



Debates

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Legislative Assembly for the ACT

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Wednesday, 16 August 2017

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Wednesday, 16 August 2017

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

Leave of absence

Motion (by **Mr Gentleman**) agreed to:

That leave of absence be granted to Mr Ramsay for today due to illness.

Motion (by **Mr Wall**) agreed to:

That leave of absence be granted to Mr Doszpot from 21 August to 22 September 2017 for a personal matter.

Transport—integrated systems

MR STEEL (Murrumbidgee) (10.01): I move:

That this Assembly:

(1) supports a fully integrated transport network for our growing city that:

- (a) provides Canberrans with convenient and reliable options to leave the car at home;
- (b) supports social inclusion, drives economic development, benefits our environment and reduces congestion;
- (c) encourages an active and healthy community by providing opportunities to incorporate walking and cycling into the daily commute; and
- (d) ensures Canberra remains one of the most liveable cities in the world, as it grows to half a million people over the next two decades;

(2) notes that the ACT Government is building a fully integrated transport network by:

- (a) expanding the active travel network including off-road shared paths, on-road cycle lanes and bike parks, augmented by additional park and pedal locations;
- (b) building a rapid bus network connecting major group centres, supplemented with more Park and Ride facilities, such as a new park and ride being built at Wanniasa;
- (c) expanding Canberra's community bus network to cover all regions of our city;

- (d) implementing an integrated ticket system across all Transport Canberra services;
 - (e) introducing new technology and transport innovations such as electric buses and conducting an Autonomous Vehicle trial; and
 - (f) delivering a city-wide light rail network to provide a mass transit system fit for a growing city;
- (3) notes that, in the 2017-2018 Budget, the ACT Government is:
- (a) continuing construction of Stage 1 of light rail from Gungahlin to the City;
 - (b) investing in the design and procurement of Stage 2 of light rail from the City to Woden;
 - (c) introducing new Rapid Bus Routes, particularly the expansion of the Blue Rapid to Lanyon and the introduction of the Black Rapid and Green Rapid services;
 - (d) procuring an integrated bus and light rail ticketing system;
 - (e) investing in the Community Transport Coordination Centre, incorporating the Flexible Bus Service and special needs transport;
 - (f) providing ongoing funding for the 182 Weston line bus service and continuation of the Free City Loop bus service; and
 - (g) building a range of new bus stops throughout Canberra, particularly in Gundaroo, and on Athllon Drive in Kambah and Wanniasa;
- (4) calls on the ACT Government to deliver Stage 2 of the city-wide light rail network to Woden; and
- (5) calls on all Members of the Assembly to support a city-wide light rail network for Canberra.

By 2031 there will be almost half a million people living in Canberra, and by 2061 we could see between 612,000 and 904,000 fellow Canberrans living in our vibrant city. We need to adapt to improve mobility around our city for the future now. That is why our government has a positive plan to build a better transport network to keep Canberrans moving and to meet the needs of our growing city. We know that if we do not make the right transport decisions in the present, our fate will be to suffer Sydney's reality.

It would be simple and easy to propose that we put more cars on the road, build more road duplications and add more buses, but that will not solve our problems. It will create an unliveable city of gridlock in the future. That is why it is critical that we build Canberra's transport system to meet its greatest possible potential, with our city's first mass transit system in the light rail project, and we need to think about how

every form of transport can be improved and linked up with one another to create a seamless network. This is what the ACT government is doing, from active travel—walking and cycling—to driving, to buses and rail. It is about taking a holistic approach that considers the range of different ways that Canberrans move around our city every day.

The most basic form of transport is walking, and the ACT government has put in place a range of measures to promote and improve active travel such as walking and cycling around our city. According to the 2016 census data, my electorate of Murrumbidgee has the oldest average age in Canberra, at 39 years old. Many elderly residents, particularly retirees, are very active walking around our suburbs to the local shops, and walking the last kilometre to and from bus stops.

Active living integrates physical activity with our day-to-day life. Fundamentally, the ACT government's vision for Canberra is a healthy, active and vibrant city. This means ensuring that our city is well connected, compact and equitable. For these residents, I am pleased to say that the ACT government is investing \$1.5 million in the expansion of our age-friendly suburbs program, to deliver improvements in the suburb of Hughes, making it more accessible for older residents. These upgrades include more walking and cycling infrastructure, more road crossings, the expansion of narrow and incomplete path segments and the installation of additional seating.

Along with walking, cycling is a critical part of the government's active travel agenda. It is a mode of transport that Canberrans embrace and use more compared to people in other Australian cities. We are working to improve cycling connections, and we have rolled out our new park and pedal scheme to assist Canberrans to cycle the final leg of their journey to work. This project facilitates people who drive the bulk of the journey to park their car and then cycle the rest of the way.

Many people in the region, including me, travel on the Tuggeranong Parkway to get to work in Civic. The initial Lindsay Pryor National Arboretum site, launched earlier this year by my colleague Bec Cody, will provide a launching pad for city commuters, and the Caswell Drive stop at Glenloch interchange provides a launching pad to Belconnen.

The government is also making using bikes around Canberra easier through \$200,000 of investment in new bike racks throughout Canberra, including at some of the group centres in my electorate. In addition the government's new bike stop scheme will partner with small businesses throughout Canberra, such as cafes and pubs, to assist cyclists by opening up at least two facilities cyclists can access, such as water, toilets, tyre pumps, irons and ironing boards, as well as hair dryers, showers, lockers, and even more.

I was very pleased to hear Minister Fitzharris in her ministerial statement yesterday when she said that bike share, ride share and on-demand services will all come under careful consideration from our government as we deliver Canberra's integrated public transport network. Ride-share services have been used successfully in many cities around the world and are something that we should look at.

Our city is connected through 3,000 kilometres of roads in a network and our government is investing in new road infrastructure to meet the needs of our growing city, and the maintenance of our existing roads. We are investing \$199 million in road infrastructure in this financial year alone, including duplicating the Cotter Road between the Tuggeranong Parkway and Yarralumla Creek.

As the Molonglo Valley continues to grow, we are investing in even more road infrastructure in the region. Works have begun on \$33 million in infrastructure to grow Molonglo, which includes duplication of Coppins Crossing Road south from William Hovell Drive towards the Molonglo Valley, along with preliminary investigations into a new link from John Gorton Drive through to the Tuggeranong Parkway, which at the moment is known as the east-west arterial road.

In the future, roads in the ACT will provide the platform for the growing number of electric cars and eventually autonomous vehicles on our roads. I am pleased that the ACT government is investing \$1.35 million from the budget to fund a trial of self-driving technology in the ACT.

Like many Canberrans, I have been enthusiastically following the development of self-driving vehicle technology. Coupled with reliable and cheaper electric vehicle technology, autonomous electric cars have the potential to replace conventional vehicles in the future, and we will all benefit. The ACT government has already lowered duties for fuel-efficient cars and provided electric-car charging stations across the territory. We are also lobbying Waymo and Tesla to test more driverless car technologies in Canberra.

It is clear that self-driving cars are on their way. While some advanced driver assistance technologies are already here, they will become much more sophisticated over the next few years. Fully driverless technology will take longer to develop, however. Nonetheless driverless cars are definitely a part of our future.

Electric cars are already here and are gradually becoming more affordable. The first deliveries of the lower priced, and aesthetically pleasing, Tesla Model 3 will take place in November this year in Australia, and will include inbuilt semi-autonomous driverless vehicle technology with the capacity for fully autonomous upgrades. I had the opportunity of driving a Tesla Model X last week with the Electric Vehicle Council and to test out some of the semi-autonomous vehicle's features.

Bloomberg New Energy Finance analysis has predicted electric cars will generally become cheaper than conventional cars by 2022. The combination of electric and autonomous vehicles has the potential to provide significant environmental benefits, increased safety through reduced human error and an increase in leisure or work time for commuters while en route to their destinations.

