence Prevention

Council's review of domestic and family violence deaths in the Australian Capital Territory.

The ACT government accepted the recommendations from all of these reports. The safer families package has already seen the establishment of a full-time Coordinator-General for Family Safety who will be leading the work in this area, along with the appointment of the first ever minister directly responsible for the prevention of domestic and family violence—a position I am happy to hold.

The ACT government is also implementing the national plan to reduce violence against women and their children 2010-22 through the ACT prevention of violence against women and children strategy 2011-17—our responsibility: ending violence against women and children. The second implementation plan under the strategy will be concluding at the end of this year. I look forward to seeing how the ACT government's work in this area has positively impacted on women in our community.

Our government acknowledges that gender inequality is at the core of the problem of violence against women, and so gender inequality must be at the heart of the solution. The ACT government is committed to acknowledging and celebrating the contribution of women, and one way that we do this is through the annual ACT Women's Awards. This year's awards were held on the eve of International Women's Day, and we applauded the commitment from three amazing Canberra women—Marie-Louise Corkhill as ACT Woman of the Year, Andrea Hotchkiss as Senior Woman of the Year, and Francesca Maclean as Young Woman of the Year.

In 2016 the ACT Violence Prevention Awards were held. These awards were previously known as the Partners in Prevention Awards. Recipients of the awards were celebrated for their work in media, sports, the private sector, the community sector and education. These awards further help to raise awareness of domestic and family violence and the need for a united approach involving the whole community.

The ACT women's grants provide funding for initiatives that improve the safety, status and wellbeing of women and girls in the ACT. Through the 2016-17 grants program, the ACT government will invest up to \$180,000 to support innovative projects which will lead to positive outcomes for women and girls. Further, the ACT government supports young women in our community through the Audrey Fagan Churchill Fellowship and enrichment grants.

The ACT government strives to achieve gender equality on boards and committees, a strategy which is critical in ensuring the voices of women are heard in government and in our community. Our strategies continue to be successful and we are leading all other states and territories, with women making up 48 per cent of the membership on boards and committees in the ACT where the ACT government can influence appointments. This represents a four per cent increase in just two years.

Domestic violence is the leading cause of homelessness for women in the ACT and, over coming months, we will progress a number of commitments to housing and homelessness which will benefit women, including the development of a new housing

strategy which will look at issues of affordability, supply and social and community housing models. In 2017 the government will hold a housing and homelessness summit to bring together all of the stakeholders to explore innovative ways to address housing challenges faced by Canberrans, including women.

We know that the impact of an ageing population has a gendered component, with women making up an increasing proportion of lone person households in older demographics.

The ACT government continues to work directly with women by providing information and referrals on a wide range of issues. This includes personal and professional development, relationships, violence support services, wellbeing and parenting. The women's information referral service has provided 1,636 occasions of support to women to access relevant and timely information to make choices that impact on the quality of their life.

The ACT government also supports women returning to the paid workforce following caring responsibilities. 126 women were the beneficiaries of the return to work grant in 2016, receiving \$1,000 each to assist them to achieve their employment or educational goals. The program provided assistance to all eligible women, with a particular focus on women from diverse backgrounds. Aboriginal and Torres Strait Islander women made up nine per cent of the total recipients; 44 per cent were women from culturally and linguistically diverse backgrounds; six per cent had disability; and 15 per cent were caring for a family member with additional needs.

Through working one on one with women, the ACT government is helping to build women's capacity and confidence and assisting them to overcome barriers to their full participation in the community. This includes, of course, participation in sport and recreation.

We know with certainty that physical activity is essential for physical health, but so is connecting with others. Many studies are now showing that being socially disconnected has the equivalent impact of smoking 15 cigarettes or drinking six units of alcohol a day, so you can see, Madam Speaker, that participating in sport and active recreation has the dual benefit of getting us moving and connecting us with others. It is simply great for our health and our wellbeing.

Unfortunately, we know that many women and girls are making the choice not to participate in active recreation. By the time girls reach adolescence, their participation in physical activity decreases significantly. We can observe this trend in our high schools, our local parks and sporting fields. Girls tend to become the watchers and not the participants.

Research in the area identifies a number of barriers, such as concerns about body image, fear of being criticised and, of course, social and cultural expectations of how women should behave. We also know, as I mentioned earlier, that the pathways to a high level of participation are often non-existent for women in some sports.

This research was reflected in the many consultations I conducted in 2016, including a roundtable discussion in May with athletes, administrators, media representatives and students, to delve deeper into the challenges facing women and girls in sport. Some of these young women told me that the lack of appropriate infrastructure and clear social connections were contributors to their non-participation.

The government's election platform takes direct action to address these challenges and ensure that girls have increased opportunities in sport at all levels, including playing and administration. We committed \$2.5 million in funding to women's sports, including a new four-year funding deal with both the Canberra Capitals WNBL and Canberra United W-League teams, to inspire a new generation of female athletes; \$500,000 for a female-friendly sports infrastructure program; a \$400,000 incentive grant for sports to lead the way in promoting gender equality; and \$100,000 towards a new "active" online community which will act as a hub for sports to connect with women and girls, grow participation and celebrate achievements.

We are also working with all Canberra sporting organisations towards at least 40 per cent female representation on their boards. So while the doors to high performance opportunities have been slower to open for female athletes when compared to our male counterparts, I can confirm that changes are afoot in this area.

In the Education portfolio, it is worth noting that we are leading the country in terms of women's leadership roles in schools. National research shows that 81 per cent of primary teachers are female, but they hold only 65 per cent of leadership positions; and 58 per cent of secondary teachers are female, but they hold 48 per cent of leadership positions.

In ACT public schools, we do quite well, where 77 per cent of the workforce is female, with approximately 75 per cent of the executive teacher positions and close to 73 per cent of deputy principal positions being held by women. We need to do further work to support women to thrive in the role of school principal as only 59 per cent of current principal roles are held by women.

Today, in acknowledging and celebrating International Women's Day 2016, I want to applaud the gains that we have already made in the ACT. In addition to the work I have already mentioned, I need to again acknowledge the fact that the ACT parliament has shattered the glass ceiling, with a majority of women for the first time holding the most seats in the ACT Assembly. This is an Australian first, so we need to keep acknowledging it.

We also have strong leadership credentials in the ACT public service, with women making up 42 per cent of executive positions. That is a great accomplishment compared to the broader community but, as we know, there is always more work to be done, with deeply entrenched stereotypical attitudes impacting negatively on the wellbeing of women and girls.

Madam Speaker, while government cannot be solely responsible for changing these attitudes and addressing gender inequality, we can certainly be a leader and an agent

for social change in this field. We can be the game changers. I call on every person present here in the Assembly and all the people in our community to be bold for change. Each person plays a part, and the responsibility rests with us. Together we can achieve a gender-inclusive community which values, respects and supports women and girls. I present the following statement:

International Women's Day 2017—Ministerial statement, 21 March 2017.

I move:

That the Assembly take note of the paper.

**MS CHEYNE** (Ginninderra) (10.29): I too would like to acknowledge the significance of International Women's Day and relive the recent celebrations. In doing so, I would like to take the opportunity to draw particular attention to an outstanding young Canberra trailblazer. This is a woman whose intelligence, creativity and commitment are nothing short of inspiring. I am talking about Francesca Maclean, the worthy recipient of this year's ACT Young Woman of the Year award. Francesca is an incredibly talented engineer and scientist. She stands as a reminder of the importance of women in science, technology, engineering and maths, or STEM, and it is fitting that she has been recognised in this way.

Francesca completed her undergraduate studies with a double degree in engineering, majoring in mechanics and materials, and in science, majoring in chemistry. She walked away with first-class honours in engineering and contributed to cutting edge research on Parkinson's disease. Francesca carried on in academia, undertaking a PhD in tissue engineering at ANU. She has been working to develop biomaterials to control inflammation after brain or spinal cord injury. Francesca is not only applying herself to groundbreaking research that will help our community; she has also committed herself to ensuring that many other bright and talented women join her on the journey.

Francesca is a member of the Canberra global shapers hub, an initiative of the World Economic Forum. Critically, in 2015 she co-founded the ANU fifty50. Fifty50 is a student-led movement that aims to close the gender gap in STEM professions. The organisation is working to get more women into STEM, to help them stay in STEM, and is fighting for equal pay, recognition and opportunities in the STEM workforce. Fifty50 does this through student outreach, mentoring programs, career development, advice and advocacy.

Importantly, the program also highlights the stories of other young women who are defying the stereotypes to pursue study in engineering, IT, maths or science. These women who have gone before are quietly trampling a barely travelled path, carving out a more certain track for those coming behind. Never has this been more important as we embark on an age of exponential technological advancement.

According to the Chief Scientist, in Australia women account for only one in four IT graduates and fewer than one in 10 engineering graduates. Women occupy fewer than one in five senior research positions in Australian universities and research

institutes. We represent only about 25 per cent of the STEM workforce. The pay gap is there too—a 23.5 per cent difference between men and women in 2016 in professional, scientific and technical services. That is huge—a 23.5 per cent difference.

We are living in the information age, and STEM will continue to be a major source of jobs and economic growth. It follows, then, that this current underrepresentation of women in STEM careers is a tragedy now and into the future. How many treatments and cures have gone undiscovered? How many renewable energy innovations have lain dormant? How many engineering issues persist today because the woman with the answer was told that girls are no good at maths? Fifty50 is helping to change these figures by working in schools and universities, where the seeds of future careers are planted.

Too often we hear of young women shying away from STEM subjects because they think they are not naturally strong at maths or question their ability to conceptualise solutions to engineering problems. We know that these concerns are unfounded. Research has shown that gender makes no inherent difference to our ability to perform in maths or science.

What does make a difference is our culture and our social norms. Training our girls from a young age to believe that maths just “is not their thing” means we raise young women who lack the drive, motivation or self-belief to practise and master these subjects. If we expect girls to become engineers, mathematicians and scientists, then they will become them and they will excel. And Francesca is proof of that.

Another key element to encourage women into STEM careers is the availability of women role models and mentors for girls and young women to look up to. The Bureau of Meteorology recently reported that, when girls aged between nine and 11 were asked to draw a picture of a scientist, two out of three girls drew a male scientist. You cannot be what you cannot see and, whether it is explicit or implicit, women in STEM careers send a clear message to girls and young women: “I did it; so you can too.”

Francesca is an excellent role model. She and her colleagues at fifty50 are working hard to mentor young women in STEM and play a critical role in changing ideas of what a scientist looks like. It is critical that women are a strong voice in STEM industries not only from an equality perspective but also to give us the best chance of finding answers to the big issues we are facing: climate change, disease and sustainable development, to name just a few.

Women like Francesca are truly admirable for the steps they are taking to change the way we view women in STEM. Her career path and her work in fifty50 send a strong message to our younger women that you can, and you should, pursue STEM careers if that is where your interests lie. I thank Francesca for her work and congratulate her on the great achievement of being ACT Young Woman of the Year 2017.

International Women’s Day highlighted the amazing work of women across Canberra as we strive for equality. Francesca’s work breaks down stereotypes to show us

exactly what women can achieve when they are given the opportunity. I hope many more women follow in her footsteps.

**MS ORR** (Yerrabi) (10.36): I rise to speak in support of this statement. I thank Minister Berry for speaking on this issue and discussing what she and the government have been doing for gender equality. Since our last session I have been busy out in my electorate and would like to talk about how these policies will affect women in Yerrabi and how Yerrabi has been addressing these issues.

Late last year I had the pleasure of meeting some of the young women enrolled at Harrison school. At the time they were approaching college and starting to consider their career paths. Talking to them about this, I was reminded of the diversity of young women. Some were interested in becoming writers, others were pursuing careers in engineering, and we talked about the underrepresentation of women in STEM. These young women are driven and enthusiastic and it is up to us to support them. We discussed ways of obtaining leadership roles for women and the importance of mentoring.

It was a matter of personal importance to the students that efforts to increase women's representation in positions of power are inclusive and intersectional. It was encouraging to see our young people recognise that gender discrimination experienced by them and others differs when combined with factors such as race, age, ability and ethnicity.

I was also able to attend Gungahlin College's International Women's Day forum with Minister Berry. We heard students of all genders engage community leaders in debate on how to achieve gender equality and we were able to talk to the students before the event. At one stage a young man enrolled at the school described his confusion at the introduction of women traffic light symbols in Melbourne. He inquired of a female friend, who explained the symbolic significance of the change and what it meant to her. It was incredibly encouraging to see the productive discussion such a seemingly trivial change had generated and the way our young men are looking to learn about, rather than dismiss, women's issues.

Earlier that day some of the young women attending Gungahlin College were invited to discuss their thoughts about International Women's Day with Louise Maher on 666 Canberra. For these young women, being a woman means experiencing challenges not faced by men. While these girls are aware of structural boundaries for women, it is more often cultural and behavioural expectations that affect them day to day.

The issues they raised included media influence and body image, gender roles, and double standards and contradiction. They acknowledged the women who had gone before them in the fight against patriarchy and highlighted the international aspect of International Women's Day. While they acknowledged Australia's privileged position internationally and their privilege within their communities, they reiterated the importance of international resistance against gender-based discrimination and disadvantage.

A young Aboriginal woman at the school expressed that, despite her initial reluctance, her privilege within her community put her in a position to lead that she could not ignore. Another student remarked on her role mentoring her younger peers. The young women discussed the desire and need to set standards for their communities, which really embodied this year's theme: be bold for change. The girls also suggested that support from women's groups has helped them to grow into strong leaders.

For these young women, being a woman increases the reward of their achievements. When they can accomplish something that others did not expect to, when they can surprise people and defy expectations, they feel stronger and more capable than if they were just to meet the standard.

Later in the evening on International Women's Day I joined the Heydon District Girl Guides group which incidentally was the Girl Guides group I once attended. So it was personally very significant for me and a great opportunity to reflect on what I had learned in my time with the guides and to lend support to other young women seeking to serve the public. We spoke about women as leaders, how to be a leader and smashing the glass ceiling. We also talked about identifying women leaders in our community and not just in magazines. Funnily enough, we also had a good chat about women in the Legislative Assembly. All these young women are leaders in their communities, but they face challenges due to their gender. These challenges differ between individuals and across cultures; so our solutions must be versatile.

Nearly 20 per cent of women in the ACT live with a disability; 3,400 women in the ACT are Aboriginal or Torres Strait Islander. Of the women living in the ACT, 12 per cent were born overseas and nine per cent speak a language other than English. Yerrabi is a diverse electorate and our women are no exception. The women who call Yerrabi home have a diverse range of careers, ages, cultures and languages, all bringing together a cross-section of the community not seen in other parts of Canberra. As a member for Yerrabi, our diversity is one of the reasons I am proud to represent our wonderful community.

As Minister Berry touched on, the ACT government recently conducted consultation on increasing women's participation in sport. Since women identified how sports infrastructure in Gungahlin deters them from participating, the government has been able to investigate solutions. Simple things such as poor lighting and bathroom facilities are some of the ways in which women are discouraged from using sports venues. But these issues cannot be resolved unless they are sought out.

Listening to our community is integral to being able to serve them and alleviate inequality. When government actively breaks down barriers to women's contribution to our community, we and our community can truly thrive. The ACT women's plan is a long-term plan to address many of the issues faced by women in Yerrabi and across the ACT. Equity and wellbeing and physical and mental health are well-identified priorities for women in the ACT.

This year's International Women's Day has been about all people taking initiatives to become role models for gender equality in their communities. I have met with young

women who exemplify this and it is fantastic to see the ACT government leading the way. While individual attitudes are critical to progressing gender equality, strong, cohesive leadership has the greatest capacity to address systematic issues. I am proud to be a local member for the exemplary young women in Yerrabi and look forward to watching as they progress as community leaders.

Question resolved in the affirmative.

## **ACT Policing key priorities Ministerial statement**

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.42): I rise today to provide the Assembly with an update on this government's priorities for ACT Policing. At the same time this will allow me some opportunity to provide the Assembly with an overview of ACT Policing's achievements, which are significant.

The ACT government is committed to keeping Canberra safe. This is made possible through the dedication and commitment of the Chief Police Officer, Justine Saunders, and her officers. I acknowledge the excellent work ACT Policing does on a daily basis in serving the community. In addition, the government has outlined key priorities for ACT Policing, as the 2016-17 ministerial directions provide. These are: tackling domestic and family violence; reducing and preventing alcohol-fuelled violence; continuing our commitment to restorative justice; and improving road safety.

ACT Policing also continues to work with partner national, state and territory law enforcement agencies to respond to outlaw motorcycle gangs, serious and organised crime and any threats from terrorism. Clearly, the task at hand presents a number of challenges and complexities for our policing services. I am confident the work ACT Policing is doing is meeting the challenge. I am committed to working with ACT Policing, the Justice and Community Safety Directorate and my colleagues across government to make sure this continues to be the case.

The government has consistently delivered resources to the ACT Policing key priorities: notably \$1.18 million as part of the \$21.42 million safer families initiative; \$3.132 million to protect ACT Policing, announced in the 2016-17 budget; as well as an additional \$6.4 million to boost Taskforce Nemesis, announced in August 2016.

The 2016-17 police purchase agreement sets the ACT government's expectations for the delivery of a professional, accountable and transparent policing service to the ACT community. The purchase agreement and ministerial direction are a written demonstration of the professional and robust relationship shared by the ACT government and ACT Policing.

The latest report the Chief Police Officer provided to me shows strong achievements against the performance measures identified in the purchase agreement. For the December 2016 quarter ACT Policing achieved 32 of the 38 targets. Extremely positive results were highlighted in the most recently produced Productivity

Commission report on government services. Recorded community perceptions in 2015-16 of safety both at home and in public places showed positive results for the ACT, with all categories within this criterion demonstrating that ACT Policing ranked above the Australian average and recorded the highest results nationally. The result for “police perform job professionally” was 88.7 per cent and “police treat people fairly and equally” was 77.4 per cent, and both exceeded the national average in 2015-16.

When compared to other states and territories, the ACT recorded the highest rate in Australia for “police are honest”, 79.8 per cent, and the second highest satisfaction rate for “general satisfaction with services provided by police”, at 78.5 per cent. Road safety results show the ACT recorded the lowest number of road deaths in 2015-16 per 100,000 registered vehicles. The results for juvenile diversions in the ACT showed the proportion of juvenile offenders diverted—53 per cent—as the second highest in Australia in 2015-16. ACT Policing recorded the lowest number of complaints from the public since 2011-12: 36 complaints per 100,000 people.

From the above it is clear that ACT Policing continues to perform well in what is an increasingly complex environment. Having said that, I am pleased to advise that ACT Policing is not being complacent and recognises the need for continued reform to continue to effectively meet current and future challenges. I commend ACT Policing efforts aimed at building a sustainable workforce plan for the future, streamlining processes and providing the right technology and tools to support the front line. I am committed to working with ACT Policing to ensure that it is effectively resourced to meet the challenges it faces ahead.

ACT Policing’s dedicated family violence coordination unit allows front-line police and criminal investigators to engage subject matter experts in the delivery of a coordinated and consistent response to family violence. The unit was established by ACT Policing, on its own initiative, to strengthen the front-line responses to these tragic and complex crimes. The unit provides education and training to front-line police and works closely with external services to ensure that the best outcomes are achieved for victims of family violence.

ACT Policing continues to focus on strengthening its response to domestic and family violence in appropriate and culturally sensitive ways. ACT Policing will also receive an additional \$150,000 from the confiscated assets trust fund for a dedicated female Indigenous community family violence liaison officer to address the overrepresentation of Indigenous people in family violence related matters.

ACT Policing is engaging closely with the Coordinator-General for Family Safety to improve outcomes for victims of family violence and their families. ACT Policing’s continued work, both through its policing services and its contributions to ongoing strategic partnerships, supports the government’s commitment to strengthening our responses to domestic, family and sexual violence.

The safer families package includes \$1.18 million in funding for ACT Policing to assist victims in applying for domestic violence orders. Two dedicated order liaison officers commenced duties in the first quarter of 2017. The officers provide

day-to-day advice to front-line police officers, liaise with members of the ACT community and provide them with information about family violence orders and the application process and engage with external agencies such as Legal Aid ACT and the Domestic Violence Crisis Service to provide up-to-date information to support them in assisting their clients.

Police play an important role in making sure that we can all enjoy a vibrant and safe night-time economy. In September last year the Chief Minister announced a number of reforms aimed at ensuring that all Canberrans can enjoy a safe night out. Those reforms included a commitment for six additional police for night-time patrols to join the regional target team, to better combat alcohol-related violence and crime across the ACT. ACT Policing's regional targeting team was formed in 2013, and the role of the team is to ensure the responsible sale and supply of alcohol through engagement, education and enforcement. The overall aim of the team's work is to reduce alcohol-related violence.

Team members work closely with Access Canberra to educate licensees and venue staff on the requirements of the Liquor Act. ACT Policing engages with licensees and their staff to encourage the safe and responsible service of alcohol and close monitoring of patrons, with the common objective of reducing the negative effects of alcohol-related harm. Financial year-to-date results show that the regional targeting team has conducted 1,783 visits and inspections of licensed premises, allowing ACT Policing the opportunity to engage with licensees, staff and patrons of licensed premises.