Importantly, though, we must recognise that autonomous vehicles will not displace the role of mass transit systems like light rail. Cars are still cars, and they will still cause congestion, autonomous or not. A mix of transport solutions, with autonomous

electric vehicles, active travel and a mass transit system like light rail, will all have a role to play in moving people around Canberra in the future. However, for the immediate future, many Canberrans—like those doing school pick-ups—will still use their cars. But the ACT government is giving drivers more options to get about town while avoiding congestion.

As part of these efforts, the ACT government has been rapidly expanding our park-and-ride services, building car parks throughout Canberra at key locations along our rapid bus routes, allowing people to take short trips from their house to the bus stop and then ride a bus for the bulk of their journey, saving them from the stresses of congestion and high petrol costs, and allowing them to do that little bit extra for the environment as well.

Bus transit is still the backbone of Canberra's transport system and will remain an important part of our integrated approach to transport in the future. The government has just announced its new partnership to develop an electric bus trial for Canberra, as part of our efforts to reduce transport-based emissions, which are forecast to soon make up the majority of the ACT's greenhouse pollution.

The integral nature of buses in our city's transport future is why the government is expanding our rapid bus routes. The ACT government has also invested in a new green rapid in my electorate, which will take commuters from Woden to the hospital, through the APS hubs of Manuka and Barton, and on to the city every 15 minutes. The first two months of the service will be completely free. To service the growing population in the Molonglo Valley, we have committed to continuing the Weston line 182 bus service, after its initial trial.

Older Canberrans and people with a disability have been able to take advantage of the government's free flexible bus service, which offers customised taxi-like journeys for Canberrans with mobility issues. This service is particularly useful in taking residents to medical appointments that are a bit too far out of their normal way. Of course, seniors and concession cardholders will also benefit from the government's decision to provide off-peak public transport travel for free. To cap off all of this, the government is also increasing bus stops along major routes like Athllon Drive, including in Wanniasa and my home suburb of Kambah.

Light rail was resoundingly endorsed at the election last year and at the election in 2012. Our city-wide light rail network will provide a mass transit system for our growing city, taking cars off the road for commuters and linking with other transit modes. The government is now powering ahead with stage 2 of light rail, which was also resoundingly endorsed at the ACT election.

The government has appointed commercial advisers, technical advisers and advisers on communications and engagement. It is clear that things are already underway for stage 2 of the project. We are investing \$41 million over the forward estimates to advance the second stage of light rail between the city and Woden by developing a business case following investigations into route selection, design and procurement methodology, along with an urban renewal strategy. Combined with the new bus

depot to be built in Phillip, stage 2 of light rail will transform Woden town centre into a public transport hub and provide a catalyst for regeneration after years of cuts and relocations of the federal public service.

We know that light rail is not just about moving people around the city; it is also about the opportunity it creates as a multiplier for both jobs and regeneration, particularly through transit-oriented development. I am excited that the government has already begun the public conversation and conducting consultation processes on the potential route alignments and stop locations for stage 2, and this will continue as the preferred route and business case are developed.

In conclusion, every mode of transport, from active travel to mass transit, is part of the ACT government's integrated approach to keeping our citizens moving. Our traditional modes of transport are being enhanced and connected with new modes. The government is investing in the new technologies of the future, whether they be electric buses or electric and autonomous vehicles and, importantly, we are investing in a mass transit system fit for our growing city in light rail.

In building a better integrated transport system, the government is stimulating our economy and giving new local jobs, as well as regenerating our neighbourhoods; good reasons for all members of this place to get on board.

MR COE (Yerrabi—Leader of the Opposition) (10:14): The opposition welcomes another opportunity to talk about light rail. Whilst I think many people in this place would have thought that the conversation would largely cease, it is good to see that the debate in this chamber continues. It is not quite a weekly debate as it was last time but the occasional debate in which we are all well versed. Canberrans, of course, have been engaged in this subject for a few years. We contend the government's mandate of 2012, but there is no doubt that light rail is happening and should happen between Gungahlin and the city as per the mandate of 2016. We will continue to scrutinise that project, as we will scrutinise all projects this government does, especially ones with such massive price tags, even a 10-figure price tag.

The Canberra Liberals believe efficient and cost-effective public transport forms an essential part of our city. We committed to undertake substantial reforms to the ACTION network during the last election, many of which have been adopted by the ACT government, and I hope many more are adopted over the coming years. I believe the contribution we made to bus rapid transit and to bus transit right across the city is one that has not ever been seen from an opposition in the ACT before.

Unfortunately, successive Labor governments have failed to deliver meaningful reforms to ACTION. That is why when you look at the statistics you see there were 10 million more passengers riding ACTION in 1989 than today. That is an extraordinary figure.

Ms Fitzharris: Trips.

Mr Coe: It is interesting that the minister should interject saying it is trips, yet she will also talk about the 16,000 “people” who are going to use light rail each day from Gungahlin to the city. That is actually trips also; the number of people is probably more likely to be 8,000 using light rail each day. She does not have a problem with using the terminology “people” when she is talking about light rail yet when we are talking about buses we cannot say “people” and we have to say “trips”.

What we are seeing is repeated expenditure on light rail and continued denial about the need to service the 95 per cent of Canberrans who do not live within walking distance of light rail. It is absolutely vital that we improve the transit times for all Canberrans and that we do not just blindly think that a spine network is going to serve all Canberrans. It is certainly going to be a big part of it, but it is not going to serve all Canberrans. We have to make sure that where we have forced transfers those transfers are smooth and efficient. People do not want to have to go backwards. Psychologically it is very important that we do not have a situation where people have to go back three or four kilometres to then go forward 12 kilometres, and that is one of the risks that exists with stage 1 of light rail for suburbs such as Crace or Palmerston but also potentially for some of the Belconnen suburbs as well. We have to make sure those transfers are as smooth as possible.

The government is moving ahead with stage 2 and we, like many Canberrans, eagerly await what they are going to do with regard to the alignment. The government is in a tricky situation: is it an all-stops service or is it a commuter service? What is the purpose of this? If it is going to be about commuter rail and people feeding in and transferring on to the tram, it has to be a fast service. But if we are going to have a stopping-all-stops service, that is not commuter rail and it makes the idea of transferring on to it a little bit contradictory. The government has to make some significant decisions with stage 2 as to the number of stops and the alignment. Whatever they decide to go with will have a significant impact on how they should shape the bus services and whether you have non-stop bus services, for instance, going from Tuggeranong and Weston Creek to the city and not needing to transfer onto light rail or if it is going to be a fast commuter service with very few stops then you might be able to tolerate having buses transferring onto it.

It is an important decision that has to be made by the government and we eagerly await what the rationale will be. If it is going to have five or six or seven or 10 stops between Woden and the city, the benefit of getting a bus from Weston Creek to then hop onto a tram that is going to stop five or six or seven times between the Cotter Road and the city is going to be pretty marginal, especially if you have already gone 60 per cent or 70 per cent or 80 per cent of the journey on a bus. It is some strategic thinking that I hope the government is undertaking, but it is important all the same.

If they are going to do a stopping-all-stops service I would argue that the buses should run direct from Weston Creek to the city and buses should run direct from Tuggeranong to the city as well. However, if they can do a seriously fast service from Woden to the city maybe you can justify having buses feed in and having the forced transfers. But one way or another some important strategic decisions need to be made and at this stage the government has not really shed any light on which direction they are heading with that, especially with regard to the feed-in of bus services.

The Canberra Liberals were quite willing to try to negotiate on this motion by moving an amendment that would call on the government to put together some evidence to support the overall light rail strategy. It is all very well to put out a master plan with lines on a map, but it would be good to have that substantiated with evidence. I note that the 2003-04 KBR study and the 1994 Booz Allen Hamilton study did some thorough work regarding projections for the next 20 years. The 1994 Booz Allen Hamilton study made assumptions with low, average and high scenarios about populations and patronage and drew some conclusions based on those assumptions. Of course assumptions can change, but they at least give some evidence or some perspective as to the optimal rollout for light rail.

If we are going to have a light rail rollout, the staging is extremely important. If the staging is done appropriately you should be able to maximise patronage on the earlier stages as well as the stage that you are adding to the network. For example, by adding stage 2 to Woden you are increasing demand from Woden to the city, but hopefully you are also increasing demand from Gungahlin through the city and on to somewhere on stage 2. That is why that staging analysis is so important and that is why we are disappointed that there has not been appropriate analysis published about the benefits of Belconnen to the city and also city to Russell or city to the airport. It is my hunch—there is no evidence so hunches are all we have got—that the Belconnen to the city leg would probably do a considerable amount for stage 1 as well, but without the evidence it is very hard to make a definitive call. Whilst the government may have that in house it certainly has not been released publicly, and it certainly was not released before they committed to stage 2.

How do we know that the optimal route for stage 2 was to go from Woden to the city as opposed to city to the airport or city to Belconnen? Without the evidence we simply do not know. I imagine that the government has done that work, and therefore what we were proposing to move through an amendment was common sense and would be the best case scenario in terms of providing evidence. But it seems the Greens are not willing to support replacing number (5) with a call on the government to undertake and publish staging analysis for all stages identified in the 2015 ACT light rail master plan as per the 1994 Canberra light rail implementation study and that the analysis should include but not be limited to estimates for demography, patronage, possible route alignments, capital costs, operating costs and finance operations.

We are happy to either replace (5) or add this as a new number (6), but it seems that neither the government nor the Greens are willing to entertain that, which is disappointing, so there is little point in moving that amendment. We are disappointed that the government seems so reluctant to provide an evidence-based approach to the staging of light rail. Where is the analysis which demonstrated by comparison that Woden to the city was the optimal route for stage 2? Where is the analysis to show the optimal stage 3 and optimal stage 4 and optimal stage 5 routes? It is so important to reaffirm the investment of past stages to get the next stage right, but the fact that the government will not do this work despite similar work having been done in 1994 and in 2003-04 is frustrating.

In light of the fact that neither the government nor the Greens will support my suggested amendment it makes it very difficult for us to support what the government is proposing.

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (10.27): I thank Mr Steel very much for bringing this motion forward today: another opportunity to talk about the future of our city. I note that Mr Coe again, as he did in the last parliament, can only think to start any discussion about an integrated transport network with light rail. I note and welcome Mr Coe's recognition of the government's mandate of 2016, and that mandate relates to the delivery of a city-wide light rail network.

I look forward to the opposition supporting this motion in full because we know that if the outcome of last year's election had been different light rail would have been consigned to the dust bowl of transport development in the ACT. Light rail would never have been developed in the ACT. There would be no discussion about staging because it would be off the radar for a generation at least. We also know that if we were debating a Liberal budget at this point we would be debating the tearing up of a contract, the sacking of hundreds of staff and the wilful pouring down the drain of up to \$250 million of ACT taxpayers' money to buy nothing other than the sacking of hundreds of workers and an eight-lane concrete highway along Northbourne Avenue.

I am really pleased to be talking about an integrated transport network, which is the focus of Mr Steel's motion. As we have seen very recently, not only is Canberra one of the most liveable cities in the world but it is growing rapidly. Our diverse and vibrant city is growing faster than any state or territory over the past five years with more than 40,000 new residents, an increase of 11 per cent, the highest in the country. In the next 20 years our population will grow to half a million. As a result we need to build a smart, integrated public transport system that is easy to use, sustainable, reliable and convenient.

The benefits of this transport system for our community are substantial. It will support social inclusion, drive economic development, maintain liveability and reduce congestion and greenhouse gas emissions. As the minister for both transport and health and wellbeing I am very aware that a fully integrated transport network can help to support a more active and healthy city. We are focused on encouraging more people to walk, run or ride to work, and an integrated public transport network makes it easier for Canberrans to take more active travel options between work and home and opportunities for incidental exercise before and after journeys. Of course, linking mass transport systems with residential development, areas of employment, study, retail and entertainment also helps to build exciting, liveable communities, mixed-use precincts and a sense of place

Last year this government established Transport Canberra with a clear mandate to deliver the ACT government's vision of a quality public transport system that is

convenient, efficient, affordable, reliable and integrated. We are making significant investments in Canberra's future transport network to support our growing city, to improve customer experiences and to achieve financial sustainability. These investments will help consolidate the move toward an integrated multi-modal transport network and achieve the government's vision of a compact, connected, competitive and sustainable city.

To plan for our growth, to reduce congestion and improve our liveability, we must improve our public transport system. That includes buses, light rail and active transport options as well as exploring innovations in transport technology. The government is interested in not just talking about the benefits of an integrated public transport network; we are getting on with the job of building and enhancing it.

This 2017-18 budget makes many significant investments in ensuring that Canberrans have a quick and reliable way of travelling around our city. Thanks to this budget we will invest \$65 million over four years to make our public transport network even better, including \$53.5 million for the second stage of light rail; \$7 million for free travel on two new rapid bus routes, free off-peak buses for seniors and concession card holders and to continue the free city loop, the airport route and route 182, the Weston Line services; \$2.1 million to progress the procurement of an integrated bus and light rail ticketing system; \$1.7 million for faster bus travel through bus priority infrastructure, bus service improvements and new bus stops; and invest in better community transport services across the ACT with \$8.3 million over four years in community transport, including the community transport coordination centre, expanding the flexible bus service and special needs transport for schoolchildren with a disability.

Our modern and growing city needs a modern and growing public transport system with light rail at its core. Future ACT residents will see the delivery of Canberra's light rail network, extending this modern mass transit system to shape Canberra for the future. The light rail network will boost Canberra's sustainable growth by changing and improving transport options, settlement patterns and employment opportunities. It is fundamentally about liveability and mobility for our community.

It is, of course, the largest infrastructure project in the territory's history. Investment in an infrastructure program of this size creates jobs and opportunities for many years to come. I am pleased to say that stage 1 is progressing well, with project milestones on track along the Gungahlin to city corridor. Following community engagement and expert analysis last year, which built on many years of analysis and community engagement, the route to Woden was selected as the next stage in a sequenced future development of a city-wide light rail network. Stage 2 was taken to last year's election, so referring back to Mr Coe's mention of the mandate of 2016, that mandate very clearly included stage 1 and stage 2.

Building stage 2 of light rail will mean a 23-kilometre public transport spine for our city, connecting employment hubs, community and social services and travellers from the north to the south of our city. A number of options were considered in earlier community engagement this year. Two options provided for a route that follows State

Circle around Parliament House and along Adelaide Avenue terminating at either Woden town centre or the Canberra Hospital. Two alternative options follow a route through Barton and Parkes before continuing along Adelaide Avenue and again terminating at either the Woden town centre or Canberra Hospital.

Throughout May and June of this year we asked all Canberrans for their feedback on these light rail route options, selection of alignment and stop locations. We received feedback from the community and it will be added to the technical and expert analysis the government has been doing over the past six months to form a business case for government's consideration later this year or very early in 2018.

We will continue, as we have done over the last term of parliament, to provide considerable opportunity for community engagement, for sharing with the community the information our technical and expert advisors have provided to us. We committed to that last term; we will commit to it again this term. This inevitably is an iterative process informed by expert analysis. There will be a number of key decision points for government in the coming months, and I look forward to soon releasing a light rail update that informs the community about progress on stages 1 and 2. Importantly, I say again that that will include expert analysis from our technical advisors as well as input and feedback from the community.