A key priority for ACT Policing is to disrupt and dismantle organised criminal groups. The community is, rightly, concerned about the developments among outlaw motorcycle gangs in the ACT. The government is keenly aware of these risks and is working closely with ACT Policing to make sure it has the right resources, tools and relationships to effectively deal with the risk presented to community safety.

Taskforce Nemesis was established by ACT Policing in August 2014 to lead operational and investigative responses to outlaw motorcycle gang—or OMCG—activity. As of 14 March this year, since its establishment Taskforce Nemesis has executed 144 search warrants across Canberra, seizing firearms, weapons, explosives, cash, drugs and anabolic steroids. OMCG members have been charged with a total of 260 offences. These results speak to ACT Policing and the government's strategic approach and investment in responding to OMCGs.

Combating serious and organised crime requires a holistic approach supported by a range of measures. This approach is supported by: increased investigation capability and an increased focus on the use of existing confiscation of criminal assets laws, bolstered by additional funding for Task Force Nemesis; with the support of the commonwealth, embedding a national anti-gangs squad member within ACT Policing to support better links between the national and local threat assessments; the use of existing criminal laws, such as bail and sentencing laws, to disrupt OMCGs; and working with national, state and territory law enforcement partners, such as the Australian Criminal Intelligence Commission and the Department of Immigration and Border Protection, under the auspices of the national strategy on serious and organised crime.

The ACT government does not support the introduction of anti-consorting laws at this time. Any future consideration of consorting laws would need to be informed by strong evidence establishing the requirement for and effectiveness of such laws. Laws of this nature would also need to allay unresolved government and community concerns about conflict with human rights and criminal law principles. We have seen the challenges in implementing these laws in other jurisdictions.

The government will continue to work with ACT Policing to ensure that our police have the necessary tools at their disposal to effectively deal with serious and organised crime entities. I have asked the ACT Chief Police Officer to consider how existing mechanisms under the law can be used to their fullest effect.

The government and ACT Policing are exploring the practicalities of introducing fortification removal laws. The ACT does not currently have laws which prohibit the establishment of fortifications or require them to be removed. Fortifications are structures designed to stop or hinder uninvited entry to premises. Fortifications may provide OMCGs with time to vacate premises, delay police entry and frustrate the execution of search warrants through the destruction of evidence. Laws allowing police to apply for an order which requires fortifications to be removed or modified may provide an additional tool to assist police to effectively target serious and organised crime.

I am also able to inform the Assembly that I have asked my directorate to work with ACT Policing and Access Canberra to discuss options for the use of targeted road safety compliance measures to ensure the full suite of regulatory measures are used to address and deter OMCG-related activity. Where interstate OMCG members visit the ACT, we are within our rights to be certain that their vehicles meet all of our local roadworthiness requirements, and I have written to the Chief Police Officer to explore progressing this important collaboration across government.

I agree that visits to the ACT from interstate OMCGs in breach of a consorting warning in their own jurisdiction are cause for concern. I know ACT Policing is working closely with New South Wales, the national anti-gangs squad and others to monitor and disrupt these activities. This issue will continue to be considered by ACT Policing and the Justice and Community Safety Directorate.

We know that the growth in outlaw motorcycle gang activities, which is happening right across Australia, requires a nationally concerted effort. This is why I was pleased to learn that through the nationally joined-up approach to OMCGs we have seen the arrest of 1,000 offenders since the establishment of the national anti-gang squad in 2013. I can assure the Assembly that this government takes the issue of OMCGs very seriously. As such, we will continue to make considered decisions based on the evidence as to what is the most effective and just way to respond to this criminal activity.

Australia faces national security challenges that continue to evolve as well. The ACT government works closely with commonwealth and state and territory counterparts to ensure ACT Policing has the powers and resources it needs to protect

the community, including police themselves, from terrorist acts. The issue of radicalisation, particularly of young people, is complex and requires a joined-up and collaborative approach.

The ACT Government is progressing a joint community-based countering violent extremism response that facilitates pathways for deradicalisation and challenges the propaganda being amplified by violent extremist groups. The ACT countering violent extremism program was established in 2015 and provides a means for sharing information between ACT agencies, setting the strategic vision for CVE activities in the ACT and overseeing intervention activity as well.

While we cannot eliminate entirely the risk of terrorism any more than we can eliminate the risk of serious crime, the ACT government is committed to working collaboratively with ACT Policing to keep our legislation and capabilities under ongoing review to meet emerging needs and to mitigate risk.

In summary, I would like to commend to the Assembly the work of ACT Policing. ACT Policing is a dynamic and highly professional law enforcement agency that operates in a complex and challenging environment. Threats from crime change over time calling on police and government to be strategic, targeted and responsive to the community's needs.

There is not a single simple solution to combating a crime type. As outlined in this statement, the ACT government continues to take a holistic and coordinated approach to supporting ACT Policing in their fight against crime. I take this opportunity to once again thank the Chief Police Officer and all ACT Policing sworn members and professional staff for their continuing commitment to providing an excellent police service to the Canberra community.

Policing's role in our community is integral to delivering a number of the government's key priorities, and I look forward to continuing to work with ACT Policing to ensure that our community remains safe.

Madam Speaker, I present a copy of the statement:

ACT Policing—Key priorities—Ministerial statement, 21 March 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Harmony Day Ministerial statement**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for

Workplace Safety and Industrial Relations) (10.59): Today I rise to talk about Harmony Day and what it means to the people of Canberra. Harmony Day, as my Assembly colleagues would be aware, is about more than just wearing orange or pinning a ribbon on your outfit, though of course we do both these things. The reason we celebrate Harmony Day on 21 March each year is that this is also the United Nations International Day for the Elimination of Racial Discrimination. Harmony Day is Australia's way of saying yes to this global goal.

The Harmony Day message is "everyone belongs". Harmony Day activities aim to foster participation and understanding across the community, building a sense of belonging and respect for cultural and religious diversity. Since 1999, more than 70,000 Harmony Day events have been held around Australia, in childcare centres, schools, churches, community groups and by governments at all levels.

On Saturday I had the privilege of helping to kick off just such an event, the Harmony Sports Day at the Australian Institute of Sport in Bruce. This event is organised each year by the passionate and dedicated staff of the Migrant and Refugee Settlement Services of the ACT, or MARSS as they are commonly known. I know that other members also attended the sports day and it was great for me to see Ms Cody and Mr Coe while I was there.

The Harmony Sports Day presented an opportunity to celebrate harmony and inclusion for migrants, refugees and asylum seekers through participation in sport with other members of our community. It was a pleasure to see the Canberra community come together to support and befriend our newly arrived young people, helping to build not just teams but friendships across the community. Sport really is a universal language.

As members would all know, MARSS is a wonderful community organisation that has been assisting migrants, refugees and humanitarian entrants settle into their new life in the ACT and surrounding regions for the past 30 years. But none of this would be possible without the goodwill, generosity and eagerness of the people of Canberra who demonstrate so clearly every day and in every way their welcoming spirit.

As I said, Madam Speaker, Harmony Day has been celebrated in Australia since 1999 and is really about embracing, understanding, respecting and engaging with all those who surround us: our work colleagues, our families, our friends, our neighbours, our fellow passengers on the bus, people in the supermarket, even the folk who just happen to cross our paths each and every day of our lives. It is also about the community in which we live. It is about the community we aspire to be.

Canberra has a magnificent record for being an inclusive and vibrant city that values diversity in all its forms. The ACT government is committed to promoting equality of opportunity, maintaining social cohesion, building social capital and minimising social exclusion for culturally and linguistically diverse community members.

The 2011 census found that 37 per cent of the ACT population reported either being born overseas or having at least one parent born overseas, while more than one in six were born in a non-English speaking country. Our community is home to more than

100 embassies and high commissions and comprises individuals who hail from over 200 countries. Many of these people come from refugee backgrounds, they or their parents or grandparents having fled persecution in zones of conflict around the world and finding solace in a community that was proudly declared a refugee welcome zone in 2015.

We recognise that migrants and refugees bring new ideas and fresh perspectives. They are more likely to start new businesses, more likely to create innovation. They encourage the rest of us to dream bigger. Migrants helped build the Snowy River scheme. They were crucial to the development of the goldfields. We would not be the Australia we are without their contribution.

The ACT government's central goal for social inclusion is to help every person to reach their full potential as a member of our diverse, inclusive and creative community. Our social inclusion program implements policies and practices that respond to poverty, deprivation and disadvantage as well as cultural and systemic problems such as homophobia, sexism, racism and violence against women and children. These issues affect the entire ACT community regardless of social or cultural backgrounds.

The ACT government also supports a wide range of activities and organisations to promote a harmonious and inclusive city. The annual National Multicultural Festival is a highlight of the year and a celebration of Canberra's rich and varied multicultural community. As members would be well aware, this year the festival marked its 21<sup>st</sup> birthday and more than 280,000 people were there to celebrate.

More broadly, the ACT multicultural framework 2015-2020 highlights the real actions across all ACT government directorates in supporting and protecting our cultural diversity. This includes a range of grants programs such as the ACT participation multicultural grants. More than \$260,000 is allocated annually providing opportunities for culturally diverse community organisations to develop innovative projects that contribute to sustainable communities by highlighting and promoting cultural diversity and social harmony.

In terms of supporting Canberrans from culturally diverse backgrounds into work, the biannual work experience and support program has been changing lives for almost two decades. The program is designed to support Canberrans in culturally and linguistically diverse backgrounds to enter the workforce by providing an opportunity to undertake an on-the-job training placement to improve skills and confidence as well as to develop important networks within the ACT public service. Two intakes of the program are offered each financial year with 20 work placements per intake. Successful graduates receive a certificate II in business. Even more importantly for many, a good number of past participants have gone on to enjoy long careers in the public service after completing the program.

The ACT government is also working hard to engage more employers in supporting the employment of candidates from refugee and asylum seeker backgrounds. In September last year the inaugural refugee employment community of practice was conducted with a view to sharing and developing ideas on how to help people from refugee backgrounds in the ACT access sustainable employment pathways.

The session included representatives from government, business, employers, recruitment agencies and the community sector. During the election campaign Labor committed \$1.2 million to a refugee and asylum seeker job pathway program. We are currently working on the details of how this will be rolled out.

Last week I also announced that the government has expanded the eligibility criteria for its Australian apprenticeships and skilled capital programs to automatically include refugees and asylum seekers on temporary and bridging visas, giving them greater employment opportunities in our skills shortage areas. These changes mean more refugees and asylum seekers in the ACT will have access to subsidised training, leading to employment opportunities in areas of skills shortage.

Both the apprenticeship and skilled capital programs ensure that students accessing training receive the help they need to successfully complete their chosen qualification, giving them the best opportunity to participate fully in our community. This announcement follows the inclusion of the ACT in the safe haven enterprise visa scheme last year, meaning that asylum seekers who settle in the ACT will not be forced to move away from friends, communities and established support networks.

Across the board our aim is to better prepare people from refugee and asylum seeker backgrounds to find work or build a business in skill shortage occupations within the ACT and ultimately create flow-on economic benefits. I am proud to be part of a government that recognises the need to support and furnish opportunities to some of the most vulnerable members of our community.

Before I finish today I would like to highlight one more very important initiative that our government is currently implementing. That is the new ACT multicultural advisory council. Nominations are now open for the new council which will give a stronger voice to Canberra's multicultural sector. The council will comprise 15 members who will take a leading role in participation and consultation on issues that affect the lives of culturally diverse Canberrans, raising awareness of their aspirations, needs and concerns.

One of the council's key responsibilities will be to coordinate a multicultural summit in 2018. I urge members to raise awareness of the new council and to encourage Canberrans from culturally diverse backgrounds to consider nominating, noting that the nominations close on 28 March.

Since being appointed Minister for Multicultural Affairs just five short months ago I have had the pleasure of meeting with and learning from many of our city's culturally diverse community members and leaders. What has been reinforced over that time is that ours is a city built on a firm foundation of multiculturalism, tolerance and diversity. So on Harmony Day 2017, please remember to thank your workmates, your friends, your in-laws, your neighbours, your fellow passengers on the bus, people in the supermarket and just the ordinary folk who cross your paths.

Thank them for being part of our community and for embracing shared goals for the future of our city. But, most of all, thank them for adding to our diversity, for opening

up to new ideas, for contributing to our lives with their presence and their insights. After all, that is what makes the human experience for each of us so incredibly rich.

Happy Harmony Day, Madam Speaker! I present the following paper:

Harmony Day—Ministerial statement, 21 March 2017.

I move:

That the Assembly take note of the paper.

**MR STEEL** (Murrumbidgee) (11.09): Each year Canberrans are given the opportunity to celebrate that we no longer accept discrimination in our community. In our city and around the world we set aside a day in the calendar to recognise and celebrate our cultural diversity. Difference, encouragement and cultural respect are all part of the important message on this day. Harmony Day has occurred each year in Australia on 21 March since 1999 to coincide with the International Day for the Elimination of Racial Discrimination. The reason why that date is chosen is because the United Nations declaration is to redouble efforts to eliminate all forms of racial discrimination into the future.

Since that historic declaration in 1966, communities such as ours here in Canberra have sought to embrace this message and celebrate the vibrancy that multiculturalism provides to everyday life. This government has always chosen to support and encourage this new part of our collective identity and I am proud to stand here today as part of an Assembly that recognises that the religious and cultural traditions of multicultural Australia enrich us all and do not divide us.

This day gives Canberrans the opportunity to stop and reflect that since the first Australians, around 300 different ancestries have since come to share in this nation. We live in a progressive city that chooses to respect these different backgrounds and on Harmony Day we celebrate them.

I celebrated this year's Harmony Day on Saturday, 18 March when I attended the annual Harmony Day Sports Carnival hosted by the Migrant and Refugee Settlement Services of the ACT, or MARSS. I am pleased to see that members from both sides of this chamber could come together to recognise the importance of this special occasion.

The day was an exciting display of new cross-cultural friendship, diversity, health, movement and fun at the Australian Institute of Sport. The success of the tournament in which MARSS basketball, futsal and volleyball teams competed with other sporting teams from the Canberra community was a testament to the organisation's hard work. The CEO, Dewani Bakkum, and the MARSS deserve to be congratulated.

Many migrants were competing in sports that they had only newly been introduced to, which was great to see. At the event it was great to hear from other multicultural groups who were also interested in establishing more multicultural sporting events throughout the year, including an outdoor soccer tournament.

The ACT government does a lot to ensure that our new residents feel welcome in our community and that difference and culture are celebrated. The biggest occasion on Canberra's event calendar is our three-day National Multicultural Festival dedicated to the message that Harmony Day embraces, that everyone belongs and that that is something to celebrate. The National Multicultural Festival has become a beloved event in the hearts of all Canberrans and it illustrates on the largest scale an embracement of our cultural diversity.

In the territory, we join in the 85 per cent of Australians who agree that multiculturalism has been good for Australia: the traditions, the food, the music. On these days and many others, those of us in Canberra choose to make these elements of foreign cultures a strength of our capital.

The government holds a commitment to celebrating and recognising the best advocates, businesses and educators who take on the message of Harmony Day and apply it in everything that they do. Canberrans make note annually of the best achievements of some of the 7.5 million people that have immigrated to Australia since the end of the Second World War through the ACT multicultural awards. The multicultural awards acknowledge those Canberrans who enrich our community and make Canberra such a great place to live.

One of these great Canberrans was Theo Notaras, who was a well-respected member of the community who happened to be of Greek descent. Mr Notaras was an enthusiastic supporter and pioneer in the integration of other cultures into the ACT. As the first president of the Greek community in Canberra, Mr Notaras dedicated much of his life to the city that he loved. Today we have the Theo Notaras Canberra Multicultural Centre that stands across from this Assembly as a testament to Mr Notaras and his vision for Canberra in which everyone belongs.

Madam Speaker, Mr Notaras's centre has long since been a staple of the ACT government's commitment to multiculturalism. It is a place where languages and culture can be shared, where new citizens to this territory can learn with others and receive help with settling into our community. The centre is a hub of many helpful organisations, all with the goal of improving and assisting those new and old to access the services that they need and to help develop communication in English.

This Harmony Day we should take inspiration from people like Mr Notaras and many other recipients of the ACT multicultural awards to see how we can best help ensure that we continue to live in Australia's most inclusive city where everyone belongs. We must all take leadership to stand up against racial discrimination, in particular, and vilification in our community.

In concluding, I do feel I need to comment that I find it quite extraordinary that on Harmony Day, the same day as the UN International Day for the Elimination of Racial Discrimination, the federal Liberal government is currently debating, in the media and in its party room, watering down racial vilification laws. I think that says a lot.

**MS ORR** (Yerrabi) (11.14): Harmony Day is an important day for all Canberrans as it provides us with the opportunity to acknowledge the rich diversity of cultures within our community. Coinciding with the United Nations International Day for the Elimination of Racial Discrimination, Harmony Day brings Australians together to celebrate diversity and a richer sense of belonging for each and every one of us.

Here in Canberra we are fortunate to live in a city that fosters inclusiveness and acceptance. Canberrans understand the importance of multiculturalism, and we are proud to share our home with people from right across the world. We also acknowledge the Ngunnawal people as the traditional custodians of the land on which we live, work and play. Their culture is a continuing contribution to the life of this city, and we continue to pay respect to their elders, past, present and future.

We see Canberrans come together each year at the National Multicultural Festival to celebrate the diversity of our city. It is important that we continue to acknowledge the cultural and religious groups that contribute to the life of the territory each and every day.

Like many of my colleagues, I have had the pleasure of attending a wide range of cultural and religious celebrations since being elected to this place, from citizenship ceremonies welcoming our newest Australians to Canberra, celebrating with the Mon community on their national day in February, and joining with the Jewish community at their Hanukkah celebrations here in the Assembly last year. These events highlight the outstanding contribution that people from all walks of life make to our city. Today in particular provides us an opportunity to come together with friends, family, colleagues and our wider community in recognising the value of living in such a successful multicultural city and country.

As Minister Stephen-Smith has already highlighted, the ACT government is committed to supporting the multicultural community here in Canberra. In 2015 the then minister for multicultural affairs declared the ACT a refugee-welcome zone to provide further support to refugees and asylum seekers. We have continued this support through the ACT government's \$1.2 million election commitment for a refugee and asylum seeker job pathway program, and refugees and asylum seekers in the ACT also have access to more employment opportunities through the expansion of the eligibility criteria for the Australian apprenticeships and skilled capital programs.

It is a great privilege to represent the people of Yerrabi, and in particular I would like to take the opportunity today to highlight the diverse group of cultures that call the electorate home. The 2011 census revealed that 53 per cent of constituents have at least one parent who was born outside Australia, with Chinese, Filipino, Indian, Korean, Sri Lankan and Vietnamese backgrounds, to name just a small few. Our community continues to thrive as a place of cultural richness, and we celebrate the more than 40 different cultures that call the area home.

However, the success of multiculturalism in my electorate, and across Canberra more broadly, must not be taken for granted. Racism and hate speech continue to threaten our community, and it is the responsibility of all of us to stand up to ignorance and

bigotry wherever we see or hear it. As leaders and representatives of our community we have a moral obligation to defend the most vulnerable in our community.

While today is the International Day for the Elimination of Racial Discrimination, and nationally we are celebrating Harmony Day, the coalition parties will debate whether the terms “insult” and “offend” should be removed from the Racial Discrimination Act. Section 18(c) is included in the act to protect Australians. It does not encroach on our freedom of speech so long as our opinions and actions do not seek to cause harm to our fellow Australians. On a day that we should be celebrating our diversity and shared values of acceptance and mateship, we see the conservative members of the coalition seeking to establish a platform to spread insulting and derogatory commentary.

We must stand up and defend the multicultural society we live in. As a local member for Yerrabi, I believe it is my role to defend the thousands of people in my electorate who identify with the diversity of cultures. Although the changes to the Racial Discrimination Act cannot be blocked in this place, we as representatives of the ACT can stand up with the hundreds of thousands of Canberrans who love and cherish the multicultural community that we live in.

This Harmony Day let us thank our friends, family, colleagues and neighbours for the contribution they make to our city and the positive impact they have on our daily lives. We are better off when we encourage love and acceptance across our community. Harmony Day is about making sure that everyone belongs. I wish all Canberrans a happy Harmony Day.

**MS CHEYNE** (Ginninderra) (11.19): I am proud to rise today to also speak in support of the minister’s statement and to mark such an important day to celebrate our differences and recognise that everyone belongs here in the ACT. In Australia we can proudly claim to be home to the world’s oldest continuous culture and to be one of the most multicultural countries in the world. One in four Australians was born overseas, and one in two has a parent who was born overseas. I am in the latter category, with my father having been born in New Zealand. Nearly one in five of us goes home each day and speaks to our loved ones in a language that is not English.

Harmony Day celebrates Australia’s cultural diversity. It is about inclusiveness, respect and a sense of belonging for everyone. It enables Canberrans to demonstrate their sense of togetherness and belonging through celebrating food, sports, music and other cultural activities. Harmony Day is based on the understanding that we are better due to our differences. Newly arrived Australians bring fresh insights.

One example Minister Stephen-Smith spoke of was migrants who came to Australia to build the Snowy River scheme, and my grandfather was one of those. Australia’s first peoples offer unique ways of looking at ourselves as a community and as a nation. Together, these perspectives and contributions help all of us solve our problems and appreciate our strengths.

Growing up in a multicultural community, it does not take long to figure out that we all share similar hopes and fears as we work hard for our families, fret over our relationships and strive for our dream jobs. We may be different in how we express ourselves, how we worship or in the foods we eat, but we all belong.

My electorate of Ginninderra is a dynamic and interesting place to live because of the many different cultures that co-exist in the region. Residents of Ginninderra were born in at least 35 different countries, from Cambodia to Canada, South Africa to Sri Lanka, and many more besides. We punch above the national average, with more than 25 per cent of Ginninderra residents being born overseas. We are lucky to have a wide range of restaurants, grocers, places of worship and classes in dance, music, art and language throughout the electorate. These provide everyone with opportunities to meet new people, gain new skills and comprehend different perspectives and ways of doing things.

I hope that Canberrans have taken a few minutes today to explore the [harmony.gov.au](http://harmony.gov.au) website and see how they can get involved in this Harmony Day, wet as it may be. Our cultural tapestry enriches our communities, schools and workplaces. Multiculturalism opens our mouths to new foods, our minds to new ideas, and our hearts to new people. On this Harmony Day, I am proud to say that I live in a community that welcomes and celebrates diversity.

Question resolved in the affirmative.

## **Commercial Arbitration Bill 2016**

Debate resumed from 15 December 2016, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

**MR WALL** (Brindabella) (11.23): The bill before us today is a straightforward one which seeks to facilitate the use of arbitration agreements to manage domestic commercial disputes. The bill is based on the United Nations Commission on International Trade Law model legislation framework. I note that the UN model law has been adopted by a number of other countries and jurisdictions around the world and specifically by others that have common law settlement, such as New Zealand and Singapore.

Importantly, the bill does not impose arbitration on disputing entities; rather, it provides that if a dispute comes before a court and there is an arbitration agreement in place in relation to it, the court must then refer the matter to the arbitration process if asked to do so by either party privy to the agreement.

By introducing this legislation to the ACT and including technical amendments to make the bill consistent with the Commercial Arbitration Act 2010 in New South Wales, the ACT will be consistently in line with other Australian jurisdictions.

Clause 1 states that the paramount object of the act is “to facilitate the fair and final resolution of commercial disputes by impartial arbitral tribunals without unnecessary delay or expense”. In theory, I think the resolution of commercial disputes administered in a consistent fashion across jurisdictions is both welcome and is, of course, something that we in this place all want to see.

The opposition will, however, keep a close eye on the use of these agreements to make sure that parties are not forced to enter into them and that they are entered into willingly by all participants as the scheme is rolled out and utilised more broadly. To that end the opposition will be supporting the bill today.

**MS CHEYNE** (Ginninderra) (11.24): I am pleased to speak in support of the Commercial Arbitration Bill today. The Commercial Arbitration Bill introduces a new framework for commercial arbitration in the ACT. This bill will implement the UN model law, with adaptations for a domestic setting.

With this new legislation we will harmonise our commercial arbitration framework with all other Australian states and the Northern Territory. This means companies around Australia and around the world will be familiar with how commercial arbitration works in the ACT. It will also minimise compliance costs and forum shopping caused by having a different system in the ACT.

Having an effective arbitration regime provides companies with an attractive alternative to litigation. The importance of our courts cannot be understated, but commercial litigation can result in complex and protracted proceedings that can be very resource intensive. If the parties to a commercial dispute are able to agree on the terms of arbitration, these matters can stay out of the courts. With this in mind, this bill will introduce an arbitration regime that is a modern, flexible and efficient system of commercial arbitration.

The paramount object of this arbitration regime is stated as being “to facilitate the fair and final resolution of commercial disputes by impartial arbitral tribunals without unnecessary delay or expense”. Having fair and final arbitration as part of a suite of dispute resolution mechanisms has significant benefits.

As I mentioned, litigation can be an expensive and protracted exercise. Companies may lose significant trade and goodwill in this period due to media scrutiny and business uncertainty. The model arbitration framework in this bill, on the other hand, is characterised by efficiency and control, privacy and confidentiality, specialist expertise, and limited appeals.

First and foremost, the bill establishes an arbitration regime that prioritises the fair and efficient resolution of disputes. The bill stipulates that parties must be treated with equality, and must be given a reasonable opportunity to present their case. Against that backdrop, the parties are free to agree on how their arbitration will be conducted. This allows significant flexibility, as procedures can be tailored to the needs and goals of the parties.

Rather than being tied to formal court procedures with fixed, and long, time frames, parties can agree on when, where and how they will meet. For example, virtual attendance is possible, and proceedings are not limited to court hours. Other aspects of the process, such as the scope of discovery and the length of the arbitration, can also be decided by the parties. There can be a schedule for arbitration, with set dates for each stage of the proceedings. This control and flexibility can be used to create speed and certainty for those involved.

Similarly, the tribunal has flexibility to admit evidence and give directions and orders more informally. Interim orders can be made, and proceedings can be guided in a quick and responsive manner. As I am sure you can appreciate, Mr Assistant Speaker, a speedy resolution of disputes is of utmost importance in the business world. Drawn-out indecision can cause significant costs to a business, since investing in the future of the business may be futile until an outcome is reached in a dispute.

Another benefit of arbitration is the reassurance that proceedings will be private and confidential unless the parties agree otherwise. Without fear of media scrutiny, companies can be more open and frank. However, safeguards are in place and it is not a blanket protection for parties. A court can still order release of information where it is in the public interest to do so.

The arbitration model adopted in this bill also allows parties to take advantage of specialist arbitrators. Parties can have a say on how arbitrators are appointed and can nominate arbitrators. This means parties are able to appoint arbitrators who already know a lot about the relevant industries and issues involved. This can save the parties a lot of time, since the arbitrators are already well versed in relevant technical know-how and industry standards.

Finally, arbitration delivers finality for the parties. Since parties themselves come up with the terms of this dispute resolution mechanism, the decision of the tribunal carries a lot of weight. Appeals are only available in a limited set of prescribed circumstances. Generally speaking, these are circumstances in which procedural justice has not been afforded to a party.

This bill will bring model commercial arbitration law to the ACT. The new framework will reflect international best practice. It will create a homogeneous Australian system. It will ease the burden on our court systems. Importantly, it will more effectively facilitate the fair and final resolution of commercial disputes by impartial arbitral tribunals without unnecessary delay or expense. I commend this bill to the Assembly.

**MR RATTENBURY** (Kurrajong) (11.31): I rise to indicate the ACT Greens' support for this bill. As has been touched on in the debate today, court processes can be slow, difficult and sometimes very costly for the parties to those cases. They are also costly for the governments that fund the court system. Because of this the Greens support institutions, organisations and tools that help people find ways to avoid those costly delays in the legal system and find alternative pathways of dispute resolution.

For example, in a different area of law, the Greens federally, as well as I locally, have spoken very strongly against the Abbott-Turnbull government's huge cuts to community legal centres. This is a great example, because community legal centres are vital organisations that support people such as domestic violence victims to access the legal system. In doing so, they are a critical support for the legal system itself and are able to provide a level of support for many people. Groups like the Welfare Rights and Legal Centre, or Canberra Community Law as they are now known, can often help people to avoid getting into legal situations. These are the sorts of alternative mechanisms that I think are very valuable.

In that vein, commercial arbitration is another tool that I think supports the legal system. It supports the system by diverting commercial disputes out of expensive and slow court cases. Importantly, as Ms Cheyne touched on, it is also voluntary; no-one is forced into it but it is there if parties choose to use it. I would encourage people to consider this as an option. Certainly, I am very pleased to support this bill, which strengthens this option and makes it available to parties. I am happy to support the bill on behalf of the ACT Greens.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.32), in reply: Can I firstly acknowledge the contributions of Mr Wall, Ms Cheyne and Mr Rattenbury to this debate and thank them for their support for this bill.

The Commercial Arbitration Bill 2016 will repeal the Commercial Arbitration Act 1986 and provide a new procedural framework for the conduct of domestic commercial arbitrations consistent with the rest of the country. Parties to commercial arbitrations will have greater certainty that their proceedings will be cost effective, unbiased and fair. Commercial arbitration is an important alternative to lengthy and more expensive litigation.

As I mentioned to members on presentation of this bill, this is a model uniform law. It is based on the UN Commission on International Trade Law model law on international commercial arbitration. It has been appropriately modified for a domestic arbitration scheme.

This uniform model law has now been adopted in each state and in the Northern Territory. Adopting this law in the ACT will give both arbitrators and parties to commercial arbitration agreements a greater sense of certainty and confidence that commercial arbitration law is consistent throughout Australia.

The ACT's current Commercial Arbitration Act is part of the old uniform domestic arbitration legislation which has not kept pace with international best practice. The bill will update and modernise the ACT's commercial arbitration law in line with national and international best practice. Today's bill improves on the existing ACT legislation by ensuring that arbitration agreements cannot be easily invalidated and by providing basic process improvements to facilitate arbitration.

I do note the scrutiny committee's comments on this bill, and I have provided a written response to each of the issues that has been raised. It is important in that context to be clear about what this bill does and does not do. The bill does not impose arbitration on anyone and it does not remove basic legal rights. Instead it provides a framework for parties to commercial agreements to agree that they wish their disputes to be settled by arbitration instead of litigation. There is no obligation to enter into an arbitration agreement as a result of this legislation.

The arbitrations provided for in this bill mirror a process that is commonly used in international business. There are occasions when, for certainty of process and efficiency of resolving disputes, two businesses in different countries will agree in advance on arbitration. This means that local court rules and legal questions that cross jurisdictional lines are less relevant to the outcome of a dispute. The two parties to a transaction will instead know in advance what process they will undertake to resolve a dispute. The commonwealth's International Arbitration Act 1974 provides the same sort of framework for international businesses as this bill will for domestic business.

The same principles of certainty of process and avoidance of local legal arguments apply within Australia. Having legislation to support these agreements helps make Australia a more attractive place for companies to do business across different states and territories.

As parties to commercial arbitration agreements have agreed to have their disputes resolved more quickly and cost effectively through arbitration, and not through litigation, it is important that they be prevented from undermining that same agreement. Allowing for legal arguments that effectively undo an arbitration agreement makes Australia a less attractive place to do business by adding a layer of legal review that two parties have explicitly agreed to avoid.

Arbitrations, by their nature, are intended to be binding on the parties. The legislation balances flexibility in the arbitration process with the need for certainty of outcome. Because of this, the bill includes provisions which prevent a party from being able to overturn a decision of the arbitrator or arbitral tribunal as long as the agreement itself and the process of arbitration comply with the legislation.

The bill has two limitations for parties to commercial arbitration agreements. One is clause 8, which provides that a court before which an action is brought must generally refer the parties to arbitration unless the agreement is null and void, inoperative or incapable of being performed. The clause is based on article 8 of the United Nations model law. What it means in practice is that one party who wants to avoid arbitration cannot delay the process by filing a lawsuit seeking review. The arbitration has to proceed first to an outcome.

The second limitation is clause 34A, which allows appeals to be made with the agreement of all parties and with leave of the court. This means that if both parties are unhappy with an arbitration result and cannot agree on a way forward, they have access to the court system. These limitations have the effect of ensuring that, where a person agrees to enter into arbitration, in most cases any dispute will be resolved outside court.

At its core, this legislation is about improved alternative dispute resolution. It provides an avenue for commercial matters to be settled in a way agreed to by the parties to a transaction. The role of the court in commercial arbitration proceedings under the bill is limited to assisting and supervising the arbitration proceedings where necessary, including assisting a party to obtain evidence before the arbitral tribunal. This may include issuing subpoenas to attend before or produce documents to the arbitral tribunal on application by a party. A party can apply to the court where there is disagreement about the appointment of an arbitrator or to challenge an arbitrator's appointment if there is a danger of bias on the arbitrator's part. But the circumstances under which an agreement to arbitrate can be reversed are, by design, limited.

Including the requirement that people abide by their agreements means the ACT cannot become a haven for litigants who want out of these rules. More importantly, it means that the ACT is on an equal footing with other places if a business decides to choose arbitration here. I do not expect that there will be a substantial change in the number of corporations choosing the ACT for arbitrations. But it is important that where there are opportunities to place the ACT in a competitive position, we take them.

In terms of the arbitration process itself, this bill offers improvements over existing legislation in the ACT. The bill promotes the autonomy and participation of the parties, who have more freedom to tailor the arbitral procedures to their needs under this bill than under the existing Commercial Arbitration Act 1986. If the parties cannot agree about the conduct of tribunal proceedings, the decision about procedures defaults to the arbitrator. The bill gives the arbitrator greater powers to prevent delays and abuses of the arbitration process.

This bill also includes an important consensual "opt out" provision for the privacy and confidentiality of the arbitration, which is not included in the Commercial Arbitration Act 1986. Confidentiality is a key benefit of arbitration for parties who may well have sensitive commercial interests. The bill provides that, by default, everyone involved in the arbitration must maintain the confidentiality of the proceedings unless the parties have all agreed to disclosure. The bill provides for balance by establishing limited grounds for the disclosure of confidential information. For example, a court may make orders about the disclosure of information from arbitration proceedings if there is a public interest reason for doing so.

The Commercial Arbitration Bill will ensure that arbitration agreements are treated the same in the ACT as elsewhere in Australia. It will also improve the arbitration process in the territory by introducing new and updated legislative provisions. Commercial arbitrations provide an efficient and cost-effective alternative to litigation in the courts for businesses. This bill is a way in which the ACT government can improve confidence for businesses and our local and national economy. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Co-operatives National Law (ACT) Bill 2017**

Debate resumed from 16 February 2017, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MR WALL** (Brindabella) (11.42): The Co-operatives National Law (ACT) Bill 2017 is aimed at ensuring that there is a consistent set of laws for cooperatives by adopting a template of the Co-operatives National Law that is consistent across all jurisdictions in Australia.

The idea of reducing red tape and administrative burden and associated costs for cooperatives on a number of levels is a welcome one. Cooperatives wanting to carry on business across state or territory borders will now be able to do so without the added burden of navigating different processes and obtaining separate registrations in each jurisdiction.

As stated in the explanatory statement, the adoption of the cooperatives national model law will modernise the law for cooperatives by creating consistent regulatory frameworks. This, alongside clarified governance provisions consistent with those of corporate entities and reduced reporting provisions for smaller cooperatives, will certainly simplify the regulation of cooperatives in the ACT.

Any simplification of a regulatory burden in any way, shape or form is welcomed by the opposition, from my perspective particularly. Therefore, the opposition will be supporting this legislation.

**MS CHEYNE** (Ginninderra) (11.44): I am sure everyone here has encountered a cooperative that is operating in Canberra. There are many examples across the ACT, including bookstores, housing and health services, cafes and schools. As cooperatives, these businesses operate according to principles based on open membership and democratic decision-making.

Cooperatives are run by their members and can be classified as either trading or non-trading. Trading cooperatives reinvest a proportion of profits into the business and distribute the remainder to members. Non-trading cooperatives do not distribute profits to their members. They generally offer other benefits to members, such as discounts on products or access to shared equipment or services.

Cooperatives play an important role in the ACT business community. They are a unique business model that can build social and community capital through the active engagement of all members. Cooperatives are also less vulnerable to takeover by larger corporate organisations.

Historically, cooperatives have been at a comparative disadvantage in some areas when compared to corporations. Whereas the commonwealth has jurisdiction over corporations, the regulation of cooperatives has always been a matter for the states and territories. As a result, cooperatives have had to navigate a disarray of state and territory laws. Corporations, on the other hand, are uniformly governed by the federal Corporations Act 2001. As well as having consistent rules across the country, corporations have had some more favourable financial reporting obligations and have been able to access external funding more easily.

The Co-operatives National Law was developed in 2010 in response to the challenges of different regulatory regimes for cooperatives around Australia. Every state and territory except Queensland and the ACT has now adopted the Co-operatives National Law. With this bill, we will be joining their ranks. This step will modernise our regulatory system and contribute to the creation of a seamless national regulatory regime. The bill adopts the Co-operatives National Law by reference to the model law in the equivalent act in New South Wales. The Co-operatives National Law is set out in an appendix to the New South Wales Co-operatives (Adoption of National Law) Act 2012.

The national law was developed to benefit cooperatives by providing them with: freedom to operate in other jurisdictions without separate registration; a modern legislative environment that simplifies financial and governance obligations; and better access to external capital funding.

A single regulatory regime across Australia will reduce compliance costs for cooperatives that trade across borders by removing the need to register in each jurisdiction. Cooperatives will be able to respond more quickly to interstate market demands, and there will be a more mobile workforce in the cooperative sector. Economies of scale will also be achievable in the oversight and operation of cooperatives when there is a homogeneous national framework.

The new system will deliver modern financial and governance frameworks for ACT cooperatives. Financial reporting obligations of cooperatives, particularly small cooperatives, will be clarified and simplified. This is important as it will allow small cooperatives to compete on a more even playing field against small corporations.

The roles of directors and officers will also be more clearly defined, meaning it will be easier for these individuals to comply with their obligations. The changes bring duties of directors and officers in line with directors' duties under the Corporations Act 2001.

There are significant penalties for offences relating to good faith obligations, use of position and use of information, for which the ACT Supreme Court may order a person to pay a penalty of up to \$200,000. In addition, criminal offences attach to breaches of good faith, use of position and use of information contained under division 4, relating to the duties and liabilities of directors, officers and employees.

The new regime will also enable better access to external capital funding. The Co-operatives National Law allows cooperatives to raise capital using cooperative capital units. This fundraising arrangement is flexible, as it allows for a combination of equity and debt funding. Cooperative capital units are combined with checks and balances to ensure that the core principles of cooperatives are upheld.

The Co-operatives National Law (ACT) Bill 2017 will modernise how we regulate cooperatives to encourage efficiency and innovation. This bill will simplify and modernise how cooperatives are regulated in the ACT. It will also bring several governance and financial obligations into line with the Corporations Act, levelling the playing field for different business models. By adopting the national law, we will contribute to a cohesive national market based on best practice. I commend this bill to the Assembly.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (11.50): This government is committed to supporting and developing a vibrant non-government and private sector in Canberra. We recognise the importance of a diverse economy with as many options as possible for people to participate. Legislative changes like those in this bill can support that diversification. Laws provide the framework necessary for new associations and organisations to develop and for existing ones to be successful.

A well-considered, simple piece of legislation helps define the governance structures, rights and responsibilities that make an organisation work. Our legislation already offers choices about how to create a new venture. The territory's laws support a diverse range of beneficial organisations, including clubs, community councils and business associations like partnerships. More and more, well-developed options to create an organisation help to put the creative talent in our community to work.

This bill furthers the aim of diversification by introducing nationally uniform legislation and simplifying regulatory arrangements for cooperatives. Cooperatives are an integral part of our community, and they often run on a not-for-profit basis. The ACT already has numerous cooperatives, and it currently has legislation to ensure that they are able to form and operate successfully. This bill recognises the value of their contribution, by making it easier for cooperatives to serve their members in Canberra and across Australia.

For a corporation, the importance of nationally consistent legislation to do business is quite clear: that is, being able to do business across Australia under a consistent set of rules. The same justifications for national consistency apply to other kinds of organisations in our community.

This bill will ensure that the ACT's cooperatives legislation is broadly consistent with all other states and territories apart from Queensland, which I am advised is currently considering its position on the national law as well. Nationally consistent laws reduce red tape and associated business costs for cooperatives, particularly those which are operating across state and territory borders. Specifically, in all states and territories

which have passed the national law there will be automatic recognition of registered cooperatives. This entails that being registered, for example, in New South Wales means automatically being recognised in the ACT.

While the ACT should always reserve the right to enact our own laws based on feedback from our community, when appropriate national laws provide a sensible level of consistency across state and territory borders.

There are a range of options for enacting national laws at the local level. I note that the scrutiny of bills committee provided valuable feedback on these aspects of the bill. The scrutiny committee discussed national arrangements under the bill, including that New South Wales has the power to make national regulations which will have force in the ACT. The committee noted that this delegated legislative power to the New South Wales parliament but that the delegation was subject to appropriate scrutiny by this Legislative Assembly. The bill makes provision for oversight by requiring legislation changes in New South Wales to be tabled and subject to disallowance by this Assembly. This is a sensible, practical way to achieve national consistency and at the same time retain the power to watch out for Canberra's local requirements.

Cooperatives have some unique features that merit support in our legislation. A cooperative is a democratically run organisation that is owned, controlled and used by its members primarily for the mutual economic, social or cultural benefit of those members. The cooperative model is therefore a natural choice for community-minded enterprises.

Cooperatives are based on a set of principles rather than a set structure. The seven international principles of cooperatives are voluntary and open membership; democratic member control; member economic participation; autonomy and independence; education, training and information; cooperation; and concern for the community. The changes in this bill will assist these people-focused organisations to concentrate on delivering goods and services for the sake of the community.

It is worth considering the role that particular local cooperatives play in our community here. Cooperatives offer a wide variety of options for Canberrans to participate. A full range of hobbies, services and activities are available through cooperatives in the territory. Recreation, food, health care and housing are just some of the things that cooperatives offer for Canberrans.