We will provide that to the community and to our stakeholders for information and then we will have a very open and transparent approach to the delivery of this infrastructure project, as we did in stage 1. Indeed, that was the most open and transparent process for any government on any major infrastructure project in Australia. It is now a leading example of openness and transparency on a major infrastructure project.

As I have also said, the Woden to city corridor presents different challenges and opportunities to the stage 1 route. Despite this, we will continue to work very closely with our partner the National Capital Authority as well as with stakeholders and the broader community. We will also be providing additional bus services, including two new additional rapid routes later this year, and I look forward to quite an extensive update of our entire bus network next year, particularly anticipating the beginning of light rail operations from Gungahlin to the city. I also look forward to informing the community about our commitments to deliver more bus rapid routes and more active travel infrastructure so we can truly build an integrated public transport network for our city.

MS LE COUTEUR (Murrumbidgee) (10.37): I am very pleased to be able to spend some time this morning talking about making Canberra more sustainable. One of the major ways that we will do this is by having a more sustainable transport system. A more sustainable transport system, of course, is also what underpins a more sustainable form for our city, to stop us sprawling out forever, to keep us at a size where our transport system will work.

The Greens obviously have been pushing for cities, and Canberra in particular, to be more sustainable since the beginning of the party. We have been pushing for a more

sustainable transport system pretty much from the beginning. For many years, of course, nobody really listened. I think it is great that we are now making headway towards a more-sustainable future for the ACT. I think this motion from Mr Steel encapsulates how far we have come in the past 13 years.

Back in 2004, the then-ALP government—this is before the Greens-ALP governments started in 2008—released its sustainable transport plan. The plan was based on the best available—“best available” as they saw it—transport economic research and modelling. The plan found that the best transport system for the ACT from an economic perspective and a transport engineering perspective would be a much more sustainable system. It would have much less car use and far better sustainable transport options. The plan included detailed targets and a suite of actions to create a more sustainable system.

What happened? Basically, it was ignored. The plan was gutted in the 2006 slash and burn. ACTION got a huge budget cut and services were slashed. The government then kept on with business-as-usual capital works. Every year roads infrastructure spending was much higher than public transport infrastructure spending. The inevitable result of cutting back on sustainable transport was that not many extra people used it.

But now, with the ACT into its third Greens-ALP government, there has been a complete shift in the debate. This is really great. There has been a huge shift in priorities towards a more-sustainable Canberra and a more-sustainable transport system. To highlight this, I compare the parliamentary agreement for the Seventh Assembly with the current one. On active travel, the best the Greens could get in the Seventh Assembly was: increase recurrent funding for cycling infrastructure to \$3.6 million per annum, provide \$2.5 million to address the maintenance backlog, implement signage on the cycling network and provide an extra \$500,000—half a million per annum—above the then current levels for footpath upgrades and maintenance.

But for the Ninth Assembly, this Assembly, the parliamentary agreement has \$30 million for additional priority footpath maintenance, cycling and walking route upgrades and age-friendly suburb improvements. This is a huge shift. We have gone from \$12 million to \$30 million from the Seventh Assembly to the Eighth Assembly to the Ninth Assembly. This is really great. This is the list of sustainable transport investment that underpins Mr Steel’s motion.

It is also really positive that as well as the ALP having moved a long way over the past 13 years in terms of sustainable transport, active transport and a sustainable Canberra more generally, the Liberal Party is starting to head in this direction. This is very positive. From what I can see, the last Assembly spent its time just attacking and counter-attacking over light rail. It was great not to be here to listen to it. Week after week the *Canberra Times* was reporting on some Liberal light rail attack on the government, or the government’s attack on the Liberals. Frankly, I would have to say that the vast majority of the Canberra community was utterly sick of this by the election.

So far, this Assembly has been different. I think this is because Mr Coe and the Liberals heard the community's message that they do not want another term like the last one. There have also been other encouraging signs that we might be seeing a tripartisan shift towards evidence-based transport policy that is less about building roads and more about providing better sustainable options.

The Liberals could have gone to the last election with a policy of no light rail and shut down public transport. Certainly that was Tony Abbott's position. However, they went to the election with a transport policy which included a considerable expansion of the bus network. That was actually quite good. It was not as good as the Greens one, of course, but it was a vast improvement on what it could have been and what it has been in the past.

Maybe I should at this point talk about the amendment which Mr Coe did not move. As he said, we indicated that we were not going to support it. Basically, the reasons we were not going to support it are because at this stage the government simply has not got the information that Mr Coe is calling upon.

Mr Hanson: I thought you were evidence-based, Caroline.

MS LE COUTEUR: Mr Hanson, it is very hard to speak with you interjecting all the time. I have total sympathy for the Liberal Party in asking for this information. As I have discussed with the minister for transport on more than one occasion, I think the Canberra community needs to be provided with as much information as possible.

Apart from anything else, this is needed for meaningful public consultation. There is no point asking people what they would like or dislike if they do not know enough to make a choice. I do have great sympathy for Mr Coe's non-amendment. However, I think that unfortunately the situation is this, and in effect to some extent Mr Coe highlighted this in his discussion about the decisions that have to be made: the government unfortunately is not in a position to make this level of analysis. It is going to be a 20-year project. I agree that more information would be positive. I am hopeful that more information will be coming forth from the government on this.

Moving away from the amendment that was not moved, I would like to highlight a few things that the government is doing, often on the basis of a Greens initiative, for a more sustainable Canberra and in particular more sustainable transport for Canberra. Bus route 182, the Weston line, is one that the Greens are very happy with. As a local member, I am particularly happy about it, because people in Weston Creek have been complaining for many years that the only way to the city was via Woden town centre. They were complaining back in the Seventh Assembly. It is good that it took only until the end of the Eighth Assembly for this to be changed. I am very pleased there is now a direct service all day on weekdays. I hope that soon it will start running on the weekends and that the frequency will increase soon so that it is a rapid service, not just a 30 minute service.

I have already touched upon the \$30 million for active travel in the parliamentary agreement, but it is worth highlighting. An instalment towards this is in the current budget. Part of this is going to go for the Belconnen bikeway, which will be a particularly good fix for a long-term black hole in a busy part of the cycling network. I look forward to the remainder of the \$30 million coming through in future budgets. I would point out that there is quite a bit of work needed, particularly in the Woden town centre.

A further point I highlight, which is also great for the Kambah part of my electorate, is the Wanniassa park and ride. It is just over on the eastern edge of Kambah. It is next to the bus stops on the Blue Rapid. It has large shelters and new footpaths. This is going to make it much easier for Canberra residents, as well as Wanniassa and Tuggeranong residents, to use the Blue Rapid. I would have to say, as someone who uses the Blue Rapid regularly, that it is a very popular route. It is usually standing room only. I think the only downside with the park and ride is the possible need for more buses on the Blue Rapid, particularly in the morning peak which, as I said, is often standing room only.

I will finish with two items that I do not think that we have right yet. They are important ones. Footpath maintenance is a very important one. That was certainly a message that I got very strongly in my doorknocking over the last election period. The Greens have been pushing for this forever. We have included path maintenance in the three parliamentary agreements.

It is because many of our paths are old and they need maintenance. The impact of poorly maintained footpaths can be absolutely huge. I met people last year who were prisoners in their houses because the footpaths near them were such that they did not feel safe to walk on them. This is an indictment. Many of the older suburbs, of course, do not have footpaths. While sometimes that is okay—the roads have little traffic and are unused enough to make walking down the middle of them viable—it is hard to say that it is ideal.

A second issue is bus services to new suburbs. This one seems never to go away. We had this discussion with the new suburbs of Molonglo. We were assured that the bus service would be there as soon as the people. Unfortunately, that did not turn out to be the case. Sometimes it does work out, as has happened with Denman Prospect at the moment. It has the 182 service, even though there really are very few people in Denman Prospect right now. I have been told that the new suburbs at Riverview and Ginninderry will in fact get buses as soon as there are people there, and I think that is absolutely great.