For example, for cyclists in Canberra there is the Ethical Wheels Cooperative Ltd. The Ethical Wheels Cooperative Ltd describes itself as a social enterprise producing a range of bicycles called grass bicycles. These are made using bamboo frames developed by another social enterprise in Ghana. Ethical Wheels describes its ethos as using purchasing power to leave a smaller footprint on this planet. The organisation is a worker owned and run cooperative.

If you are interested in organic food, the Food Co-op provides a communal hub for the Canberra community, particularly for students. It is an important provision for those who are often on a particularly limited source of income.

There is a cooperative option for health care in Canberra. The National Health Co-op is an organisation which is particularly close to my heart. In 2006 it formed as the West Belconnen Health Co-operative Ltd in response to community concerns about a lack of general practitioners in west Belconnen. The National Health Co-op is a not-for-profit, member-owned cooperative that provides affordable medical and healthcare services to the increasing number of communities where it operates, now not only in my home electorate but beyond.

Housing is another example of a basic service that is supplied cooperatively in the territory. The Canberra Student Housing Co-operative organised in 2009. The impetus for the cooperative was concern over housing shortages for students. It offers housing for students who want to participate in member-managed, communal style living.

What all of these diverse cooperatives have in common is that they were a community response to an interest. The interest could be a craft, a hobby or an essential service that members of the community want to provide together. Today's legislation represents an improvement to the options for how people can organise around their needs and their interests. Canberra is already a home to innovative corporations, clubs, partnerships and a full range of business and community associations. Cooperatives have served, and will continue to serve, an important role in the Canberra economy.

Cooperatives are one of the many creative forms of organisation that Canberrans can use to achieve their goals and serve their needs. They are a sound community-centred response to needs and interests. The bill we are considering today will assist these wonderful community responses to continue to be made. I look forward to seeing the continuation of these Canberra icons and the stories that new cooperatives will be able to tell. I commend this bill to the Assembly.

**MS LE COUTEUR** (Murrumbidgee) (11.59): I rise today to also talk strongly in favour of the cooperative movement. It was very pleasant to listen to Mr Ramsay recounting so many cooperatives in Canberra, some of which, of course, I am particularly involved in, and the Food Co-op comes to mind. Cooperatives have been a very important part of Australia's history. If you think about it, most of our agricultural development has ended up with the sales arms at least becoming cooperatives. I lived for a long time on the north coast and, of course, Norco was the big cooperative there. But it is not just in the dairy industries. It has been in wool, with the single desk, which was about cooperatives. Wheat and grains have all been run by cooperatives. To an extent they still are, although, unfortunately, I suspect not quite as much as they were.

The remaining big ones are CBH, the WA grain handler; Murray Goulburn Co-operative, which is dairy; Norco, as I mentioned, on the north coast, which is not just dairy anymore but meat as well; and, of course, the ricegrowers co-op which produces SunRice. That has been a very strong history in Australia's agricultural development.

Minister Ramsay also mentioned housing. Cooperative housing has a long, long history in Australia and elsewhere. In Denmark about 10 per cent of new housing is what is called co-housing, which is basically cooperative housing where facilities are shared, as well as decision-making. Strata titles and particularly community titles are a specialised form of housing cooperative in Australia. They are all organisations where each member has a vote per member per unit and they work in a cooperative fashion.

The housing cooperative that I am most familiar with, of course, is Coordination Co-operative at Nimbin, where I had the pleasure of living for 11 years and of which I am still a proud member. That was formed by a bunch of people who went to the festival in Nimbin. We thought it was great and we wanted it to continue; we wanted to create our utopia based on a cooperative lifestyle where everybody has a stake in it and everybody has an equal say in decision-making. Equal say in decision-making is not a necessary part of all cooperatives, but many cooperatives, particularly worker cooperatives, have the situation where you will have one share, one vote per person.

I am a member of another north coast organisation which, while legally structured as a company, is in practical terms a cooperative. Enova is a new electricity distributor. They have organised themselves so that no matter how many shares you have you can have a maximum of five votes, and if you are from outside the region there is a maximum number of shares you can get. Again, they are effectively a cooperative of people on the north coast who will be purchasing electricity from the distributor, and some of them will also be selling electricity to their electricity retailer.

Banking also has a long history of cooperatives. I am a customer of what I think of as bankmecu but which has recently changed its name to Bank Australia. When you joined that you paid \$2 and became a shareholder. Australia has many, many banks set up that way where people are part owners of the banking structure.

It is really important that we look at structures apart from the normal company structure, which is usually just based around maximisation of shareholder profits. I agree that is not always the situation and that there are companies, such as ones I have been involved with, Australian Ethical in particular, where their articles seek to do other things. But the normal company just looks at maximising shareholders' returns.

Cooperatives are set up distinctly to do things in addition to that; they are set up to do things cooperatively for their members. They generally have a good long-term view and they look at the environment and the community which they are in. They are a really important part of the Australian landscape, and I think it is great that we are updating our laws. I commend this bill to the Assembly.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice and Consumer Affairs, Minister for Corrections and Minister for Mental Health) (12.04), in reply: The Co-Operatives National Law (ACT) Bill 2017 repeals the Cooperatives Act 2002 and acquires the Co-operatives National Law as a law of the ACT.

As mentioned on presentation of the bill, the Co-operatives National Law is set out as an appendix to the New South Wales Co-Operatives (Adoption of National Law) Act 2012. I also mentioned in my introduction to the bill that our cooperatives act and regulation are based on the now repealed New South Wales act and regulation. It makes sense that our cooperatives continue to be subject to the same requirements that exist over the border and that we take advantage of nationally uniform law for the benefit of interstate cooperatives who wish to carry on a business here in the territory.

New South Wales has led the development of the uniform Co-operatives National Law, and New South Wales was the first jurisdiction to replace its scheme with the uniform Co-operatives National Law. While Queensland has not made nationally consistent legislation, each other state and the Northern Territory has progressively made legislation to either acquire the Co-operatives National Law in their jurisdiction or, in the case of Western Australia, to make legislation consistent with it.

The ACT agreed to progress this reform under the Australian uniform co-operatives laws agreement. By passing this bill today the ACT has fulfilled its obligations under that agreement. As at 1 March 2017 seven local co-operatives were registered in the ACT, providing a range of important services to the community, including affordable health care.

It is important that our small cooperatives are subject to reporting and financial requirements which are fair and balanced. One of the major reforms of the Co-operatives National Law is to simplify reporting and financial requirements for small cooperatives and to recognise that small cooperatives have limited capacity to comply with the more onerous reporting obligations which apply to large cooperatives.

Under the current law small cooperatives, unlike small companies, are subject to the same reporting requirements as large cooperatives. Under the Co-operatives National Law, small cooperatives are only required to provide financial reports to their members. These fairly simple financial reporting requirements are prescribed in the Co-operatives National Regulations, which are provided in the New South Wales regulations. They include the provision of reports such as income and expenditure statements and balance sheets. Small cooperatives will no longer be expected to provide publicly available accounts to the registrar and there will be no need for accounts to be audited.

Small cooperatives will need to provide the registrar with an annual return each year. The annual return must set out the information prescribed in the Co-operatives National Regulations, such as the current name of the cooperative, its registered office address, the names of directors, the date of the last annual general meeting and the date when financial reports were provided to members. Existing cooperatives that have been registered under the Cooperatives Act are taken to be registered under the new act. A local regulation will be made before the commencement date of 1 May 2017 which will make specific provision for existing rules so that these will continue in force.

One of the other major reforms made out of the Co-operatives National Law was to allow participating cooperatives who were previously called foreign cooperatives to carry on business outside their home state or territory without the need to register in each state and territory and pay a filing fee. The requirements to register in each state and territory represent unfair and expensive red tape and are a disincentive for cooperatives wishing to carry on business nationwide in an environment where cooperatives are competing with other incorporated entities such as corporations.

By passing this bill the automatic mutual recognition provisions in the Co-operatives National Law will apply in the ACT and cooperatives will be able to do business in the ACT without needing to register interstate anymore. Adoption of the Co-operatives National Law will align director duties and the duties of other officers with the duties contained in the Corporations Act 2001, including provisions in relation to the use of position and use of information in good faith. There are also provisions relevant to professionals who provide services to a cooperative; for example, auditors, receivers and liquidators.

The director liability for corporate fault under the Co-operatives National Law was revised according to COAG director liability reform. As a result, blanket liability revisions have been removed and directors face liability where there is a clear link between a director's responsibility and action or inaction and the contravention. The bill will retain existing ACT mechanisms that are already used under the Cooperatives Act when it adopts the Co-operatives National Law, such as the registrar for cooperatives, the ACT Civil and Administrative Tribunal—or ACAT as we commonly know it—and the Supreme Court.

Applications can continue to be made to ACAT in relation to review of decisions. Among other functions, the Supreme Court is able to make decisions in relation to the rights and liabilities of cooperative members, the appointment of members and the control of property of a cooperative. This bill is a win for small cooperatives and cooperatives who wish to carry on business across borders.

Lastly, I table a revised explanatory statement. This has been revised in response to questions raised by the scrutiny of bills committee. The scrutiny committee sought my advice about the justification for the limitation on the privilege against self-incrimination in section 503 of the New South Wales Co-operatives (Adoption of National Law) Act 2012. The revised explanatory statement explains that the section provides a limited privilege against self-incrimination when making statements to inspectors exercising functions under the national law, compelling the production of documents and requiring answers to questions.

The privilege against self-incrimination is limited as it applies only if it is claimed in advance by the individual before answering any questions. The revised explanatory statement explains that the limitation is justifiable, given that it is necessary that inspectors have sufficient regulatory powers to obtain information about the operations of cooperatives to determine whether the law has been breached. These are standard powers in a regulatory context and they are reasonable in a sense that people participating in the operation of a cooperative are on notice about their obligations.

Members can see this in the new revised explanatory statement that is now being circulated. I have also written to the scrutiny committee with similar information. I thank members for their contributions today and for their support for this bill. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

**Sitting suspended from 12.12 to 2.30 pm.**

### **Questions without notice**

#### **Gaming—Casino Canberra**

**MR COE:** Madam Speaker, my question is to Chief Minister. Chief Minister, on any of your trips overseas, have you met with the owners of Aquis or their representatives?

**MR BARR:** I thank the Leader of the Opposition for the question. I think this question has been asked previously, and I have advised that on a business delegation to Hong Kong I presented at an investment round table where there were a number of organisations in attendance. I presented. I understand that a representative of a company associated with Aquis was in the room. I did not meet with them, but they were in the room when I presented on investment opportunities in Canberra.

**MR COE:** Chief Minister, on any of your trips overseas, have you had a personal interaction—that is, a one-on-one interaction—with the owners of Aquis or their representatives?

**MR BARR:** I have just answered that question. I have not had a one-on-one overseas; I have met with representatives of Aquis in Canberra.

**MS LEE:** Chief Minister, what involvement can you or a minister have in an unsolicited bid process? Is it appropriate for a minister or you to meet with the proponents while a bid is being considered?

**MR BARR:** Yes. The unsolicited proposal framework outlines how the government assesses such proposals. Normally an unsolicited proposal is formally submitted. It would not be unreasonable to anticipate that individuals wanting to submit an unsolicited proposal would meet with members of this place, particularly with ministers, but through the assessment process that is undertaken, as outlined in the unsolicited proposals framework. Ultimately these decisions are ones taken by government.

### **Industrial relations—penalty rates**

**MR PETTERSSON:** My question is to the Chief Minister. The ACT Labor government has invested significant effort and resources into strengthening and diversifying the Canberra economy, as well as ensuring that ACT workers have access to secure and well paid jobs across a range of sectors. Can the Chief Minister advise how the recent Fair Work Commission decision to cut penalty rates will affect Canberra workers?

**MR BARR:** I thank Mr Pettersson for his question. We are very pleased with the strength of the ACT labour market in recent times. We have worked very hard, in partnership with many in our community, to ensure that the ACT economy continues to grow and that we continue to see job creation.

I am pleased to advise the Assembly that the unemployment rate, at 3.8 per cent, has fallen from a peak of 5.1 per cent in October 2015 and that employment growth over the past 12 months was a solid 2.2 per cent. Nearly 4,600 extra jobs were created in Canberra. This compares to the national average increase of jobs growth at just 0.9 of one per cent. So jobs growth in the ACT has been more than double the national average in the last year.

There is no doubt that the cutting of penalty rates puts a number of these gains at risk. It is particularly bad for workers, but it is bad for our economy overall. Those workers in retail, in hospitality and in the pharmacy sector who are affected by the Fair Work Commission's decision will see a big cut to their take home pay.

This leaves them facing two pretty terrible choices: either take this big hit to their standard of living or have to work considerable extra hours, that is, more time away from their family and friends to make up the difference.

This cut in penalty rates could cost hospitality and retail workers up to \$77 a week in lost income. It will mean that many people will have to work even more just to make ends meet; so a big cut to your pay packet or longer hours just to earn the same pay. That is what the Fair Work decision means for Canberrans and for workers right across the country. That is why this government stands against those cuts.

**MR PETTERSSON:** How does reducing workers' take-home pay by cutting penalty rates hurt the wider economy?

**MR BARR:** In the simplest possible terms, workers are consumers. Those hospitality, retail and pharmacy workers who are going to see a big hit to their take-home pay are the very same people who shop at Canberra's local businesses and use our local services.

It is worth noting that household consumption is fully one quarter of all economic activity in the ACT. Nationally, it is almost 50 per cent of our GDP. Last year the territory's households poured \$16.6 billion into our economy through their spending. By cutting people's spending power by cutting their pay, we are doing harm to the

businesses that rely on them as customers. In very simple terms, they are the small businesses, the shops, the cafes, the hairdressers, the petrol stations and all of those other local businesses who rely on the custom of these workers.

On this side of the chamber we want to see people's wages grow, not shrink, because we understand that strong wages are not only good for individual workers but also good for our economy as a whole.

**MS CODY:** Chief Minister, why are those who favour cutting penalty rates, including some members of this Assembly, wrong to suggest that this will lead to more employment and more business activity?

**MR BARR:** I thank Ms Cody for the question. There is a very simple equation here and that is, as I indicated in my previous answer, that this reduction in wages will lead to a reduction in aggregate demand across our economy.

What will this mean? There will be a spread of the existing spend across more businesses, if you are to believe the shadow minister, Mr Wall, who says that this cut to wages will provide relief for hospitality and retail businesses. He suggested that it might go so far as to create new employment opportunities. That might be the case if there were to be a lift in aggregate demand, but there will not be. Unless there is a matching increase in workers' pay or their ability to spend, simply having longer opening hours for some businesses will not leave our total business sector better off and it will not create more jobs than there were before. It is a very simple case of supply and demand.

Those opposite favour a low wage outcome for Canberrans. We favour a high wage outcome.

## Visitors

**MADAM SPEAKER:** Just before I get to you, Ms Le Couteur, and I apologise for being distracted before, members, I wish to acknowledge the presence in the gallery of Mrs Temakei, the secretary of the public accounts committee of our twinned parliament, the Kiribati parliament. On behalf of all members, I wish you a very warm welcome to the Assembly here and to our city of Canberra.

## Questions without notice

### Government—office of LGBTIQ affairs

**MS LE COUTEUR:** My question is to the Chief Minister and relates to the office of LGBTIQ affairs. Chief Minister, I note that you that stated the office was established within the first 100 days of government. Can you please tell me what the office of LGBTIQ affairs has been working on since its inception?

**MR BARR:** I thank Ms Le Couteur for the question. The new office has been established within the Chief Minister, Treasury and Economic Development Directorate. The office will have responsibility for supporting the work of the LGBTIQ Ministerial Advisory Council, as well as taking a whole-of-government policy role across all areas of ACT government policy development.

A particular focus in the first few months of the area within government has been to prepare a business case for further funding in this year's budget to support a range of activities that will be undertaken over the next period. The office will have engagement with a number of key government engagement processes over the next six to 12 months, with a particular focus on areas of health, mental health, education, community services and disability, amongst others.

The office will have some input into the rollout of the safe schools program, as well as supporting the other priorities that have been identified by the ministerial advisory council. It will include things like aged-care provision, for example. The office will also advise me in my role representing the ACT both on the Council of Capital City Lord Mayors and at COAG fora.

**MS LE COUTEUR:** Can you advise how many staff there are in the unit and when they started?

**MR BARR:** There are currently, I think, 1.5 FTEs in the unit. They have been seconded from other areas. That will be enhanced through an allocation in this year's budget.

But the purpose of the unit also is to be able to draw project teams together around particular government priorities. For example, in the future of education discussion paper, I would anticipate that the office would want to work closely with the Education Directorate on ensuring that the needs of LGBTI students were taken into account as part of that piece of policy work.

Equally, in areas like mental health and aged care we would want to draw resources across government to support policy development. This is an example, I think, of the one-government approach that we have here in the territory.

**MR STEEL:** Can the Chief Minister advise on wider actions the ACT government is taking to support our LGBTIQ community?

**MR BARR:** The government has taken a number of very important symbolic and practical steps in recent times to demonstrate our support for LGBTI Canberrans. Most recently—and I know it has drawn the interest of many in this place and in the broader community—in the week that that included Valentine's Day we proudly displayed rainbow flags in a number of locations across the city. This was in support of marriage equality, as well as a very important symbolic recognition of Canberra as Australia's most LGBTI-friendly city.

I will continue to provide support both in practical terms and through grants programs for organisations like A Gender Agenda, the AIDS Action Council and the SpringOUT festival to ensure that both community services, and festivals and activities, celebrate the true diversity of community life in Canberra.

On this Harmony Day it is a very good opportunity to reflect upon the strength of our community and its inclusiveness. This government has led the way over more than a

decade in law reform and in a range of practical measures to ensure that all Canberrans are equal before the law. It will ensure that we continue to advocate for these important social causes like marriage equality amongst others and that all Australians are equal before the law.

### **Health—vaccination policy**

**MRS KIKKERT:** My question is to the Minister for Health. The Prime Minister wrote earlier this month to the Chief Minister regarding the ACT government not allowing unvaccinated children to enrol in child care. The ACT government currently allows such children to enrol in child care. Has the government received the Prime Minister's letter, has the government replied and, if so, what was the government's response, if any?

**MS FITZHARRIS:** I thank Mrs Kikkert for the question and note that there is a motion on notice for tomorrow's debate. Certainly I believe the Chief Minister did receive the Prime Minister's letter. What the Prime Minister encouraged was a national approach which he flagged he would like to discuss with first ministers later in the year.

I have a meeting of health ministers this Friday in Melbourne. I look forward to discussing it with him. In principle the government does support the no jab no play approach.

**MRS KIKKERT:** Minister, what planning has the government done for outbreaks of infectious diseases in childcare centres and schools?

**MS FITZHARRIS:** The ACT is a national leader in immunisation rates. In all three categories of children under the age of six, we either lead or come second in the nation on our level of immunisation, from a high of 95 per cent of children under 15 months being immunised. That is an outstanding success rate.

We know there are groups of people that we need to encourage to take up immunisation. This opportunity for a national debate allows us more opportunity to encourage Canberrans to ensure that they are immunised and remain immunised.

But I would note, of course, too that immunisations are provided through the commonwealth under the national immunisation register. It is vitally important that we continue to support the commonwealth in having a national approach to immunisation, which includes the register and also importantly subsidisation of immunisation rates.

**Ms Lawder:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Point of order, Ms Lawder.

**MS LAWDER:** The question related to plans for an outbreak of infectious disease, as opposed to the rate of immunisations in the ACT.

**MADAM SPEAKER:** I call the Minister for Health. I am sure that the minister will get to the point.

**MS FITZHARRIS:** I do note that one of the most important actions the government can take to prevent the outbreak of infectious disease is immunisation and I have outlined that we have a very high rate of immunisation.

**MR WALL:** Minister, how reliable is the ACT government's data regarding vaccination rates amongst infants, toddlers and school-age children?

**MS FITZHARRIS:** If the opposition had done their research, they would know that that is collected through the national immunisation register and that many health providers across the territory provide immunisations, not just the ACT government—GPs, for example—who then provide their data to the commonwealth to inform the national immunisation register. So the data is very reliable and since our data—

**Mr Hanson:** A point of order, Madam Speaker. The question was how reliable is the—

**MADAM SPEAKER:** Mr Hanson, wait until I give you the call on the point of order.

**Mr Hanson:** My apologies, Madam Speaker.

**MADAM SPEAKER:** Do you have a point of order, Mr Hanson?

**Mr Hanson:** I do, on relevance. The question was about how reliable the ACT government's data is regarding vaccination rates. The minister has talked about the federal government—

**MADAM SPEAKER:** There is no point of order. She is talking about—

**Mr Hanson:** GPs and others collecting data. Specifically—

**MADAM SPEAKER:** Mr Hanson, please sit down. Continue your response, Minister for Health.

**MS FITZHARRIS:** As I was saying, national immunisation data is collected by the commonwealth government under the national immunisation register because it is a shared responsibility. The national immunisation register informs the ACT of immunisation rates in the territory because the information is provided by a number of providers, many of whom are actually outside the ACT health system.

### **Public housing—Northbourne Avenue corridor**

**MR PARTON:** My question is directed to the Minister for Housing and Suburban Development. Minister, in recent advice to the planning and urban renewal committee, you confirmed that there would be no public housing in the Northbourne Avenue redevelopment. Why are you denying public housing tenants the community

and economic benefits of living on the Northbourne rail corridor thus giving these people equality of access to your government's light rail vision?

**MS BERRY:** I thank Mr Parton for his question. I should clarify that housing for public housing tenants will be provided and is being built and purchased along the corridor. In fact the ACT Labor government made a commitment to build a new Common Ground in Dickson, on the old Downer club site, which will house at least 20 community housing tenants and 20 social housing tenants.

Consideration was given to building public housing within the public housing that already exists. However, unfortunately we would not have met the deadline that was required under the ARI had we gone ahead with that. But that does not mean we are not building housing within the corridor. We are still building housing in the corridor and providing public housing tenants in the city options about where in the ACT they would prefer to live, whether that is in the city, Tuggeranong, Gungahlin, Belconnen or in the Molonglo Valley.

**MR PARTON:** Minister, you mentioned Common Ground, with 20 community places there. Where else on the Northbourne redevelopment corridor are we going to see public housing?

**MS BERRY:** I can inform the member that there has been public housing provided to 135 of the 326 public housing tenants who have moved out of their older public housing that was not suited to their needs: it was old, hard to keep warm, hard to keep cool in summer, and expensive to maintain.

**Mrs Dunne:** Point of order.

**MADAM SPEAKER:** Minister, please take your seat. Mrs Dunne on a point of order.

**Mrs Dunne:** The point of order is about relevance. The question was about where else on Northbourne Avenue there would be public housing, not what has happened to the public housing tenants.

**MADAM SPEAKER:** The minister was into her question by 20 seconds and she still has time to answer.

**MS BERRY:** Thank you, Madam Speaker. I just wanted to paint a picture of where public housing is being built across the ACT and to indicate to the member that we are providing housing within the city, within Lyneham, within O'Connor, within Dickson and in other areas of the corridor, where people will be able access, within walking distance if that is what they would prefer, light rail as a public transport option for them. We are also considering public housing all across the city. I can provide detail—I think I may have already provided it to you, Mr Parton—of where public housing exists within the city area and within the corridor. I can get that to you if I have not already.

**MS CHEYNE:** Can the minister give the Assembly a little bit more information about the six sites for new public housing dwellings across Canberra?

**MS BERRY:** I thank Ms Cheyne for the supplementary question. As we know, we are redeveloping 1,288 public housing properties across the ACT, building new and better public housing for public housing tenants, to replace some of the old, not sustainable, unsuitable housing within some of the higher density developments in the city and across the Canberra region. We have announced recently new public housing to be developed on community facilities land in five suburbs across the city, including Chapman, Holder, Wright—

**Mr Parton:** Mawson and Monash.

**MS BERRY:** Thank you, Mr Parton. I saw your video earlier of your visits across the city. It was fascinating. Importantly for public housing renewal, it is about making sure—

*Members interjecting—*

**MADAM SPEAKER:** Order! Allow the minister to be heard.

**MS BERRY:** It is about making sure that our tenants have the same kinds of options that every one of us has about where they want to live in the ACT and where it meets their need to live, whether that is connections with community that suit their family, connections to public schools, or whether they have some other reason for where they want to live in the ACT. Giving them some choice and some options is what this public housing renewal program is about. That is why we are making sure that it is distributed across the city, and public housing tenants have the same kinds of choices about where they want live as the rest of us.

### **Public housing—fire risk locations**

**MRS JONES:** My question is to the Minister for Planning and Land Management. Minister, there has been a recent announcement of 141 new public housing developments, moving tenants from the inner city of Northbourne Avenue to suburbs such as Chapman, Mawson and Holder. Previously a residential development on the Chapman site was cancelled due to the site being deemed a fire risk. Minister, have you made the new tenants, or the potential tenants, aware that the site of their new homes has previously been deemed a dangerous fire risk to build upon?

**MS BERRY:** Madam Speaker, I think the question is probably best for me to answer and respond to. Around 50 per cent of the ACT is a fire zone. We are the bush capital. We voted for it to be included on our number plates and it is something we are quite proud of. What is good is that Chapman residents, particularly, are acutely aware of the hazard and the risk that they face living in the area that they do. So we are making sure that all residents, whether they are in private houses or private rentals or whether they are public housing tenants, are aware of the risks—for over 50 per cent of the ACT—of living in a bush capital like the ACT.

I think what Mrs Jones is referring to is a previous application to provide an aged-care facility at the Chapman site. The difference between the aged-care facility and public

housing is that we would have had a concentration of mobility-limited residents in an aged-care facility who would have had some difficulty moving out of that area in the unfortunate event of another fire occurrence similar to 2003. With public housing tenants it is unlikely that there would be a concentration of mobility-limited residents within those areas.

*Opposition members interjecting—*

**MS BERRY:** It is nice to make fun of everybody out there. That's great. Good on you. Be assured that our public housing tenants, wherever they live in Canberra, are provided with all the support that they need if they need to take into account risk, if they live in an area that is at more risk of bushfire than other areas of the ACT.

**MRS JONES:** Minister, why is it acceptable to build in a fire risk area when they are public housing tenants but not when they are private tenants, as in the previously proposed development; and I know that you have been to some of that in the previous answer?

**MS BERRY:** It is as appropriate for public housing to be built as it is for private residences to be built anywhere across the ACT. In respect of bushfire abatement zones, the risk and the management of the ACT government in those areas, the best person to respond to that would be minister Mick Gentleman.

But as far as where we build houses and whom we build them for, it would be the same for anybody, whether they were privately built or whether they were built by the ACT government to give public housing tenants a choice about where they want to live in the ACT.

**MS LAWDER:** Minister, will any of the development in Chapman be supported housing for people with disability so that a proportion of the new dwellings will be accessible?

**MS BERRY:** I will have to check on the actual plans for that site, whether they will absolutely meet the guidelines and be either able to be modified or be accessible for people who have mobility issues or are of different abilities. I will check on that one for you. But most of our public housing renewal is able to be modified or is accessible for people with different needs.

### **Women—unequal pay**

**MS CODY:** My question is to the Minister for Women. Minister, can you please advise the Assembly of the latest gender pay gap results?

**MS BERRY:** I thank Ms Cody for her question. We have had a long conversation about the gender pay gap in the ACT for some period. Members will have heard me speak this morning about the current state of play on a range of indicators relating to women. The general theme of what I said was that unless we are systemically applying actions to address the inequities that still exist for women—these are the social, economic, cultural and political inequities—we will not see real change for women and girls in our lifetime.

The gender pay gap is the difference between men's and women's average weekly full-time equivalent earnings, which are expressed as a percentage of men's earnings. The Workplace Gender Equality Agency calculates the national gender pay gap using ABS data. The most recent findings tell us that the current gender pay gap is sitting at 16 per cent nationally. Before we get too excited about this reduction from 17.2 per cent in 2015, it is important to note that it has hovered between 15 and 19 per cent for roughly the past 20 years. This means that reform in this area is slow, and achieving gender equality requires sustained commitment and leadership.

Here in the ACT we do better. Our gender pay gap is lower, at 11.5 per cent, and even lower in the ACT public service, at 3.6 per cent. When compared nationally, we do well also, sitting second only to South Australia, who recorded an 11.2 per cent pay gap. The ACT government will continue to support women and girls in our community, and it is my hope that we can get there sooner if we all work together to be advocates and leaders.

**MS CODY:** Minister, what other ways are women disadvantaged through their jobs?

**MS BERRY:** Unfortunately, we know that there are many ways that women are disadvantaged throughout their working lives. They will often retire with less superannuation and fewer life savings and are less likely to be home owners than their male counterparts.

We also know that gender bias impacts more than just measured pay gaps and that women are often primary care givers in the home, and more often in part-time or casualised work. Taking maternity leave also provides particular challenges, particularly when returning to the workforce.

Perhaps one of the biggest risks for working women right now is the removal of penalty rates for weekend work. Female workers will suffer most from the recent decision by the Fair Work Commission to cut weekend penalty rates. A recent analysis by the Australia Institute Centre for Future Work, drawing on ABS data, concludes that 60 per cent of Sunday workers in retail and 54 per cent in hospitality are women.

Women are more likely to be employed in these low wage sectors, usually as part-time workers. These factors contribute to the gap in earnings between men and women. This modelling, of course, flies in the face of the recent comments by the Australian industry body who claimed on International Women's Day that the penalty rate cut would, in fact, benefit women. Yes, benefit women: by lessening the problem of unemployment. So we are told here that if you reduce take home pay for this working cohort, the majority of whom are low paid women already, you will in fact benefit women because you can offer them more lower paid work. I do not buy that argument.

**MS ORR:** Minister, what can governments do to support women in their lives to help create more equal outcomes?

**MS BERRY:** Thank you for the question. As I said, we must keep our eye on the ball. Not only are we a great employer here in the ACT public service but we lead by example to the broader industry. We know that one way we can make a real difference—and we do—is by assisting women to get back into the workforce.

Return to work grants are offered to Canberra women, providing grants of up to \$1,000 to assist applicants with costs relating to education and training fees, computer and IT expenses, transport costs in getting to study or any other work-related expenses such as clothing, uniforms and equipment. In the 2016-17 year 160 grants of \$1,000 are available for distribution. Since the establishment of the program we have helped 1,154 women with grants to help them up-skill or to prepare to return to work. Of course this is just one example of how we support women in their working lives.

I would also like to say that the ACT government offers family friendly working arrangements to support a work-life balance, offering access to paid parental leave for primary and secondary care givers, up to 20 days domestic and family violence leave, and we are now considering further ways to eliminate unconscious bias across the ACT public service.

### **Public housing—relocations**

**MR MILLIGAN:** Madam Speaker, my question is to the Minister for Housing and Suburban Development. Minister, on 15 March, you announced a program for up to 141 new dwellings to replace outdated concentrations of public housing tenants from the Northbourne Avenue precinct. Minister, why are you replacing one form of outdated concentration of public housing with another?

**MS BERRY:** Thank you for the question. We are not. We are talking about very high concentrations of very unsustainable housing that no longer meets the needs of our tenants. The new housing that we are redeveloping, up to 30 units, is much less than the high density housing that we are replacing. Thirty is about the right amount for people to be able to develop a community and be able to support each other within their housing development. Also, with the support of the broader community in that area, they can have a chance at having a decent crack at a decent life if they are provided with some really good housing that meets their needs.

**MR MILLIGAN:** What has been the reaction of, and feedback from, the community?

**MS BERRY:** It has not been all good. Some people have raised some concerns, particularly around the bushfire abatement for Chapman—that is the only one I can recall so far—not directly to my office but just out in the community. When I looked through the comments in the *Canberra Times* I would say that it was weighted more to people wanting to support those who need a hand up by providing public housing that meets their needs rather than excluding them from being valued members of our community.

**MR PARTON:** In regard to these new sites, can I ask: what is the relevance of consultation? Is there any point in residents voicing their disapproval?

**MS BERRY:** In fact I have asked for this consultation to be extended so that residents have a really good opportunity to have a conversation about the public housing that we hope to build in these new areas that we have announced recently. These new public housing dwellings are not like anything else that anyone would imagine them to be. I have heard people talk to me about walking up streets where there has been new public housing built, to try to find it, and they could not identify it because it is such good quality housing that is being developed.

As part of this conversation we want to talk with the community about the amenity of the public housing that is being built, which is very high quality and will fit nicely within the existing suburbs. If there are issues around traffic or numbers of dwellings, if there is a worry about that, or about other things that residents within the existing communities might want to raise, we do want to hear about that. So, yes, it is important that they get a chance to say what is on their minds. It is also a chance for us to talk to them about the renewal program and the chances and options it gives to people that they would not ordinarily have had, if they did not have decent housing that actually meets their needs.

### **Industrial relations—penalty rates**

**MS ORR:** My question is to the Minister for Disability, Children and Youth. Minister, how many young Canberrans will be impacted by the cuts to penalty rates?

**MS STEPHEN-SMITH:** I thank Ms Orr for her question and her interest in this issue. As colleagues have already highlighted, the Fair Work Commission's penalty rate decision will affect many of the ACT's most vulnerable workers by cutting Sunday penalty rates in the hospitality and retail sectors. This will affect a large number of award-reliant hospitality and fast food employees and will only increase the existing difficulties of low income workers who are already dealing with stagnant wage growth.

This will have a significant impact on young workers, including students, who disproportionately rely on weekend work. Research tells us that while one-third of Australians rely on regular Sunday shifts as part of their wage, nearly 40 per cent of young people rely on penalty rates to survive. In the ACT alone, there are approximately 6,900 people aged between 15 and 24 working in accommodation and food services and approximately 4,900 people aged between 15 and 24 working in retail trade. These are two industries affected by the penalty rate cut.

Labor will stand up for these workers, in contrast to those opposite, who have celebrated the decision to cut the take-home pay of some of our lowest paid and most vulnerable workers, including many young workers in our community. Labor will stand up for these workers, because we believe that workers, including young workers, deserve to be compensated for working unsociable hours. Sundays remain, for most of us, a time for socialising, spending time with family or playing sport, and this applies particularly to young people.

**MS ORR:** Minister, you noted that nearly 40 per cent of young people rely on penalty rates to survive. What will cuts to penalty rates mean for these young people in Canberra?

**MS STEPHEN-SMITH:** The loss of this additional pay will hurt thousands of young Canberrans working in retail, as I have previously mentioned. By seeing their Sunday penalty rates drop from \$38.88 an hour to \$29.16 an hour, young retail workers who work the minimum three hours on Sunday—a minimum of three hours—will need to pick up an extra hour's work to make up for the lost pay, in order to maintain their current wage. For those who work the maximum nine-hour day, they will need an extra three-hour shift to make up the difference.

Modelling by the McKell Institute showed just how dramatic the reduction in take-home pay will be for workers. The modelling shows that full-time or part-time retail workers who work a full eight-hour shift, for example, will lose at least \$72.90 a week. Annually, this equates to a loss of \$3,499. Indeed, this impact on workers was recognised by the President of the Fair Work Commission in handing down his decision, who said:

The immediate implementation of the variations to Sunday penalty rates would inevitably cause some hardship to the employees affected, particularly those who work on Sundays.

For a young part-time retail worker who earns \$30,000 a year, the changes could result in a loss of up to 11 per cent of their annual income. University of Canberra student Jessica O'Neill, who supports herself with a casual hospitality job, said that the cut could force her to pick up an extra shift which could prevent her from finishing her course work. She makes \$550 a week, including \$250 that she makes on a Sunday, but the penalty rate cut might force her to seek an extra weekday shift to make ends meet.

On this side of the chamber we understand that this has a significant impact on young workers' take-home pay and their decision to work unsociable hours. This is why we strongly disagree with the Fair Work Commission's decision.

**MS CHEYNE:** Minister, what impact does working unsociable hours have on the lives of young people?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for her supplementary question. Anyone who has worked on Sundays knows that working these unsociable hours does have a real impact on social lives, on the ability to engage in family life and overall health. Community, sporting and social events are often held on Sunday. I certainly know that that is the case in my own sport.

While young people might be able to catch up with some areas of their social life outside a weekend, their parents and older family members are likely to work during the week, making it difficult for them to spend time together as a family. While Sunday is not a religious day for most young Australians, research consistently finds

that those who work on Sunday are most affected by the negative effects of working non-standard hours. In other words, Sunday is still a day of rest for most of us.

Cutting penalty rates removes the incentive for young people to work these unsociable hours and cuts the take-home pay of those who do not have a choice. And do not tell me that this change will create more jobs for young workers. There is nothing in this decision that gives small business an incentive to open on a Sunday if they do not already or to hire another worker if they do. All this decision will do is cut the pay of some of our lowest paid workers. The president of the Fair Work Commission has himself acknowledged that this is the case. This is why Labor strongly opposes these cuts.

### **Planning—Woden town centre**

**MR HANSON:** My question is to the Minister for Planning and Land Management. Minister, residents have called the Woden town square “the biggest eyesore in Canberra”, “a wasteland, like something out of Detroit” and “straight from the Soviet era”. Most of us would have seen the photos of the square. Community leaders have also been reported as stating that the planning policy settings and declining numbers of community amenities in the area have sent the wrong signal.

*Government members interjecting—*

**MR HANSON:** Madam Speaker, you might want to advise members opposite who are interjecting that the original question is allowed to have a preamble.

**MADAM SPEAKER:** Order! I want to advise all members to be silent so that Mr Hanson can end his question. Mr Hanson, do you want to continue with your question?

**MR HANSON:** It is only supplementaries which cannot. I say that for Mr Steel’s edification.

*Mr Steel interjecting—*

**MR HANSON:** Would you like to invite me to be thrown out? You are not a committee chair at the moment.

**Ms Berry:** Madam Speaker—

**MADAM SPEAKER:** There is a point of order, but I was trying to get members’ attention. This morning I had to call Mr Hanson to order a number of times. I will again ask members to be quiet. Mr Hanson has the call and he is trying to ask a question. Get to it, Mr Hanson. It is your opportunity to ask your question.

**MR HANSON:** Thank you, Madam Speaker; a very wise ruling.

**MADAM SPEAKER:** There is no need to be smart, Mr Hanson.

*Mr Barr interjecting—*

**MR HANSON:** You will have to do better than that, Andrew. Minister, why have you persisted with policies to the point that this area, Woden town centre, has become so run down?

**MR GENTLEMAN:** I thank Mr Hanson for his question. It is quite pertinent to see the work that we are doing across the ACT, but in particular for Woden, in the master planning process. It is quite interesting to see the comments from Woden residents on what is occurring in other parts of Canberra, asking if it could come to Woden, and that is what we would like to deliver. We have been working strongly with the Woden community council—

*Members interjecting—*

**MADAM SPEAKER:** Members, we are not even 30 seconds into the answer. Can we allow the minister to at least answer the question you have asked.

**MR GENTLEMAN:** As I said, we have been working strongly with the Woden Valley Community Council. They have played a strong role in contributing to the development of the master plan and have supported a number of the key recommendations of the master plan and the vision set for the future of Woden as well. So I am pleased to be able to see that we have engaged well with the community and that we will be delivering that master planning program with a view to refreshing Woden and bringing greater opportunities for residents to have a better—

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

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

**Mr Hanson:** It is on relevance. The question went to the point of why the Woden town centre has become so run down. It is less about what might be happening with the master plan sometime in the future. To the point: why is it so run down?

**MADAM SPEAKER:** Mr Hanson, can you resume your seat. Minister.

**MR GENTLEMAN:** Thank you. To answer Mr Hanson's pertinent question—it has been answered across the chamber—the commonwealth has withdrawn quite a number of agencies, a number of employment options, in the Woden area, causing, of course, a lack of opportunity for employment and a lack of opportunity for diversity for people to rent their premises at the same time. That affects the smaller businesses as well, not just those large accommodation opportunities but the smaller ones too. *(Time expired.)*

**MR HANSON:** Minister, why have you not improved the maintenance program for this public realm?

**MR GENTLEMAN:** That plan of maintenance is proceeding with the master planning process too. While I do not have the portfolio for urban services or territory and city services, we have been listening to the people of Woden in relation to planning for the future of Woden.

There have been a number of very good developments that have been achieved. One will remember, of course, Bernie Court in Lyons, directly across from the Woden town centre, which was somewhat run down. The government released a renewal plan there. It has been rebuilt. It has great accommodation for younger people in one sector and older people in the aged persons' community in the other sector.

Of course, light rail stage 2 will be going to Woden. That will give us the opportunity to provide renewal of the whole corridor down to Woden and renewal for the Woden town centre as well.

**MRS JONES:** Minister, has the government considered revising the lease variation charge for this area to stimulate investment, and has the minister or the minister for urban services sat in the square recently?

**MR GENTLEMAN:** I think the last time I visited was just a few months ago, so it was relatively recently.

In regard to the lease variation charge, the government does have a particular view with the lease variation charge: that is, where a developer sees a rise in the value of that land, the community should share in that; after all, it is the community's land. I will say, though, that I have had some conversations more recently with developers across the ACT in regard to the lease variation charge and worked with my colleagues to see whether we might be able to change the way it is applied in a term sense. We will see how that proceeds.

Of course, the ACT government has worked hard for Woden. We are developing more health jobs around the Woden area and more opportunities for employment, more renewal, in the Woden town centre.

### **Planning—west Greenway**

**MS LAWDER:** My question is to the Minister for Planning and Land Management. Minister, on 15 December you advised this chamber that you had received a report from the community advisory panel in regard to the west Greenway development. You advised the Assembly that you had asked the directorate to talk to you about responding to the report. Minister, given that it has now been three months since you gave that answer, will you be making the report available to the public, and when?

**MR GENTLEMAN:** I thank Ms Lawder for her question. We know the history of this of course. This is the Foy proposal in Hume. It was going through the EIS process—

**Ms Lawder:** On a point of order, this is Greenway.

**MADAM SPEAKER:** You were talking about the advisory panel report on Greenway.

**Ms Lawder:** Yes.

**MADAM SPEAKER:** Minister.

**MR GENTLEMAN:** I do apologise to the Assembly for going off on a tangent there. I did provide the opportunity for the panel to engage with the community on west Greenway, and they have done that. The report is being forwarded to the planning directorate. They will come back to me with the finalisation of that report.