However, at other times we are still ending up with new homes that are a very long way away from bus services. This is happening right now in Moncrieff in Gungahlin. Presumably, soon this is going to be happening again in the electorate of Murrumbidgee. The suburb of Whitlam is on the land release program. It is on the north side of Molonglo River. The first homes are going to be over three kilometres from the nearest current bus service.

I would really like to see the government address this as soon as there are people living there. Once you move into a new house you work out how you are going to do your transport. If there is no public transport you will get your patterns going and you will end up, when it is eventually provided, not using it.

In conclusion, I support Mr Steel's motion. I think it is great that all parties in the Assembly are taking Canberra's transport system very seriously. We are starting to put the intellectual energy and enthusiasm into creating a sustainable transport system for Canberra in the future, rather than just staying with the NCDC's old car-based system.

MS CODY (Murrumbidgee) (10.49): It gives me great pleasure to rise today in support of Mr Steel's motion on integrated public transport. In particular I would like to highlight how integrated transport can lend itself towards creating active and vibrant communities. I make no secret of the fact that being active has been a consistent part of my life. I am proud to say that since my childhood this city has come a long way in creating vibrant opportunities for sport, transport and inclusion.

Recently I was reminded of the ad that outlined the updated Australian Capital Territory internal omnibus network. The television commercial—

Mr Coe: Not "Feel the power of Canberra"?

MS CODY: That is it. The television commercial that ran highlighted the new routes, times and services for the new look bus network coming to Canberra. When watching this ad it took me back to when it was first aired in 1988. I was reminded of how far the ACTION network has come in a relatively short period of time.

Canberra is a great place to live and be active. With a longer life expectancy and lower rates of illnesses, the ACT prides itself on being the healthiest place in Australia. That is why the government is promoting active lifestyles through our integrated travel and active living agenda. Integrated travel incorporates physical activity into our daily routines leading to interactive communities while also addressing problems associated with a lack of exercise and obesity that are causing lifelong illnesses.

When people walk or cycle they have more social interactions and there is a collective reduction in hospital admissions and costs. By building activity into everyday life we incorporate much of what Canberrans value: open spaces, improved wellbeing and supportive community infrastructure.

With a number of city-wide programs under the active travel banner, the government is finding innovative and diverse ways to encourage activity through transport integrations such as cycling, walking, busing or, soon, hopping on the light rail. My interest in this space is longstanding and aligns with my passion for seeing Canberra become a healthy, active and sport-loving city.

As Mr Steel has already mentioned, in February this year I helped launch the park-and-pedal scheme at the National Arboretum. It allows Canberrans to combine their commute to and from work with a short bike ride. But the park-and-pedal scheme is not a stand-alone one. Park and ride also offers Canberrans the opportunity to integrate driving, a brief walk and bus riding.

Anyone driving, cycling or taking the bus up and down Athllon Drive will notice that the park-and-ride facility at Wanniasa is coming along brilliantly. This is a much-needed facility for the Kambah area servicing students, families and workers during the busiest time of the day. When I was doorknocking the Kambah area during the election campaign, many residents spoke about what having a park-and-ride facility nearby would do. It would be a fantastic priority for a number of local residents.

This is another example of how the ACT government is listening and delivering vital city services to the local community. Earlier this year Canberra also celebrated Walk and Ride Week, which encouraged locals of all ages to walk and ride to school or work and to catch public transport as often as possible for local journeys. Walk and Ride Week and National Ride2School Day are essential to building healthy lifestyles at an early age. They lay the foundation for a life of engagement, activity and sport.

As already noted by Mr Steel, Minister Fitzharris launched bike stops across Canberra this month. This great initiative will encourage cyclists and businesses to work together to encourage active travel options. I am looking forward to leaving my motorbike and L plates at home and accessing some of these opportunities when they come together and being exposed to Canberra's fantastic local businesses.

The government recognises that opportunities for active and integrated travel build active lifestyles. That is why the government remains committed to building diverse transport options incorporating light rail, buses and cycling for those living in Canberra now and into the future. I am happy to support Mr Steel's motion.

MS CHEYNE (Ginninderra) (10.54): The story of Harry Potter has been capturing the hearts and minds of readers for nearly two decades. JK Rowling spun us a new world of magic, courage, friendship and betrayal that has enthralled a generation. As we know, the books took on a life of their own. And what began it all? A train ride. JK Rowling was catching a crowded London train in 1990 when a scrawny, bespectacled boy visited her imagination.

Opposition members interjecting—

MS CHEYNE: Calm down. Public transport is good not just for the environment and your wallet, it can also provide a time for reflection and creativity; a time for catching up on your emails and messaging with friends and family—as some of our members are doing now—a time to get lost in your thoughts; a few peaceful moments in a bustling life.

Active travel is another option for the daily commute, and there is an opportunity to help our environment, your budget and your mental, physical and emotional wellbeing, all while getting yourself from A to B.

The ACT government has been committed to improving transport options around Canberra for many years and, while we might not have our own Harry Potter story yet, it is clear that we are reaping the benefits in other ways. We have some of the lowest weekly travel times in the whole country. Our ease of movement is an important factor that sees us consistently ranked as one of the most livable cities in the world. Part of this is due to our size, but it is also greatly aided by public transport and active travel networks that are effectively supporting our city.

In my own electorate of Ginninderra, the suburbs are well served by a number of bus routes reaching from the outer suburbs through the town centre and on to the city and beyond. During peak hour, you usually will not have to wait any more than 15 minutes between buses, and often less. To top it off, our buses are clean and safe, and my bus drivers always have been quick with a smile. It is an all-round pleasant experience every time.

Our wide streets, vast footpath network and clean air also lend themselves to an active and healthy lifestyle. As you know, we are the cycling capital of Australia, and we continue to leverage our outdoors advantage as the bush capital. We established the active travel office in 2015 to guide active travel developments across the city, and in recent years we have seen improvements to the inner north bike path, widening of footpaths on Northbourne Avenue, age-friendly upgrades in Kaleen and Monash, and new biking facilities around town. And we are only just getting started.

Enter light rail. Fast, reliable and powered by renewable energy, light rail will be a defining feature of the Canberra of the future. As the main road arteries into the city slow down with our growing population, light rail will provide an attractive option for commuters. Once stage 1 is complete, peak hour will be easy for those along the city-Gungahlin route. Show up at a stop and a light rail vehicle will be along to collect you within six minutes. Travel times will be reliable and vehicles will be equipped with modern comfort.

We are investing \$2.1 million on an integrated ticketing system that will allow contactless and mobile phone payments, so ticketing should be no barrier to travel, with seamless transfers and modern payment options. And our bus network is being remodelled to ensure a fully integrated service once light rail comes online.

We are already seeing the benefits of this transformed project as it creates new economic opportunities and jobs in our city. Local construction workers, tradies, professional services and plant and material providers are all contributing to this project. The ripple effects have also been significant. Urban renewal is underway along the Northbourne corridor, with new residential developments and commercial opportunities cropping up at a rate of knots. These projects, too, are contributing to our economy and helping to meet the growing housing demand.

We have now started work on stage 2 from the city to Woden. The budget commits \$53.5 million to the design and procurement of stage 2, and a consultation summary report on community views is currently being drafted.

It is unfortunate that the Canberra Liberals were not able to perceive the significant benefits that light rail would bring to Canberra, despite the overwhelming support of the Canberra community for this project. The Liberals' preference to rip up the contracts for light rail would have wasted \$250 million of ratepayers' money and denied our city the significant benefits that would have flowed from this project.

We continue to focus on improving our bus network across the city. In addition to the network remodelling, we will have more routes, more stops and better buses. The rapid bus routes have proved extremely popular as a quick transport option that requires minimal planning. I am a frequent user of the blue rapid 300 series, and I can personally attest to this. The frequency of these buses means that people do not have to plan their time around their bus schedule; they can simply show up, knowing that a bus will come by every 15 minutes, usually better.