Importantly, we picked up some very important ideas through that process. They included that some of the recreational facilities wanted some upgrades so that there would be better access. We will take all of that into account as we move forward in the planning process.

**MS LAWDER:** Minister, could you update the Assembly on what advice you have received from the directorate with regard to the plans for west Greenway since you received the report, and will you be making the report available to the public, and when?

**MR GENTLEMAN:** I have not made a decision on whether to make the report available to the public as yet. Once that decision is made, following advice from the directorate, I will take on that process.

**MR WALL:** Minister, has the government ruled out any residential development in west Greenway?

**MR GENTLEMAN:** The proposal for west Greenway was that we would engage with the community to see whether they wanted a new residential suburb for Tuggeranong. During this process, the community has said to us that they would not like to see a future suburb for west Greenway. That does not mean that we will rule out completely any residential development.

I understand that there are a couple of ideas in the pipeline. I do not want to thwart those ideas. So we will listen to any application for residential but, of course, we must take into account what the community is saying, and the community would have to be on board before any decision such as that would take place.

### **Sport—mpowerdome**

**MR WALL:** My question is to the Minister for Sport and Recreation. Minister, since 16 February the operator of the mpowerdome facility in Fadden has been trying to communicate with you and your office via telephone and email regarding the future of the mpowerdome facility. Aside from your initial attempt to contact the operators, why has there been no further communication with regard to your position on the facility with the owners and operators of the mpowerdome?

**MS BERRY:** I did speak to the operator, the management, of the facility. I have signed a letter and that should be on the way to her very soon. I understand she had a conversation with one of my team in my office as well. We have been communicating with her. I acknowledge that it has taken a bit of time to get the letter out, but it is on its way.

**MR WALL:** Minister, what action have you taken regarding the ongoing issue to try to get this resolved and the mpowerdome open and operational again?

**MS BERRY:** I have confirmed with the current operator of mpowerdome, and I imagine that has been passed on to the owners of the facility, that the ACT government is willing to work with them if they want to continue to operate the facility. I asked the operator of mpowerdome, the management of the facility, whether mpowerdome and the facility were for sale. She confirmed that they were. I said that I would ask for that confirmation in writing and continue to offer support for them, as we have done previously, or for any new operators that seek to purchase that facility or to operate it.

**MR PARTON:** Minister, will you be contacting the owners/operators of mpowerdome and letting them know that your government has no real intention of providing any assistance to keep—

**MADAM SPEAKER:** Preamble. A direct question, please.

**MR PARTON:** the facility operational?

**Mrs Dunne:** There was no preamble. It started with “will you”.

**MADAM SPEAKER:** Thank you, Mrs Dunne. Can you repeat the question?

**MR PARTON:** I am asking the minister if she is going to be contacting the owners/operators of mpowerdome and letting them know that your government has no real intention of providing any assistance to keep the facility operational.

**MS BERRY:** Thank you, Mr Parton. I have responded to that. I have spoken with the operator of mpowerdome. They have spoken with my office, with members of my staff. They have spoken with Active Canberra, and I have written them a letter asking them to confirm with me that the site is still for sale. That is what was told to me on the phone. I am just seeking confirmation of that and I continue to offer support for whoever operates the centre, as we have done for the past decade.

### **Industrial relations—penalty rates**

**MS CHEYNE:** My question is to the Minister for Higher Education, Training and Research. Can the minister outline the effect of penalty rate cuts on students in the higher education sector?

**MS FITZHARRIS:** I thank Ms Cheyne for the question. Indeed I can, and it is potentially a devastating effect. As members know, Canberra has a growing international reputation as a centre of excellence for higher education, research and training. Students in tertiary or vocational education and training benefit from studying at some of the world's best higher educational facilities right here in Canberra. But the city also benefits from having students from around the country and around the world learn and live right here in our nation's capital. An important part of their contribution is in supporting the city's services sector, particularly on weekends and in the evening when demand in the hotel, retail and food beverages sector is high.

The 2014 Australian work and life index survey found that more than half of the surveyed participants in retail and food services worked weekends and evenings, citing penalty rates as being the greatest motivation for doing so and claiming reliance on penalty rates to support their living costs. This includes thousands of students here in Canberra. Many of these student workers are typically low paid employees who rely on minimum pay rates and rely entirely on penalty rates to top up their wages to a reasonable level. They often give up their weekends and work hard for penalty rates so they can support themselves and put themselves through university or a training course. If weekend penalty rates are cut, students will be significantly disadvantaged and will need to work additional hours in order to receive the same income. No doubt this will lead to less time for study and less time to spend with family and friends.

Madam Speaker, penalty rates are not red tape, as members opposite have previously described them. Penalty rates are a longstanding right for our workforce. That is why this Labor government will not accept any cut to penalty rates.

**MS CHEYNE:** Minister, what specific impacts will cuts to penalty rates have on international students?

**MS FITZHARRIS:** It is worth noting the specific impact that a cut to penalty rates will have on international students. Of course, we have seen examples across the country of international students having been subjected particularly to not only cuts in penalty rates but also non-payment of penalty rates at all. International students are expected to complete their course within the times specified in their visa, which requires them to enrol at a 100 per cent study load each semester.

There are more than 14,000 international students in Canberra. In addition, under most visas, international students can work no more than 40 hours a fortnight. What this means is that international students generally need to work on weekends when they benefit from penalty rates to top up their income.

The financial requirements placed on those seeking student visas are quite stringent, but research suggests that students are quite commonly given loans by their family members to meet the financial requirements to be granted a student visa to study in Australia in the first place. After approval of the visas, students are often required to return the borrowed money to their parents and their extended family.

The official 12-month living cost requirement from 1 July 2016 for international students is \$19,830. However information on the Immigration and Border Protection Department's website makes it clear that these amounts "do not necessarily represent the cost of living in Australia".

Work by international students on weekends and during evenings helps them meet essential living expenses, continue their studies and continue to contribute to Canberra's economy. If international students cannot afford to live in Australia, specifically in Canberra, they will simply stop coming. That is why this government will not accept any cut to penalty rates.

**MR STEEL:** Minister, what would be the effect of penalty rate cuts on Canberra's reputation as a student-friendly city?

**MS FITZHARRIS:** As we know, the ACT is a very student-friendly city; those in the higher education and training sector recognise this and understand deeply how important it is.

Recently the ANU was named in the top 10 of the most international universities according to the *Times* higher education rankings. While we all know that the ANU is a distinguished institution, its place in the top 10, ahead of all other Australian universities, also has a lot to do with the type of city Canberra is and our reputation as a student-friendly city.

ANU Vice-Chancellor Brian Schmidt recognises this. He said recently:

Canberra is a university town ... Giving international students a feeling of welcoming and being part of this city [that is] grossly underrated by Australians, is one of the things the ACT government does really well.

This is a terrific endorsement of our policies that promote Canberra as a student-friendly city, but I also think of broader policies like penalty rates that make working in our city an easy choice for Canberra students.

It is disappointing that we have a federal government and an opposition that support cuts to low paid workers, many of whom will be students our city relies upon. We have worked hard to position Canberra as a student-friendly city and we do not want to jeopardise that. Our city offers a range of study options, from universities to CIT and our strong public and private schools right across the city. The ANU, the University of Canberra, UNSW Canberra, the Australian Catholic University, Charles Sturt University and CIT and other RTOs are all working hard to protect our reputation as a student-friendly city. It is an enormous competitive advantage that we have.

Canberra even ranks 22nd when it comes to the QS best student cities index, reflecting our large and internationally diverse student population. Combined with the fact that one in nine of our residents work or study at a university or higher education institution, we truly are Australia's university town and its education capital. We want to keep it that way.

**Health Directorate—data integrity**

**MRS DUNNE:** My question is to the Minister for Health. Minister, the Director-General of the Health Directorate advised the Auditor-General by phone on 7 September 2016 and in writing on 8 September 2016 about her concerns for the integrity of the Health Directorate's data. The caretaker period began at midnight on 8 September 2016. Minister, did the Health Directorate advise Mr Corbell or you about its concerns for the integrity of its data before the caretaker period? If so, when did it do so?

**MS FITZHARRIS:** As I have indicated in the previous sitting and subsequently at annual report hearings, the Health Directorate did advise the then minister for health, Minister Corbell, and me, as assistant health minister, that there were concerns around some of the data. That had also been aired publicly regarding the delayed submission of the quarterly reports. In terms of specific dates, I will check the record and report back to the Assembly.

**MRS DUNNE:** Minister, were Mr Barr or the Chief Minister's directorate advised of the concerns about the integrity of the Health Directorate's data before the caretaker period? If so, when was they advised?

**MS FITZHARRIS:** As I indicated, it was publicly known that there were concerns with the quarterly report, and I assume, of course, that the Chief Minister and the directorate were aware. In terms of formal notification, I will again check the record and report back to the Assembly.

**MR DOSZPOT:** Minister, why did you take until February 2017 to advise the Assembly of problems with health data?

**MS FITZHARRIS:** As I indicated in the last sitting, it was publicly known and recognised on production of the health quarterly reports for the 2015-16 year that there had been difficulties with that data. What I was not aware of until my return from leave on 6 February, as I have repeated in the chamber on multiple occasions, was that there were broader issues that we needed to consider. Importantly, immediately I commissioned a system-wide review of ACT health data. That is underway, and I look forward to reporting to the Assembly next week on the terms of reference for that review.

**ACT Ambulance Service—response times**

**MR DOSZPOT:** My question is to the minister for emergency services. Minister, a recent Productivity Commission report on government services notes that the ACT Ambulance Service has the third-highest turnover of staff nationally at almost four per cent. The report also notes that response times are currently slower compared to the 2015-16 financial year. Minister, why have ambulance response times worsened?

**MR GENTLEMAN:** I thank Mr Doszpot for his question. Firstly, I want to praise our Ambulance Service for the work they do across the territory. According to the ROGS report, we are one of the fastest responders in the territory. Whilst those times did slip somewhat within that reporting period, I can assure the Assembly that the Ambulance Service are working to pick those times up, and I am confident they will.

The ACT Ambulance Services does a fantastic job right across the ACT not only as first responders but also, of course, as intensive care paramedics. Not only are they able to provide the normal ambulance service but also they are able to do ECGs and provide drugs for patients on the way to hospital. They often provide the correct and informative data to perhaps cardiologists before the patient even arrives at the hospital, allowing hospital services to provide the correct and best responses for the patient.

I am very confident that the ACT Ambulance Service will be able to come up to scratch and keep its lead amongst the territories and states across Australia.

**MR DOSZPOT:** Minister, why is morale in ambulance staff an ongoing issue?

**MR GENTLEMAN:** I have not had any reports advising me that morale is an ongoing issue in the ACT Ambulance Service. In fact, the visits I have had with paramedics have been quite positive. They look forward to the work they do every day in the service.

Mind you, Madam Speaker, having worked in shift work—as you have—over an 11 year period, I can advise the Assembly that morale does go up and down for shift workers. Of course, if you are in that situation where it is a wait and act position, whether it is ACT Ambulance Service or the fire service, it is often difficult to keep morale at the level that is required and where we see it in a normal job.

However, we are working with ACTAS and, of course, our emergency services people to ensure that we have appropriate responses in place to try to improve that morale process.

**MS CHEYNE:** Minister, could you please advise the Assembly what action the Emergency Services Agency is taking to reform its services to continue to provide nation-leading services to the ACT?

**MR GENTLEMAN:** I thank Ms Cheyne for her question. It is an important reform across the territory in emergency services. Following the finalisation of a number of reviews, the ACT Emergency Services Agency is implementing a series of strategic reforms under the strategic reform agenda. The government has already committed approximately \$21 million which will see improvements to the communications and dispatch technology that enables our emergency service people to more effectively deliver their services. This means also the creation of works to radio towers and the development of the upgraded CAD which will align to the comms centre reforms as well.

Front-line firefighters are set to be boosted across the territory as part of the latest reforms within ESA. Regardless of the type of emergency, we want to make sure that those comms centre reforms will have the capability to best position the action for that particular core.

It is important that as we go through this strategic reform agenda—we will review it of course when it is in place—it will provide a better service for the whole of the territory.

### **Alexander Maconochie Centre—assault investigation**

**MS LEE:** My question is to the Minister for Police and Emergency Services. Minister, in late January this year the Canberra public learnt of an assault on three prison guards by detainees at the Alexander Maconochie Centre on the 15th of that month. Have any charges been laid as a result of the ACT police investigation?

**MR GENTLEMAN:** I will have to take that on notice. I have not been provided with a brief on that particular assault.

**MS LEE:** Why haven't you had that briefing, minister, given that the incident occurred on 15 January, over two months ago?

**MR GENTLEMAN:** I would imagine it is about communication between Corrective Services and ACT Policing, but I will seek the answer and come back to the Assembly.

**MRS JONES:** Minister, when will the investigation into this matter conclude?

**MR GENTLEMAN:** At the conclusion of the investigation, Madam Speaker.

### **Industrial relations—penalty rates**

**MR STEEL:** My question is to the Minister for Veterans and Seniors. Can the minister outline how penalty rate cuts proposed by the commonwealth government would impact older workers in Canberra?

**MR RAMSAY:** I thank Mr Steel for his question. We know that Australians are increasingly working to older ages. For some it is because this is the way that they continue to choose to live and to contribute. For many, however, it is not because they necessarily want to but because their circumstances mean that they have to. For some it is a way to stay active and engage in the community, but for others it will be a matter of remaining financially secure and independent. We know that older women in particular are often compelled to remain in work given that as a group they are increasingly entering the traditional retirement years with less financial security than men. The gender gap in pay and conditions means that the ability to continue making an income later in life is critical.

**MADAM SPEAKER:** Can you take a seat? Stop the clock. Members on this side, let us wait until the end of question time. It is the last question. If you want to chat, you can take yourselves outside. Minister, continue.

**MR RAMSAY:** Unfortunately, our modern culture of ageism can present further barriers to older people securing work, especially those people who may have had periods out of the work force and those whose skills may be out of date. For many of them the remaining job opportunities may well be in retail and hospitality. So we know that these proposed cuts to Sunday penalty rates create an additional real barrier to older Australians, including those in Canberra, earning a decent living.

**MR STEEL:** Noting that this is not the only recent commonwealth change to negatively affect older Australians—

*Opposition members interjecting—*

**MADAM SPEAKER:** The question?

**MR STEEL:** Can the minister outline what the ACT government has been doing to assist those Canberrans affected by changes to pension eligibility?

**MADAM SPEAKER:** Do you need to have the substantive part of that question re-read?

**MR RAMSAY:** No, thank you. I managed to hear it. On 1 January this year, the commonwealth government implemented changes to the age pension which changed some people's eligibility to receive the age pension. As commonwealth eligibility determines access to local concession schemes, this is yet another blow to older Canberrans dealt by our commonwealth government.

However, the ACT government has been able to cushion the blow by providing a six-month grace period for the 660 affected Canberran households. Accordingly, we are continuing to provide this group of seniors with rebates for rates and the fire and emergency services levy through until July 2017. ACT seniors who hold the low income healthcare card can still qualify for a range of other ACT government concessions, including concessions on water, sewerage and energy utilities as well as access to the spectacle subsidy scheme. The ACT government has introduced free off-peak public transport for people with a healthcare card, allowing them to travel for free on ACTION buses between 9 and 4.30 and after 6pm on weekdays as well as all day on Saturday, Sunday and public holidays. There is also free bus travel for seniors during Seniors Week, running from 18 to 26 March, with a wide range of important activities.

These are just some of the ways that the ACT government is valuing and assisting seniors in our community and building an age-friendly city.

**MR PETTERSSON:** Minister, what have you personally been doing to ensure that the voices of older Canberrans are heard in government decision-making about the issues that affect them?

**MR RAMSAY:** I thank Mr Pettersson for his supplementary. This being Seniors Week, I emphasise that the wisdom and experience of older Canberrans is a core asset to the ACT community and to the government. The experience and the enthusiasm that our older Canberrans bring to employment, to volunteering and to community work in general is a strength of our city and it is one of the signs of a thriving Canberra.

To ensure that the ACT's senior voices are being heard in policymaking, I have been working with the ministerial advisory council on ageing to select new council members for its new term and have refreshed the terms of reference to ensure that we have a strong community representation across a range of skill sets so that community concerns and ideas are being provided to the government to help shape our response to the key issues that are affecting older Canberrans.

We know that the ability to work longer hours, or the necessity for it, is only one part of this. Other key issues that the ACT government will continue to work with our seniors on include healthy ageing initiatives and affordable health care, good public and community transport services, community engagement through recreational activities and preparation to adapt to the new aged-care landscape caused by the deregulation at the national level.

I can also let the Assembly know that yesterday I was pleased to sign off on the seniors health roundtable report and the response, and I look forward to it being released soon.

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

### **Supplementary answers to questions without notice ACT Health—annual report corrigenda**

**MRS DUNNE:** On 15 February I asked a question of the Chief Minister about government agencies providing health data. The Chief Minister kindly replied to me in writing on 17 March and in his reply referred to the national health information agreement, which I have got a copy of, and referred me to sections 17 and 32B, F and J. Section 32 does not have a section J and section 32 does not appear to refer to health data. I was wondering whether the Chief Minister might be able to clarify the answer.

**MR BARR:** I will check the detail in my spare time.

### **Planning—west Greenway**

**MR GENTLEMAN:** In relation to a question I received today in regard to the outcomes report for the west Greenway community panel, I can advise the Assembly it is now publicly available on the your say website, [yoursay.act.gov.au](http://yoursay.act.gov.au).

## Answers to questions on notice

**MS FITZHARRIS:** With regard to questions on notice in today's notice paper, I do apologise to a number of members opposite. There were a significant number of questions on notice and annual report follow-up questions that required significant work by Transport Canberra and City Services. A number of those outstanding on the notice paper have been provided today—some before midday, some after—and the others will be provided urgently to members opposite. I do apologise for that delay. It was a significant number of very detailed questions across annual report hearings and questions on notice.

## Papers

**Madam Speaker** presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Report No 1/2017—WorkSafe ACT's Management of its regulatory responsibilities for the demolition of loose-fill asbestos contaminated houses—Government response.

Electoral Act, pursuant to subsection 10A(2)—ACT Legislative Assembly Election 2016—Report, dated 3 March 2017.

Standing order 191—Amendments to:

Justice and Community Safety Legislation Amendment Bill 2016 (No 3), dated 21 February 2017.

Planning, Building and Environment Legislation Amendment Bill 2016 (No 2), dated 20 February 2017.

Revenue Legislation Amendment Bill 2016 (No 2), dated 17 and 20 February 2017.

Statute Law Amendment Bill 2016, dated 21 February 2017.

Transport Canberra and City Services Legislation Amendment Bill 2016, dated 20 February 2017.

Visit to the Tasmanian and Victorian Parliaments by the Speaker and the Clerk of the Legislative Assembly for the Australian Capital Territory—7-8 February 2017—Report by the Speaker, dated 20 March 2017.

**Mr Barr** presented the following papers:

Public Sector Management Standards, pursuant to section 56—Engagements of long-term senior executive service members—1 September 2016 and 28 February 2017.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2015-2016—ACT Public Service—State of the Service Report (incorporating the Commissioner for Public Administration, ACT Public Service Workforce profile and ACT Public Sector profile)—Corrigendum.

**Ms Berry** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2015-2016—Community Services Directorate—Corrigendum.

## **Domestic adoption process in the ACT Review—government response**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (3.48): For the information of members, I present the following paper:

Domestic Adoption Process in the ACT—Review—Final report—Government response, dated March 2017.

I ask leave to make a statement in relation to the paper.

Leave granted.

**MS STEPHEN-SMITH:** I present the government response to the domestic adoption task force final report titled *Review of the domestic adoption process in the ACT*. The task force made six recommendations and the government has agreed to all recommendations in full or in principle. As I noted when I tabled the task force report, recommendations 1 and 2 were already being progressed. These relate to improving information available to prospective adoptive parents both prior to and during the process. The remaining four recommendations will be progressed as a priority as resources are available.

Of the six recommendations made by the task force, I wish to draw members' attention to recommendation 1, relating to the need for better communication between all parties throughout the adoption process. The Community Services Directorate is currently progressing work to implement this recommendation as a priority. The directorate is developing a clear communication plan that will enable greater communication between all parties in the adoption process. Greater and clearer communication is a simple yet significant improvement to understanding time frames in the domestic adoption process in the ACT and is certainly something that has been raised with me by a number of parents who have been through the adoption process.

I commend to the Assembly the government's response to the review of the domestic adoption process in the ACT.

## **Papers**

**Mr Gentleman** presented the following papers:

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Architects Act—Architects Board Appointment 2017 (No 1)—Disallowable Instrument DI2017-17 (LR, 24 February 2017).

Civil Law (Wrongs) Act—Civil Law (Wrongs) RICS Valuers Limited Scheme Amendment 2017—Disallowable Instrument DI2017-12 (LR, 2 February 2017).