We are now expanding the rapid bus options across the city, including introducing two new rapid routes. In my electorate, I am excited to see that there will be a new black rapid route between Belconnen and Gungahlin. These two town centres have both experienced substantial growth in recent years. This new rapid service will answer the need for a quick and easy cross-city connection for those who work or relax across the two town centres. Even better, the government has committed \$150,000 to allowing people to travel for free on the new rapid services for the first two months.

There are a range of other projects underway to continue improving our bus services. The bus replacement program is ongoing, and it was announced this week that two electric buses and one new hybrid bus will hit Canberra roads next month as part of a 12-month trial. The free city loop will be continued, and we are investing in the community transport coordination centre, which incorporates the flexible bus service and special needs transport.

As my colleague mentioned, active travel is also a priority for this government. The environmental and health benefits of active travel are no secret. We are working on making active travel safe and accessible, to minimise barriers to participation and encourage more people to use the best energy source available to fuel their transport: their own bodies.

I am so pleased that this budget will fund the design and construction of the Belco bikeway, a Belconnen town centre master plan recommendation that will help our community to get on their bikes. The \$4.7 million bikeway will link suburbs around Belconnen town centre with key landmarks, including UC, Radford College, CIT Bruce and Bruce stadium.

The budget also commits funding to extend the age-friendly suburbs program to Page and Hughes to upgrade walking infrastructure. This project will help the elderly and mobility-impaired in Page to get out and about in their suburb.

We recently announced the new Canberra bike stops initiative. This grassroots scheme will let small businesses nominate as bike stops. Businesses may provide facilities such as showers, change rooms, bag storage and bike pumps for cyclists in their area. Participating businesses will be marked on an online map, and may benefit from increased cyclist patronage. The government is also investing in the viability of bike sharing in Canberra and is seeking community feedback on this idea to guide future policy. I encourage everyone to have their say.

The ACT government is committed to providing a public transport and active travel network that is accessible, flexible and fully integrated. We are providing options for people to get out of autodrive in their automobile and enjoy the benefits of public transport and active travel. I think it is, frankly, extraordinary that the opposition thinks we should cease talking about public and active transport. We have done a lot of work here, but there is more work to do and it is absolutely going to continue to be part of the conversations about the future of our great city.

I encourage everyone to explore their local travel options and to make the most of our public transport and active travel network across Canberra, because you never know: it could be the start of your own \$25 billion idea.

MR STEEL (Murrumbidgee) (11.03), in reply: Canberrans voted at the election not to return to the past, with a transport system for our growing city of the future. It was interesting to see Mr Coe strap on his flux capacitor and hold up the omnibus network of the 1980s as the gold standard. It is back to the future with the Canberra Liberals, Madam Assistant Speaker.

The ACT government is building an integrated transport system for our modern city of this century, not the last. The route alignment is an important input into our business case for stage 2, and the government is rightly undertaking that work in consultation with the community. I encourage all members of the community, especially on the south side, to engage with this process as it goes forward and make a contribution to what is their project, which will be one of the largest infrastructure projects in Woden's history.

We have a strange system of government here in the ACT, because sometimes our parliamentary system is not just about holding government to account: it is also necessary sometimes to shine a light on the alternative government and their policies. That is why sometimes we need to give this lot a hard time, to get them to engage in some self-reflection on some of their failed policies. That is the period that we are now in following the election: four more years of opposition. The original motion that I put on the notice paper reflected some facts about the Liberals.

Mr Coe: You dropped it. Why did you drop it?

MR STEEL: We did. I will explain why. They would have wasted \$250 million of ratepayers' hard-earned money ripping up the irreversible contracts for light rail stage 1. It makes the cost of an unnecessary postal plebiscite on marriage equality pale in comparison. It was recklessness that would have threatened the government's economic credibility if they had been elected. I removed those references to give the Liberals an opportunity to demonstrate their support for integrated transport in the ACT, including light rail and light rail stage 2 to Woden.

It is still unclear what the Canberra Liberals' policy is when it comes to integrated transport following this debate today. I hope they use their time in opposition to reflect. It is very interesting to hear the Leader of the Opposition starting the case against light rail to Woden. What do the Liberals have against Woden? It is the key link to be able to expand the network into the future to places like Tuggeranong, Weston Creek and Molonglo Valley. They are all part of our master plan for a light rail network for our growing city. Why do the Liberals not think that the south side deserves the same investment as Gungahlin and the north side? Why not?

Mr Coe interjecting—

MR STEEL: I look forward to seeing your election policies, Leader of the Opposition.

The government has a very clear and positive vision for an integrated transport system for our growing city: a city-wide light rail network. At the same time, we are investing in schools and hospitals and delivering a budget which is in balance. We will continue to deliver our vision to move people around our growing city of Canberra through an integrated transport system, and we hope that one day all members of this place will back that vision as well.

Question resolved in the affirmative.

Crimes (Intimate Image Abuse) Amendment Bill 2017

Debate resumed from 7 June 2017, on motion by **Mr Hanson:**

That this bill be agreed to in principle.

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) (11.07): The bill introduced by Mr Hanson targets a crime that this Assembly condemns unanimously and without qualification. Our approach to this bill and the amendments that the government will be moving to it shows that there is no room for partisan politics when it comes to this important criminal law reform.

Intimate image abuse is where people, often ex-partners, distribute images without the consent of the person in the image. An example of the behaviour that this law will

address is posting nude photos of a person online in order to embarrass or harass them. This crime can cause considerable harm to victims and the community. Intimate image abuse is a weapon to humiliate and demean people, often women and often in family violence situations. Changes in technology mean that the consequences of this crime are more serious than they might have been in the past. An image shared online, for example, can be difficult to remove or remedy and can continue to result in harassment and embarrassment indefinitely.

Changes in technology also mean that our laws need to keep pace. A commonwealth Senate committee released a report on this subject in February 2016 titled *Phenomenon colloquially referred to as 'revenge porn'*. The Senate committee observed that the non-consensual sharing of intimate images is a growing problem in Australia and expressed concern about the limited capacity of the criminal law to cover this type of behaviour. The submissions to the inquiry expressed overwhelming support for legislative change.

A key issue with this crime is that it is often committed using the internet, and that means that the impacts cross borders. That is why, at the 19 May 2017 Law, Crime and Community Safety Council meeting, Mr Ramsay joined attorneys-general from around Australia in endorsing a set of national principles for this type of offence. The national principles are designed to ensure that criminal responsibility is applied consistently across all states and territories, and in a way that meets community expectations.

Mr Hanson's Crimes (Intimate Image Abuse) Amendment Bill follows an exposure draft process that has clearly incorporated elements of the national principles. Between Mr Hanson's exposure draft legislation and the bill he tabled, there has clearly been a willingness on Mr Hanson's part to consider ACT-specific issues and to incorporate views to make this legislation better. Importantly, the new bill recognises the need to refrain from calling this crime "revenge porn". That terminology implies that the crime is somehow related to something the victim did. In reality, this crime is about what choices and actions an offender makes. It has nothing to do with the actions of a victim, and therefore it cannot be called "revenge".

Mr Hanson's bill seeks to create three new criminal offences: (1) distributing an intimate image of another person without their consent; (2) threatening to distribute intimate images; and (3) threatening to capture intimate images. At its core, this bill addresses intimate image abuse. It does so in a way that shows attention to ACT-specific legal issues. For that reason, the government will be supporting the bill with some amendments. Today's debate on Mr Hanson's bill shows this community that, when it comes to this behaviour, we are unanimous in our condemnation, and it shows that in order to achieve effective change to the law we can rise above partisan politics and work together.