Housing Assistance Act—Housing Assistance Rental Bonds Housing Assistance Program 2017 (No 1)—Disallowable Instrument DI2017-15 (LR, 20 February 2017).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2017 (No 1)—Disallowable Instrument DI2017-16 (LR, 23 February 2017).

Planning and Development Act—Planning and Development Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-1 (LR, 16 February 2017).

Rail Safety National Law (ACT) Act—Rail Safety National Law (ACT) Amendment Regulation 2017 (No 1)—Subordinate Law SL2017-2 (LR, 23 February 2017).

Road Transport (General) Act—Road Transport (General) Application of Road Transport Legislation Declaration 2017 (No 1)—Disallowable Instrument DI2017-14 (LR, 9 February 2017).

## **Income security**

### **Discussion of matter of public importance**

**MADAM ASSISTANT SPEAKER** (Ms Lee): Madam Speaker has received letters from Ms Cheyne, Ms Cody, Mr Coe, Mrs Kikkert, Ms Le Couteur, Ms Lee, Ms Orr, Mr Parton, Mr Pettersson, Mr Steel and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Ms Cheyne be submitted to the Assembly, namely:

The importance of income security for Canberra shift and weekend workers.

**Mr Wall:** On a point of order re standing orders, I seek the Speaker's ruling in relation to standing order 79. Standing order 79 requires the Speaker to determine whether or not the matter of public of importance submitted is in fact in order. I draw your attention to section 15.9.1 of the companion to the standing orders, which refers to the need to rule a matter out of order if it is not a matter within the scope of ministerial action. I seek a ruling from the Speaker as to whether or not a minister of this Assembly does have ministerial action in income security.

**Mr Gentleman:** Madam Assistant Speaker, while you are considering the point of order would you also consider that the Speaker has already advised that she has accepted the matter of public importance for debate today.

**MADAM ASSISTANT SPEAKER:** Yes. Thank you, minister. Thank you, members. I have taken advice from the Clerk and, given that the Speaker has, as Minister

Gentleman pointed out, made the decision in relation to the matter of public importance as a topic, it will proceed.

**Mr Wall:** On a point of order, Madam Assistant Speaker, specifically the companion does state that the matter needs to be within the scope of ministerial action. If not now, perhaps if the Speaker could return and explain where in the administrative orders this fits within ministerial responsibility.

**MADAM ASSISTANT SPEAKER:** Mr Gentleman, perhaps either you or the Chief Minister could outline, in accordance with section 15.9 of the companion, the ministerial responsibility.

**Mr Gentleman:** Madam Assistant Speaker, the argument is moot. The Speaker has already made that decision.

**MADAM ASSISTANT SPEAKER:** I understand, but the point of order has been raised.

**Mrs Dunne:** On the point of order, the Speaker may make a decision that something is in order. The Speaker may not have actually exercised her mind on the question of whether or not the issue was in order. It is certainly within order for a member of this place to raise a point of order, and it has been raised in the past, for the Speaker to rule on. As this is a task set down for the Speaker and not the person presiding, it may be that the Speaker needs to come back into the chair and make a ruling on this. Mr Wall has raised a significant question, and I think that Mr Gentleman just saying that the issue is moot does not actually answer the question.

**MADAM ASSISTANT SPEAKER:** The Speaker is now available.

**MADAM SPEAKER:** Thank you, members. As I understand it, it is a question over the MPI being in order, and I have ruled it in order. There is a minister for industrial relations. The matter does go to income security and shift and weekend work. I have deemed it in order.

Mr Wall, before you stand again, it is probably a timely reminder that in February there was an MPI on the lunar new year, and there was a question mark on that as well, which I spoke to the whips about. I have deemed this to be in order under the ministerial responsibility of industrial relations, but I think it is worthwhile noting from this discussion that both whips and the manager of government business should be very mindful of the standing orders. Members should craft their words so that this sort of discussion and question is limited in future.

**Mr Gentleman:** Madam Speaker, if I could add to the comment in regard to the point of order raised by Mr Wall: the Assistant Speaker, in your absence, has already ruled on this point of order. It has been raised again.

**MADAM SPEAKER:** Thank you.

**Mr Wall:** On a further point of order, then, Madam Speaker, while you are in the chair—

**MADAM SPEAKER:** Are you dissenting?

**Mr Wall:** No, Madam Speaker; this is a subsequent point of order. I draw your attention to standing order 130, which relates to the anticipation of further Assembly business. I also draw your attention to the proposed MPI on the notice paper, namely, order of the day No 3—

**MADAM SPEAKER:** Private members' business, you are referring to?

**Mr Wall:** Yes, private members' business item No 3 listed by Mr Pettersson, which makes specific reference to employees working on weekends. I also draw your attention to section 15.9 of the companion to the standing orders, specifically dot point 4—

**MADAM SPEAKER:** Mr Wall, I did consider all these points, particularly standing order 130, with regard to the matter tomorrow. Again I say I have ruled it in order. I would use this as an exercise to remind both whips and the manager of government business that members should be very mindful of the companion and the standing orders on these matters. I would say, as you are debating this MPI, you should be very conscious of the motion that is on the paper for tomorrow. I am ruling it in order, Mr Wall.

**Mr Wall:** Madam Speaker, I take a point of order referring to standing order 79, with reference also to part 15.8.4 of the companion to standing orders, as to whether this MPI is in order, given that there is also an inquiry currently before the education, employment and youth affairs committee examining insecure employment in the ACT.

**MADAM SPEAKER:** Mr Wall, in regard to that, if any question or any motion or anything discussed here cut across any of the inquiries of the committee or of any committee, we would have limited discussion.

**Mrs Dunne:** On the point of order, Madam Speaker, there have been a number of precedents where issues have been ruled out of order because the matter has been within the remit of a committee. When a matter is within the remit of a committee, it cannot be discussed in the Assembly. There is much precedent both here and elsewhere on that matter.

**MADAM SPEAKER:** Thank you, Mrs Dunne. I do not think I can labour the point any more. I have ruled this to be in order and it will proceed. On the matter of committees, I have recently written to chairs of committees because another committee had a discussion, through the annual reports hearings, on an active issue for the admin and procedure committee. I think we all need to take a bit of a chill pill, settle down, and understand that this MPI is in order. That is my ruling. It will proceed. All of us need to be mindful of how we craft our words and, once there is a question over this, be mindful of how we conduct the debate.

**MS CHEYNE** (Ginninderra) (4.00): Perhaps the opposition could listen to my speech first before they decide to rise on a point of order. I cannot stress enough the importance of income security for shift and weekend workers, and I am grateful for the opportunity to speak on this issue today. People rarely adopt insecure and unsociable work hours out of preference. In most cases, they are doing what they must to make ends meet. They are squeezing in extra hours around study and caring obligations and are missing out on their own social and family commitments in the process.

Some of the most vulnerable groups in Canberra are disproportionately represented in shift and weekend workers. If we look at who is working shifts and on weekends, youth and women are heavily represented. Forty per cent of casuals in Australia are aged under 25, while women represent over half of all casual employees. Women also constitute 71.6 per cent of all part-time employees. It is more important than ever that we look after the income security of these workers. In a time of rising inequality, income insecurity can have significant impacts on a person's mental and physical health outcomes.

We are living in an age of growing income inequality in Australia. Over the past 30 years we have seen the Gini coefficient, the UN's preferred measure of inequality, trend upwards in Australia. The top 20 per cent of income earners in Australia earn around five times as much as a person in the bottom 20 per cent. There have also been significant differences in the rates of wage growth for different income brackets. Over the 25 years to 2010, real wages increased by 50 per cent, on average. For those in the top 10 per cent of income earners, they increased by 72 per cent. However, those in the bottom 10 per cent saw just 14 per cent growth in their salaries.

Income disparity has been further compounded by the fact we have growing wealth inequality too. There may have been salary freezes over the last few years in some sectors, but those with greater wealth were still able to see their overall income increase solidly. This has been thanks to increased rates of growth for investment income.

There are serious consequences to this inequality, Madam Assistant Speaker. Higher levels of stress, anxiety and depression, and poorer outcomes in health and education have all been linked to inequality. With this in mind, it is absolutely critical that we protect the income security of weekend and shift workers. These workers will be disproportionately affected by forthcoming cuts to penalty rates. The effect of cutting penalty rates will be lowering rates of pay, which will further compound the effects of inequality. In addition, income uncertainty in and of itself will have further negative impacts on the health and wellbeing of our shift and weekend workers.

According to the Australian Psychological Society, there are many factors that contribute to a person's wellbeing. Wellbeing is based on the satisfaction of material, physical and psychological needs. Security has a big role to play in a person's overall wellbeing, including income security. Housing payments, bills, healthcare expenses, clothing, food and education costs can accumulate quickly and can cause significant stress for individuals who are working hard to get by. Income security means that a

person is able to plan for the future and can effectively budget to meet the everyday needs of their families.

Citizens Advice is a network of 316 independent charities throughout the UK. It recently conducted a poll on the topic of income security and found that income security was as important to respondents as their level of pay. Income security was seen as more important than a job's location or its opportunities for advancement. It was also the top response when people were asked what makes them feel very secure in life. These responses reflect the significance of income security for our everyday health and wellbeing.

The Fair Work Commission's decision to cut penalty rates puts this at risk. The Fair Work Commission's decision to cut penalty rates will usher in increased uncertainty for those Canberra shift and weekend workers in the hospitality, restaurant, fast food and retail industries. The decision also raises questions around future decisions on penalty rates for our emergency service men and women, and other shift workers.

Income security for shift and weekend workers is of great importance, and decisions by the Fair Work Commission, supported by those opposite, are of great concern. Any decision which fosters greater uncertainty and insecurity will further compound issues of inequality and negatively impact the overall health and wellbeing of these workers—some of the most vulnerable in our society.

**MR WALL** (Brindabella) (4.05): As I have already outlined in my previous points of order, it is the firm view of the opposition that this issue sits within the remit of the commonwealth and that it is outside the responsibility of the ACT executive and this parliament. There is no need to elaborate on my personal views on this issue, as they are well known.

Unlike the CFMEU faction sitting on the backbench of the government, the opposition will continue to focus on the important issues that we in this place can influence, the issues that we were all elected to address. We are more focused on ensuring that community organisations are not held to ransom over government funding and that the health system is adequately resourced to provide the level of care and support that Canberrans should be able to expect when they need it most.

Madam Assistant Speaker, one need only look at the government's agenda to realise that they have no plan for this city and are devoid of any new ideas.

**Ms Cheyne:** A point of order on relevance.

**MADAM ASSISTANT SPEAKER** (Ms Lee): He has nine minutes to go, so I am pretty sure he will use the remaining nine minutes for the MPI.

**Ms Cheyne:** He is taking his time.

**MR WALL:** Thank you, Madam Assistant Speaker. The continued practice by those on the opposite side of raising federal issues in this place is merely window-dressing for a vision and seeks to highlight that the ACT government is now more intent on

acting as the federal opposition than the government for the ACT. The opposition will not play these games, and members opposite should all be condemned for their abuse and the mistrust that the voters of the ACT place in them following last year's election.

**MR PETTERSSON (Yerrabi) (4.07):** I am very pleased to see this topic as a matter of public importance, even if those opposed to it do not. Income security is vital to all Canberra workers, especially those working on weekends and doing shift work. That level of security, though, has diminished significantly for too many Canberrans and for too many Australians. Job insecurity has risen dramatically. This inevitably results in lower pay, fewer workplace rights and fewer workplace entitlements.

An insecure workplace is one where it becomes harder to raise concerns about occupational health and safety. People working day to day or week to week often fear that if they speak up about these issues they will be pegged as a troublemaker and will not be re-employed. This is unacceptable. But the impact of insecure work and insecure pay does not just affect the workplace. It affects home life as well. Workers with insecure incomes struggle to get home loans or, if they do, they are from second-tier lenders with much higher interest rates. I think it is far too easy for members of this chamber to forget what it is like to suffer an irregular income. It has probably been a while since a few members in this chamber experienced an irregular income themselves.

Our society is always changing, and that change can often be for the better, but we also need to be conscious of the negative impacts of that change. The normal markers of an adult life are getting pushed further and further back. We are leaving university later, we are working in casual jobs at older ages, we are buying houses in later years and we are having children at an older age. It is irresponsible for us to ignore the clear link between income insecurity and the traditional markers of adulthood falling further away.

I would like to tell the story of one of my friends. I will not reveal his name, because he will be embarrassed, but these are the stories I hear when I go to barbecues on the weekend or catch up for a coffee with friends. He is a hardworking young man, a Canberra local. He went to university and studied hard. He has fallen in love with a wonderful girl. They are, however, victims of the insecure job crisis that is gripping our country. He has a university degree, a professional qualification, and he cannot get full-time work.

I was so excited to see him and his partner welcome their first child into the world last year, but they are strained. Raising a child is not meant to be easy, but it is not meant to be this hard either. They are expected to plan for medical bills with an irregular income. They are expected to plan for school fees with an irregular income. They are expected to provide for a baby with an irregular income. He and his partner have taken the plunge to have a child when they cannot guarantee a secure income. I am proud of them, but I fear for them.

I also fear for my friends, my colleagues, who have found the one they love and will hopefully spend the rest of their life together, but they cannot get secure work. They live off an irregular income. They have made the bold decision to delay having

children. I fear that they will never experience the security of a regular income such that they can have children.

Far too often, politicians are accused of not seeing the big picture, and I think they are right. I think we are letting down a generation who cannot get a foothold into adulthood. We want people in our community to be responsible. We encourage people to save for emergencies and for retirement. It is impossible to save for these important things when you have to dip into savings to make it through this week's bills because you were not called into work.

There has been a grand theft in our society. Businesses have shifted risk onto their employees without any increase in benefits. Increasingly, workers are getting called in for shifts when it suits the boss. Workers are getting sent home early from shifts when it suits the boss. You cannot sustain a wholesome life if your roster is constantly changing. How is it that we hope people volunteer for local community groups or participate in local sporting teams when people are on call or, worse, rostered on and cancelled on when they are trying to make ends meet?

This change has not happened quickly. It is a process that has occurred over decades. We did not go to bed one night with secure jobs and wake up the next morning with insecure employment. But there are times when things do happen quickly, and we saw that just the other week with the Fair Work Commission's decision to cut penalty rates. This decision will have a disastrous impact on these workers. The federal Liberal government could fix this if they wanted to. It would not be difficult. They could bring forward the legislation at the next sitting period, but they will not.

It is that hypocrisy I find truly galling. This is a Liberal government who have offered no support to people on low incomes and irregular incomes. In the midst of a housing crisis, we see the Assistant Minister to the Treasurer telling young people that if they want a house they need to get a highly paid job. We saw similar comments from the former Treasurer, Mr Hockey. Mr Hockey's advice to people wanting to own a home was to get a good job. Well, it is a little galling to see, on the one hand, this Liberal government saying that if you want a house, get a good job, get a high-paying job, but then on the other we see them sitting on their hands while workers are given the largest pay cut since the Great Depression.

**MS ORR** (Yerrabi) (4.12): I am pleased to speak on the importance of income security for Canberra shift and weekend workers. Penalty rates were first implemented to fairly compensate employees for working on weekends and unsociable hours, often having to sacrifice time with their families. The slashing of Sunday and public holiday rates will see the take-home pay of full- and part-time hospitality and fast food workers cut by 25 per cent, with retail and pharmacy workers facing a staggering 50 per cent pay cut.

Canberra's shift and weekend workers do not deserve to be treated so unfairly. They also cannot afford to be treated so unfairly. These are some of the lowest paid people in our community and they should not be forced to work more hours than they currently do just to make ends meet. The slashing of penalty rates will obviously have an effect on workers in the retail, fast food, hospitality and pharmacy industries. But

this change also sets a precedent for the removal of working rights and conditions more broadly.

While the Turnbull government continues its attack on workers across the country, the ACT Labor government is committed to protecting the rights of workers in our community. Unfortunately, the same cannot be said for those opposite. Despite the opposition's promise before the 2016 election that they would not support a cut to penalty rates, we have recently seen members of the Canberra Liberals, including Mr Wall and former opposition leader and now senator Zed Seselja, speaking out in support of slashing the wages of local Canberrans.

It goes to show that the Canberra Liberals cannot be trusted when it comes to protecting the rights and conditions of Canberra's shift and weekend workers. Once again, they are failing the Canberra community that they are meant to represent. The ACT Labor government will always stand up for workers and the most vulnerable in our community.

In 2015 the ACT government made a formal submission to the Fair Work Commission urging the commission that there was no valid case for a change in Sunday and public holiday penalty rates to be made. Recently, students from the ANU held a snap action to protest against the cuts. I note that the Deputy Chief Minister reaffirmed the government's commitment to standing up for workers at the event. These students expressed their deep concerns about the impact the cuts will have on their ability to pay for rent, groceries, textbooks and even public transport.

As a former hospitality worker, I know the difference that penalty rates have on a week's wage and I share the concerns of Canberra students and other shift and weekend workers. I am proud to stand with Canberrans in calling on the federal government to take action to protect them from the brutal and unfair cuts to their take-home pay.

I know all of my colleagues in the Barr Labor government oppose the changes to penalty rates. It is time for the Leader of the Opposition and the Canberra Liberals to stand up for Canberrans by opposing the brutality of the current federal coalition government.

**MR RATTENBURY** (Kurrajong) (4.15): I welcome the fact that this matter is up for discussion today. I think there are some important matters to discuss here. It was somewhat disconcerting to see Mr Wall dismiss this matter out of hand. He may have his political views on it, but I think there are substantive topics to be talked about here. Certainly, when it comes to talking about the income security of Canberra shift and weekend workers, two particular issues spring to my mind: one is casualisation of the workforce and the other is cuts to penalty rates.

Clearly, many people who are working weekends are working on a casual basis. But right across the workforce we are seeing people's income security being cast into doubt or people having lack of certainty because of casualisation or underemployment. There was a really interesting article in the *Sydney Morning Herald* in the last couple of days discussing this exact issue. I discovered something new, which is that there is

now an Australian Unemployed Workers' Union, which is specifically addressing the issues of underemployment, casualisation issues and related income insecurity. I had not come across this before. I think the fact that that now exists is a reflection of the fact that this is an increasing issue in our community.

Certainly, when it comes to industries such as retail, pharmacy and hospitality industries, we see them particularly impacted by the cuts to penalty rates. We know that workers in these industries are disproportionately women and young people. It is these people who will likewise be disproportionately impacted by the dramatic reductions in penalty rates decided on by the Fair Work Commission. The impact on women will simply work to widen the gender pay gap that is already prevalent throughout our community. A large proportion of women working in these sectors are working on a part-time basis; so they are reliant on penalty rates to top up their earnings.

Many young people in these sectors are also working on a part-time or casual basis, and these cuts will disproportionately impact on those who have just entered the workforce for the first time, who may be working to support their studies, or often both. Cuts to penalty rates will simply work to create new barriers to young people getting started in the workforce and furthering their career prospects, in addition to the ever-increasing costs to undertake and complete tertiary and vocational studies.

According to the Australian Bureau of Statistics, both the retail sector and the food services sector rank as the industries with the lowest average weekly wages. I believe, and the Greens believe, that further cutting these wages is simply unfair and will add to income insecurity for those Canberrans who are working in these sectors. Certainly, people who are working in these sectors have been reliant on penalty rates to help bridge that gap. It is important to recognise this, in addition to the extra demands of asking people to work overtime on weekends and on public holidays. I think that is something that perhaps has not had exposure in this discussion that I would like to reflect on. It is about thinking about what sort of community we want to live in.

I do believe that we should have space on the weekends for people to stop, for people to engage with their families, to engage in the recreational hobbies that they might have, to volunteer. All of these are very important things. I think that if you are going to work on those days, or if you are going to work unsociable hours when most of the rest of us would rather be at home relaxing, sleeping and doing the other things that we do, then the very point of penalty rates is some reward for the downsides of having to work on weekends or out of hours.

Of course, we are going to have a further discussion about penalty rates tomorrow and I will add further comments at that time. But I think it is important that we reflect on the importance of income security for Canberra shift and weekend workers and that we discuss these matters in this place. Despite the attempts at points of order we saw from the opposition, these are the people in our community that this government has to take responsibility for.

We, through our budget, have to reflect on how we impact on them. We, through the provision of concessions, seek to assist those people who do have insecure incomes.

There is a range of responsibilities that the ACT government has in this space, aside from the points that Minister Gentleman made about having a minister for industrial relations here in the ACT and a range of other matters.

This impacts on our public housing system. Those who are earning well below average wages will often be the ones who are seeking public housing assistance in the territory. In fact, the group I am particularly concerned about, who have perhaps not had as much discussion in public debate as they might, are what is generally considered the next income quintile above those who are able to access a significant number of government benefits. They are sometimes referred to as the working poor. They are people who are working, who do not qualify for many government welfare benefits but who, in fact, really struggle to obtain secure housing and the like.

I think this is a relevant matter for us to be discussing today. It is something that certainly I and Ms Le Couteur are very conscious of when we consider the issues that come before us. It is certainly something that we considered strongly going into last year's election as we framed our policies. I know that, for example, in my ministerial capacity it is something the government is giving quite a lot of consideration to as we go through this year's budget process. Each of the ministers has to consider these issues in their day-to-day business. I look forward to the further discussion tomorrow on penalty rates and I appreciate the opportunity to discuss these matters this afternoon.