I foreshadow that I will be moving some amendments, circulated in Minister Ramsay's name, to the bill which have been developed between all three parties. The government amendments serve two purposes: they will more closely align the bill with existing laws for prosecuting sexual offences, resulting in more predictable

results, and they will bring the bill more closely into compliance with the national principles. These amendments are fundamentally the result of bringing the resources and advice of government to support this tripartisan effort.

Although we have decided that this bill will implement the new crime position, we acknowledge that the contributions Ms Le Couteur and her office have made have been significant as well. Through their close scrutiny of the bill and amendments, we have a stronger outcome. Members will be aware that Ms Le Couteur introduced the Crimes (Invasion of Privacy) Amendment Bill 2017 in the last sitting period. As its title implies, Ms Le Couteur's bill goes beyond just the sharing of intimate images. It covers a wide range of issues in the law of sexual assault, intimate partner violence and privacy.

This broader piece of work has meant that a number of community organisations were able to give their views about the key legal issues in dealing with sexual assault and privacy in the justice system. The consultation process that Ms Le Couteur undertook will inform future work on ensuring that our laws and procedures are focused on protecting victims.

In fact, many of the issues raised are worthy of considered law reform work in their own right. Mr Ramsay asked my directorate to examine the views raised as it analyses the royal commission's recommendations for criminal justice reform. The recommendations, released this past Monday, cover a wide range of issues about criminal laws and procedures and will require a thorough evaluation. The scope and size of this project make it more appropriate for considering and responding to the community viewpoints raised by Ms Le Couteur's bill.

Today, in the spirit of tripartisanship, we have all agreed to support Mr Hanson's bill for its clear and singular focus on the crime of intimate image abuse. And we have all worked together to ensure that, as passed, the bill will appropriately target and criminalise this form of abuse.

For victims of this crime, it will mean that there is now legislation that clearly and directly looks at that behaviour. Prior to today's vote, there were a range of statutes used to prosecute this crime. For example, this behaviour might have been prosecuted as stalking, or as using a carriage service to harass a person. But none of the statutes previously used for this crime specifically targeted non-consensual sharing of an image. After today's vote, the behaviour of sharing a person's intimate images without consent will itself be a crime.

Another feature that all three parties have supported is that the courts will have the power to order offenders to take reasonable action to remove, retract or delete intimate images involved in an offence. It will be a further crime, and there will be further penalties, if offenders refuse to comply. So not only will this bill create a new targeted offence but also it will give the courts the power to order steps to try to minimise the consequences.

The message to Canberrans today is clear: there is no tolerance for intimate image abuse in this community, and we are united in taking action against it. Today's tripartisan vote will mean stronger criminal laws to protect Canberrans, and represents a powerful expression of our support for victims.

MS LE COUTEUR (Murrumbidgee) (11.15): I rise today to agree in principle with the bill tabled by Mr Hanson, knowing, of course, as well that there will be a series of amendments put forward by the government for consideration. As Mr Gentleman said, I am very happy to agree with this, because all three parties—the Greens, the Labor Party and the Liberal Party—have worked together to develop legislation which is better legislation than was originally put forward. It is legislation which will make sharing or threatening to share intimate images a criminal offence. Discussions have been had between all the parties and, as Mr Gentleman said, we and of course the Liberal Party have had input into the amendments put forward by the government today.

The Greens have long pursued this issue. We lead on it. We made it an election commitment last year. I tabled a petition on the issue in March this year, and we did the hard yards in doing the research, doing the consultation and taking the hits in the public discourse to lead the public conversation about it. This bill does not get us everything that we wanted, but it does get a lot, and we will continue to work on some of the areas which we feel require more work.

The exposure draft that I tabled in May this year and the subsequent bill that I tabled in August this year are much broader than what we are debating today. However, this issue is too important for politicking. We will be supporting Mr Hanson's bill with the amendments today and be doing further work. Today we are just going to focus on intimate images and the criminalisation of non-consensual sharing of these images and the threat to capture or share these images. This is why we are not debating Mr Hanson's bill cognately with my own: because I do understand the need for tripartisan agreement on important issues like this. Today we are all focused on passing the legislation which addresses the issues around intimate image sharing. I look forward to further discussions about the broader privacy and consent issues raised in my bill.

As we are all aware by now, and has been previously stated in this place by both me and Mr Hanson, intimate image abuse is becoming more widespread. It is a widespread problem in our community and it is time that it was criminalised here in the ACT. Over 80 per cent of Australians support us in this endeavour. This behaviour can cause extreme psychological distress and, unfortunately, has even led to loss of life on occasions. We know that one in five people in Australia have experienced such abuse and that our laws need to change to keep up with the times.

The commonwealth Senate Legal and Constitutional Affairs References Committee recommended that all states and territories enact criminal legislation to address the non-consensual recording of and sharing of, and threatening to share, intimate images. I am pleased today to be part of the ACT's solution to this important issue. In

particular, I am pleased that the final bill actually criminalises the non-consensual sharing of, or threatening to capture or share, intimate images, which we all know to be a major problem both here and around Australia, and gives effect to the national statement of principles. It draws upon best practice from around Australia and incorporates many of the recommendations and views of those who put submissions into our draft bill; makes sure that physical distribution methods like posterage are covered; and uses gender-neutral and accessible language where possible.

However, as I have said before, I do not believe that the legislation that will be passed today goes far enough. This is just the beginning of the reform process. I will be working hard over the coming months to ensure that our ACT legislation encompasses some of the broad principles put forward in my invasion of privacy bill and in the discussion paper to the exposure draft and, very importantly, is based on the feedback received from stakeholders through the consultation process.

There are a number of issues which I believe are outstanding. We need to bring the ACT into line with other Australian jurisdictions on consent. We should be leading the way in making sure that consent has to be communicated and cannot be assumed. This will mean making sure things like stealthing are captured by criminal law as well. We need to rectify the holes in our Crimes Act that leave young people at the risk of being criminalised and stigmatised for consensual sexual activity. We also need to address invasions of privacy that need to be criminalised, like the malicious outing of a young queer or trans person, audio recordings of intimate encounters, and culturally and religiously insensitive invasions of privacy.

The Greens would also like to see the sexual assault reform program re-ignited, to give a voice to all of the community services advocacy groups whose voices are not heard in the law reform process in combination with legal experts.

For all these reasons, my bill takes a more holistic approach than the Liberals'. The Liberals' bill and its subsequent amendments will update the Crimes Act with respect to a narrow view on righting a very specific wrong: the non-consensual sharing of an intimate image.

The Greens believe that if we are addressing the non-consensual sharing of an intimate image then we need to talk about what it means to share, what we think intimate is, and what consent is. We come to this from a holistic perspective that, in addressing this behaviour, we need to address the many and varied problems of how our law addresses privacy and consent. My bill tries to do this.

For example, I want to close the loophole that means that some young people who consensually share intimate images could be charged with pornography offences. My bill draws upon the experience and knowledge of the community services sector and from privacy specialists to synthesise an approach that not only addresses that narrow wrong of non-consensual sharing of an intimate image but also goes further to include a positive definition of consent.

My bill gives effect to all of the elements of the national statement of principles and addresses the underlying and consequential problems with the ACT's approach to consent, privacy and child protection. I would like to change the structure of the Crimes Act to help the language and discourse of the public towards a more privacy and rights focused approach. Today I commit to continuing this work.

I am very pleased to have a commitment from the government and the Liberals to revisit the outstanding issues such as consent, privacy, and child protection, in my bill over the coming months.

The Australian Human Rights Commission has just released its report into sexual assaults on university campuses, and the Royal Commission into Institutional Responses to Child Sexual Abuse reported back earlier this week. These reports will have huge ramifications for how the ACT deals with these issues. Our work and the work of everyone who wrote submissions will feed into these government reviews.