**MS CODY** (Murrumbidgee) (4.21): I rise today in support of the matter of public importance Ms Cheyne has brought forward. I would like to offer my voice in support of those in our community who depend on penalty rates. In particular, I would like to highlight the consequences of this cruel decision on single working mothers, who will carry the brunt of this cut to their take-home pay.

Already women in our community make up the bulk of those working unsociable hours in accommodation, retail and fast food services. Their work takes them away from their children, from their social networks and from their weekends. Their jobs are often insecure and susceptible to last-minute rostering changes and personal disruptions. They balance it all with family obligations, personal challenges and the social isolation that often comes with single parenthood and living on the breadline.

As a young mother, I raised two small children on my own. I spent weekdays ferrying my boys between day care and school on my way to work, then collecting them in the evening and rushing home to make dinner, check their homework and prepare them for bed. For me, working on weekends and having the benefit of penalty rates was not a choice; it was a lifeline. I would be able to work weekends while my family and friends helped care for my children, without the burden of childcare costs. I was compensated for giving up valuable weekend time with my boys.

Penalty rates kept food on my family table. Penalty rates allowed me to buy new football shoes when my sons inevitably grew out of theirs. And penalty rates meant I did not have to work excessive hours for the rest of the week to get across the line. For a lot of single mothers giving up their weekends in order to work is not a choice; it is a necessity they take so as to keep themselves above the poverty line.

The decision to cut take-home pay makes that weekend time spent away from their family instantly less valuable and more burdensome. The suggestion that people should work more hours in order to make up the cut to their pay is disgraceful and highlights how out of touch the Liberals across the lake are with working people. Working mothers have taken these competing priorities in their stride, all the while having to listen to comments from some who share the ideology of those opposite that they are lazy, that they are undeserving and that they are welfare-dependent.

We have heard a lot from some businesspeople about how important this cut would be for them and their staff. In particular, I refer to Harvey Norman boss Gerry Harvey, who opined on the day of the decision that the cuts to penalty rates would save Harvey Norman \$900,000 a year. There was no mention of employing more staff; no mention of giving employees more hours; no mention of any benefits to employees that are routinely peddled out by those who champion wages cuts. No, his first priority was the savings to his business.

Further, let me refer to the equally illuminating comments by James Pearson, CEO of the Australian business chamber. Like Mr Harvey, Mr Pearson also demonstrates complete ignorance on not only the gender pay gap but the marginalised status of women and single parents in the labour market. His contribution to this debate came in the form of comments on International Women's Day that "women stand to benefit from changes to penalty rates". This is absolute nonsense. Mr Pearson, the women of Australia's retail, fast food and hospitality sector do not agree.

For them, the gender pay gap is real. For them, saving enough money to pay rent or buy shoes for their growing children is real. For them, securing more hours, getting a promotion or landing a consistent roster, all while juggling parental responsibilities, is a daily challenge that cuts to their take-home pay will not alleviate.

Sadly, these comments are what we have come to expect from those opposite, their colleagues over the lake and their financiers. They fall in line with ideologues of a similar vein who believe single mothers are lazy. It compares with those who believe that support payments for single mothers should be axed because, according to them, being a single parent is a lifestyle choice.

We in Canberra pride ourselves on the diversity of our city and on the work we have done promoting the status of women. We see women as playing a critical role in the workplace, in the boardroom, at children's sport and in the family. We see the contribution they make to our weekend economy, at the expense of time with their family, as one that is deserving of adequate compensation.

These cuts marginalise single mothers in precarious industries even further. They make it harder for them to get ahead and to enjoy increasingly shrinking time with their families and support networks. I will never turn my back on hardworking single mothers because, even though I stand here today as a member of this Assembly, I also stand here as someone who has been in those shoes.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (4.27): This is something that I feel particularly strongly about. I have had my own lived experience, like many others, working in hospitality for eight years. For me, and for others, it was not just a bit of extra cash, a bit of pocket money. This was my job; it was my career. But to make ends meet, public holiday work, night shifts and weekend work were the only ways that would make my wage worth anything much at all.

For me and the people that I worked alongside, luckily we were provided with a free meal for an eight-hour shift. I can say that for many who were provided with that meal, that was the only decent meal that they would have had on that day. They certainly would not have been able to afford to purchase it themselves on the wages that they were earning.

I am moving on from there now as a mother with two young children. I catch up with my friends at an annual catch-up at Christmas time down at the lake on a Sunday. It is becoming an opportunity for us to watch our children grow up together. But, as our children are growing up, fewer of them are able to attend the gathering because more of them are working on Sundays. And, yes, I expect them to be compensated for that because we miss them; we want them to celebrate with us and spend time with their family. But they are out there working for more than just the money. They are building relationships, learning about teamwork, setting themselves up for a future as young adults in our community.

I see our role in this place—I have said this before—as providing a chance for us as leaders to make a difference for people and to make it easier for people to follow us. I find it really sad that a sector that I worked in for such a long period of time—it was already tough back then—is even tougher today because of the decisions that people are making in parliament.

The ACT government will not be forsaking the people in our community. We will not be ignoring our roles as leaders to bring the voices of some of the lowest paid young women and men in our community—our friends, their kids, people who live in our community, our neighbours—to debates that affect people in our community, whether those debates are in this place or in the commonwealth parliament.

*Discussion concluded.*

## **Answers to questions without notice**

### **Planning—west Greenway**

**MS LAWDER** (Brindabella) (4.30): I raise a point of order under standing order 118A. During question time I asked the Minister for Planning and Land Management about a report from the community advisory panel in regard to the west Greenway development. At the conclusion of question time, the minister advised that the report was available on the your say website.

There is a report available on the your say website, but it is dated May 2016. Given that the community panel met four times between July and October and the report was presented to the minister in December, I do not believe that that is the report that the minister should be referring to. I seek clarification from the minister under standing order 118A. I ask also: if it is a different report that has not been made available, under standing order 213A can the Assembly order the document that the minister is referring to to be tabled in the Assembly?

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (4.31): I take that request and I will come back to the Assembly on that tomorrow.

## Adjournment

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

That the Assembly do now adjourn.

## Dr Stanley “Bryan” Furnass AM

**MS LE COUTEUR** (Murrumbidgee) (4.31): I rise to talk about Dr Bryan Furnass AM. Dr Furnass was born in Manchester, England, in 1927 and died in Canberra earlier this month. Dr Furnass migrated to Australia in 1960. After a brief time in private practice he became, from 1966, the foundation director of the ANU health service. I think I first came into contact with him then, as I was a uni student while he was director of the health practice.

He retired from ANU in 1991. Before that, but even more so after that, he was a major contributor to public life in the areas of population health, climate change and sustainability. He also mentioned gardening as one of his hobbies, although I think his contribution there was possibly not as significant.

Back in 1977 he published, along with Mark Diesendorf, “Adaptation, ancient and modern, in impact of the environment and lifestyle on human health”. It was about the impact of the environment on human lifestyle. That is where he started as a doctor, and he moved on in his interests. Towards the end of his life he would have qualified as a fairly full-time climate change and sustainability campaigner, and he was quite widely published in that regard.

I say “towards the end of his life”. He was born, as I said, in 1927, so he was an older gentleman. When I came into contact with him, particularly in the latter years of his life, he was a big supporter of and enthusiast for natural burials, which of course I also was a supporter of. In the last few years of his life that was one of the things that he campaigned for. He organised at the ANU an emeritus faculty event, “A case for easier deaths and natural burials”, which combined his interest in the environment with his interest in human health.

He was buried earlier this month. Unfortunately, I could not attend, as it occurred on a full-day hearing of annual reports by the planning committee. He was buried in the new natural burial site at Mitchell. Mr Rattenbury and some Greens staff attended the funeral. I am told that it was a beautiful event, and everybody agreed how fitting it was that Bryan was buried in such a place.

As I have a minute or two left, I might talk about something which I know Bryan would be talking about if he was still alive. In today's *Guardian* the World Meteorological Organisation says that an analysis of recent heat highs and ice lows has pushed the world's climate into uncharted territory, which is truly depressing. The only positive thing we can say about Bryan's death is that he is not here to read it. The World Meteorological Organisation refers to unprecedented heat across the globe, exceptionally low ice across both poles and surging sea-level rise.

### Mr Stuart Harris

**MS CHEYNE** (Ginninderra) (4.35): I rise to congratulate the Canberra citizen scientist and local long-time Belconnen resident Mr Stuart Harris on his most recent discovery. Stuart has found an entirely new genus of peacock spiders, the *Saratus* genus. Stuart first discovered this spider while working at the Mount Majura vineyard four years ago. Collaborating with two taxonomists, Stuart was able to identify a significant anatomical difference between this variety and the many species of peacock spiders in the *Maratus* genus. This difference led to the classification of Stuart's latest discovery, the *Saratus hesperus*, as a new genus of peacock spiders.

It is impressive, but this is not the first time that Stuart has discovered a new spider. Stuart previously worked as a garbage collector and vineyard worker, when his passion for science led him to his very first spider discovery in 2008. Stuart first stumbled upon the spider during a bushwalk in Booroomba Rocks in 2008. Taken by the spider's beauty, Stuart snapped a photo and shared it on the internet, primarily for its beauty. A jumping spider expert in the USA, Dr David Hill, contacted Stuart through photo sharing website Flickr a few days later.

By sharing a picture of a pretty spider, the internet fed him a response he was not expecting—he had probably just discovered a new species of *Maratus* spider. To formalise the discovery, Stuart would need to find a live specimen. What followed was 2½ years of scouring the 1,000 square kilometres of the Namadgi bushland for a live specimen of the tiny creature. To make life especially hard, the spider is 4.8 millimetres or the size of a grain of rice.

I encourage the chamber to watch the excellent short film, *Maratus*, which documents this gruelling task. Without giving too much away, the species of spider Stuart discovered in 2008 takes his surname—*Maratus harrisi*. Since then Stuart has been credited with the discovery of three more species of *Maratus* spiders and has co-discovered another three. He currently works as a gallery assistant at Questacon and was previously team leader at the Questacon live exhibit during the very successful *Spiders* exhibition in October 2016. He also works every Saturday at the Brindabella winery, managing the cellar door and promoting Canberra wines and the region in general. He spends his free time looking for new peacock spider varieties.

Stuart's discoveries are remarkable, but what is especially remarkable is that Stuart's role in these spider discoveries has been through volunteering. Citizen scientists like Stuart play a vital role in documenting new species, gathering and interpreting scientific data and educating the public around the ACT. The work of citizen scientists makes a significant contribution to the scientific knowledge base.

I have to express my utmost respect for citizen scientists, who, as volunteers, are fuelled only by their genuine passion for science. Their work can sometimes go unrewarded and unrecognised. I would like to take this opportunity to publicly thank Stuart for his dedication and many contributions to Canberra's scientific community.

### **Clean Up Australia Day**

**MR PETTERSSON** (Yerrabi) (4.39): I was fortunate enough to participate in my local Clean Up Australia Day a few weeks ago and I wish to pay tribute to everyone who lent a hand, both locally in Crace, Gungahlin, and across Canberra. It is not every Sunday that I relish an early wake-up, but for this occasion a smile was managed.

I live in Crace; it is my home. I see firsthand, like everyone else, the rubbish that can fill our parks, the rubbish that can linger in our streets and the rubbish that makes its way into our water systems. It is frustrating and it is unacceptable.

From this mess, however, comes an opportunity, an opportunity for communities to show their spirit and show pride in their local area. And that is what I saw: the Crace community spirit in full bloom. I saw both young and old working hard, side by side, cleaning up our neighbourhood. I saw new faces and some familiar faces. I think the only common factor amongst us was a passion for Landcare and an enthusiasm for the scones to come.

I want to make special mention of Fleur, the organiser of the day and the organiser of Crace Landcare. Fleur, thank you for your service. I want to pay tribute to the Crace Community Association for helping to facilitate the day and for the work they do in making Crace such a wonderful community. I also want to thank each and every one of the volunteers that turned up on a sunny Sunday morning to make Crace a little bit cleaner. This was a fantastic day.

What followed was not fantastic, however. The following week, the *Canberra Times* published an article about the "Gungahlin-isation" of Forrest. This article made many incorrect assumptions about Gungahlin and it has caused immense hurt in our community.

I wish to correct the record on a few things. Gungahlin is a place people aspire to live in. Gungahlin is peaceful and quiet and, after Landcare's efforts, it is even a bit cleaner than it normally is. Gungahlin has a thriving community, with a mix of housing options attracting a range of people to the area, from first home buyers and young families to retirees and dream home buyers. And, yes, that does mean different sized blocks. Gungahlin is a rapidly growing area, one of the fastest growing regions in Australia. It is a great place to live, and that is why people keep moving here.

A speech in the Legislative Assembly is one thing, but I have always thought the personal was a far better way to communicate, so I would like to extend a personal invitation to the Forrest Residents Group to come and spend some time in Gungahlin to experience everything the area has to offer. I will give you the tour and even shout you a coffee on Hibberson Street. I will be in touch tomorrow morning because I am quite genuine about this. I hope to share this experience with you. I hope to hear from you soon.

## **Marriage equality**

**MR STEEL** (Murrumbidgee) (4.41): On 27 February I had the privilege of attending a discussion forum in Phillip, organised by Forum Australia, on the topic of “life after marriage equality”. By framing the discussion in a post marriage equality world, it was a great opportunity for all in attendance to grapple with the potential outcomes of such a change, although it is a change we have been familiar with, for just a short period, here in the ACT.

The event afforded me the opportunity to expand on some of the positive effects of same-sex marriage in greater detail. The first outcome of changing the law is that people from the LGBTIQ community will be recognised simply as people: people under the law, people who have the legal right to marry. And in the future more people will be married; they will not have to go overseas to have their marriage recognised. Most people will hear about the change and life will go on.

There will not be a threat to democracy, as one federal coalition member recently proclaimed. The underpinnings of the family institution will not be undone. There will not be a lost generation of children or more people divorcing. After all, a study of every US state between 1989 and 2009 found that marriage equality did not translate into fewer heterosexual marriages.

On the other hand, the benefits of marriage are fairly well documented. Even Kevin Andrews, a former minister in the commonwealth government, has cited studies showing the greater propensity for married people to volunteer, vote and survive cancer as a justification for the continued importance of marriage. It is hard to believe that Mr Andrews opposes marriage equality when it could be equally expected that these same benefits could flow on to those in the LGBTIQ community. Why wouldn't we want all people to have these benefits?

We all benefit from an inclusive society. When we have greater inclusion of people, we see better outcomes across a range of areas, whether it is health, education or welfare. A recent Australian study supports the proposition that marriage equality is related to improved health outcomes, and these are outcomes that we all pay for through our universal healthcare system.

I also touched on the fact that marriage equality will not necessarily spell the end of discrimination against members of the LGBTIQ communities in Australia. We need to continue to tackle discrimination in all forms in our community. For advocates there is still a long way to go to reach rural communities, new immigrants or part of

specific enclosed ethno-religious communities, opening lines of personal communication and engagement in respectful dialogue.

At the forum I was able to end on a note of optimism. Once marriage equality is achieved, the goal of ensuring the most accepting possible community for LGBTIQ people can begin in earnest. I would like to thank the hosts, Forum Australia, and President Mohammed Ali for organising the event. It is great to see such a civic-minded organisation facilitating discussion and debate within our local community.

I would like to thank the venerable Dr Wayne Brighton for enlightening the audience and me about the issues that religious institutions, in particular the Anglican Church, will continue to wrestle with in their canon law after marriage equality becomes the law of Australia. Dr Asmi Wood, an associate professor at the ANU, provided a comprehensive assessment of the legal dimensions of change in the Marriage Act which he had presented to a recent Senate inquiry. This was a great event. Should any of my colleagues in the chamber be fortunate enough to be invited to future discussions run by Forum Australia, I recommend that they take up the opportunity.

### **Mon National Day**

**MRS KIKKERT** (Ginninderra) (4.45): In February it was my honour to join Canberra's Mon community in celebrating the 70th anniversary of Mon National Day, held at Dickson College. This annual observance has been conducted by the Mon people since 1947 in commemoration of the founding of their ancient capital of Hongsawadi in AD 825.

An Italian trader who visited this bustling city in 1583 described it as so filled with temples that he could not number them. The main part of the city was a perfect square, surrounded by gated walls and moats filled with crocodiles. The king, he claimed, kept 800 domestic elephants.

An English visitor to Hongsawadi 200 years later noted that this once powerful kingdom had been reduced to nothing more than a province of the kingdom of Burma. The Burmese conquest of the Mon capital occurred in 1757, and from that time until now, the Mon people have, with great strength and determination, done everything in their power to preserve and reassert their unique cultural identity, language, history and heritage.

Their success in this endeavour over the past 260 years was on full display on Saturday evening, as approximately 200 participants, most of them in national dress, gathered to hear speeches in both English and Mon, share a rich banquet of food and enjoy both traditional dances and a live rock band, all of which I and my youngest daughter enjoyed immensely.

We were graciously hosted at the table of Mon community elder Mr Nai Pe Thein Zar. I wish to pay my respects to him and to the other elders present at the celebration, Elder Nai Bein and Elder Nai Layehtaw Suvannabhum. Mr Siri Mon Chan, current president of the Australian Mon Association, warmly welcomed us to the event.

I wish to thank both him and Mr Din Pla Hongsa, past president of the association and a good friend, who invited me to offer a few words as part of the program.

The Mon people have a long and proud history. Their script became the basis for many other written languages in the region, and it was through the faithful dedication of Mon monks and scholars that Theravada Buddhism spread throughout Burma, Cambodia, Laos and Thailand.

After having faced much persecution in Burma, including the banning of their language and publications, slave labour and forced resettlement, Mon refugees first arrived in Canberra 22 years ago, and today our beautiful city is home to the largest Mon population in Australia. They have embraced their adopted home and, with their characteristic strength and determination, they teach Mon language classes and provide much-needed cultural and social support for fellow refugees.

Appreciating the history and resilience of this community is an important part of what it really means to embrace all Canberrans. I am proud to be a friend of the Mon community and people. Happy harmony week.

### **Heart Foundation ACT**

**MR DOSZPOT** (Kurrajong) (4.48): I rise this evening to mention my annual charity fundraiser. This year my charity fundraiser is “A matter of the heart”. We are supporting Heart Foundation ACT to help find answers to ending heart disease. This will be the 10th year of my charity fundraisers and, together with Assembly colleagues and the ever generous ACT community, we can make this the biggest trivia fundraiser night to date.

With heart disease still being the biggest killer of both men and women in Canberra, there continues to be much work to be done to reduce the burden of this disease. We hope to raise vital funds for research and programs to support the heart health of all Canberrans. As usual, our team includes local radio personality Greg Bayliss, who will join me on stage as master of ceremonies. Along with some amazing auction items and raffles, and with the support of the community, the night should once again provide much-needed funds for a great cause.

I would hope that our Assembly colleagues on both sides would see fit to extend this invitation to family, friends and neighbours and form a table of 10 to compete for the top spot on the night. It will not only be great fun; it is all for a great cause. So come and test your knowledge at an evening of trivia, entertainment, food and prizes. I look forward to seeing you all at the Heart Foundation ACT trivia night on Friday, 30 June at 6.30 pm, at the Hellenic Club of Canberra. The only detail I have not mentioned is the cost of the tickets—\$60 per head or, if you form a table of 10, it is reduced to \$50 per head. So for a table of 10 it is only \$500. Madam Deputy Speaker, I hope that we will see you there on the night as well.

### **Tuggeranong Vikings—sports awards**

**MR PARTON** (Brindabella) (4.50): I rise to make mention of one of my favourite local community clubs, the Tuggeranong Vikings, and their local sports awards, which were held at the Vikings club in the town centre late last month. I was joined there by my colleagues Nicole Lawder and Andrew Wall from this side. Mick Gentleman from the other side was also there. I know that they would join me in saying what a wonderful night it was. It was held down in the lower function area. It was absolutely packed full of volunteers and athletes and their parents and families.

I want to take this opportunity to congratulate the Vikings Group for shining such a positive light on so many grassroots sporting organisations in my electorate of Brindabella. Congratulations to all of the athletes and local clubs.

I make mention of a couple of the winners: Kelsey-Lee Roberts from South Canberra Tuggeranong Athletic Club, who won the Sportsmans Warehouse Outstanding Achievement award, and Ryan Lonergan from Vikings rugby, who won the ActewAGL Outstanding Junior Achievement award.

The Southern Canberra Gymnastics Club level 5 to 10 WAG team picked up the Power Kart Raceway Shield for outstanding team performance in Tuggeranong. Val Chesterton from Calwell Little Athletics won the Coca-Cola Shield for outstanding coaching or officiating. Deanne Booth and Karen Flick from Tuggeranong Netball Association won the Vikings Health and Fitness Centre award for outstanding volunteer contribution to sport.

I am so proud of our local community clubs and what they do in our suburban communities. I note that I do not believe the casino would ever run a night like the Vikings sports awards. Long live our community clubs.

Question resolved in the affirmative.

**The Assembly adjourned at 4.52 pm.**