I believe that the government should commit to further reform and show the community it is serious about delivering real reforms to our criminal justice system and delivering real justice to victims of domestic and sexual abuse and victims of egregious breaches of their right to privacy, and that is why I am pleased that Mr Gentleman, on behalf of the attorney, has made reference to further reforms today.

There is a lot of work to do, and we must do more than talk about it. We must get on with it. A committed time frame from the government will help us to achieve that. I will be tabling a separate bill which specifically addresses the issue of consent and proposes a positive definition of consent to apply to non-consensual sharing of intimate images, invasion of privacy offences and relevant sexual offences. It is clear that there is an appetite for this debate in our community. Overwhelmingly, the vast majority of submissions we received supported a positive definition of consent. Many stakeholders supported a definition of consent where a person gives free and voluntary agreement, and the other person knows that the agreement was freely given and is satisfied to that extent.

I am, however, heeding advice from the Human Rights Commission, who indicated that the legal definition of consent in particular is a sensitive area of law that requires careful consideration before being changed. Any major change will require in-depth analysis and extensive consultation before a position can be formed and amendments developed. In their view the proposals with regard to amending the current definition of consent would benefit from detailed consideration separate from today's reforms in relation to non-consensual sharing of intimate images.

I acknowledge that this is a very complex issue that will require significant input and feedback from legal experts, stakeholders and individuals. I reiterate, however, that overwhelmingly the feedback I received from stakeholders in my consultation process on the Crimes (Invasion of Privacy) Amendment Bill 2017 tells us that these reforms are necessary and will be welcomed.

I am calling on the Assembly to support my bill, when it is tabled, to bring the ACT into line with the rest of Australia on consent and to go further—to make sure that consent has to be communicated to have an effect—and to commit to a time frame for these reforms. But right now I assure the Canberra community and those from around the nation who responded to our discussion paper that their feedback has not been ignored.

I finish by reminding us all here that it is all well and good to introduce stronger protections and criminalisation for non-consensual sharing of intimate images, but to be effective this has to be accompanied by strategies that educate the community and campaigns that educate our young people about what is okay and what is not okay to share on social media, and what actions can be taken if you are so victimised, including promotion of non-legal remedies.

This is an issue that I have harped upon in relation to other issues, on building in particular. It is all very well having laws, but the laws need to be communicated, educated about and then enforced. I think that on this issue, which is particularly seeking to regulate people's private behaviour, education is the key to success in this area.

In spite of the additional work we have identified, I am satisfied that the legislation currently before the Assembly will provide better protections for Canberrans against the ever-increasing phenomenon of using social media and other platforms to abuse, denigrate, threaten, extort, coerce and vilify others by the non-consensual taking of, sharing of or threatening to take or share intimate images.

I thank the many people within the government and within each of the parties in this place who have worked hard on the legislation and the many amendments to Mr Hanson's bill. I also thank all the individuals, experts and community groups who have made submissions to my bill for their contributions, as I understand the huge amount of work, energy and resources required. I am sure they will be pleased that their feedback and research fed straight into negotiations with the Liberal and Labor parties. Some of this work is now part of the amendments which we will be passing today.

The Greens are pleased to support this legislation today and hope that, along with the good public education campaigns which I alluded to, this will help guide people's understanding about what appropriate image sharing can be.

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) (11.28): I am happy to support this bill and the changes that it makes to protect people against intimate image abuse. I am the first ACT Minister for the Prevention of Domestic and Family Violence. I take this issue very seriously. I want to acknowledge the hard work of the Attorney-General's staff with Mr Hanson's office and with the Greens party office also to make some sensible and workable amendments to this bill.

The government's \$23.5 million safer families package is designed to drive change in our justice and service systems to better support and respond to victims and survivors of all forms of abuse, including intimate image abuse. Putting the needs of victims and survivors at the centre of everything that the government does is at the core of this approach. It is driving collaboration and more holistic approaches across government, led by the new Coordinator-General for Family Safety, Jo Wood.

Currently the ACT's criminal law is not able to adequately criminalise the non-consensual distribution of intimate images or threats to capture or distribute such images. The harm caused by threats to distribute can be as significant as that caused by actually sharing the images themselves.

As is the case with domestic and family violence more broadly, victims can live in states of fear. Many feel powerless to stop the perpetrator. This can make them vulnerable to many other kinds of coercion. Child pornography and acts of indecency offences require that images must be for sexual gratification or have sexual connotation. But we know that such images may be shared for a range of reasons, including to coerce, control, blackmail, humiliate or harass another person, or even for fun, social notoriety or financial gain.

These images can often be used to perpetrate different forms of violence in intimate partner relationships, an act that is not, and should never be, acceptable. Gaps in the ACT law have previously made this kind of abuse difficult to prosecute. For example, there are offences that cover obtaining or capturing such images but that do not criminalise the actual distribution or threats to distribute. The commonwealth offences available only cover scenarios using a carriage service, such as the internet. But images may be distributed by various means, including physically. In a similar way, stalking offences could apply if there were a repetition of the conduct, but intimate images may be distributed on one occasion only.

It is good to see that the new offences set out in this bill address this gap in the law. The new intimate images offences cover scenarios that have largely emerged due to advances in technology. Advances in technology, including the increased use of mobile phones and the ease of distributing content online, have contributed to a rise in the non-consensual sharing of intimate images.

The proposed new offences do not criminalise consensual sexting between adults and young people, although this conduct may be caught up in other offences. People who send sexts are protected by this new offence from having their intimate images or sexts shared without the consent of third parties.

The contexts in which people may lose control over their intimate images are varied. In some cases it might be that a person who has received or recorded an image with the consent of the subject later breaches that trust by sharing it more broadly. Images may also be obtained without the consent of the victim. The non-consensual sharing of intimate images can cause considerable harm to victims and the community. Victims are often subject to harassment, bullying and abuse following the distribution, or the threat of the distribution, of intimate images.

Where victims are identifiable, they report significant abuse online and offline, the loss of professional and educational opportunities and exposure to stalking. This can cause a crisis of identity for victims as they lose the ability to control how they are presented in the world. Tragically, there have been cases reported in the United States and Canada where young women have committed suicide when their images were disseminated without their consent.

The non-consensual sharing of intimate images often occurs in the context of domestic and family violence where the offender is known to the victim. Women are most often its targets and frequently face this kind of abuse at the hands of former partners. Intimate image abuse can be used as a weapon to humiliate and demean, including as revenge, following relationship breakdowns. Threats to distribute images can be used to coerce and control, in keeping with the broader pattern of coercion and control that characterises domestic and family violence.

These changes are a great step in addressing different ways of perpetuating abuse and demonstrate the whole-of-government, whole-of-community commitment to address all forms of abuse. The fact that the three parties are working together to achieve the best outcomes for the community is something that we should not overlook here today.

On many occasions I have said that we all need to be asking everybody to have a place in this—across government, throughout the community—to be an advocate, a facilitator, a change-maker in order to eliminate domestic and family violence once and for all. This bill sends a strong message that domestic and family violence, including interpersonal violence, is not acceptable in any form in the ACT.

MS LAWDER (Brindabella) (11.34): I rise today to commend Mr Hanson for bringing this bill forward and to thank the government and the Greens for their useful amendments and support of Mr Hanson's bill. I do not think there is any doubt that these days information technology is very much a part of our lives. It is no longer true that it is a virtual world, not the real world. For most people born today and who are teenagers today, the digital world is part of their everyday life. There are billions of users of social media networks such as Facebook, Twitter and many others as well.

Whilst the information age has opened up so many new opportunities for us, it has also opened up the dark side of how it can be abused and used to the detriment of some people. Back in the day you used to take photos on a camera and send them off to your local Foxy's photo place. Then you would have to go and pick them up two weeks later. It made it a little more challenging to distribute personal images in that way because you knew that someone else was going to be looking at those developed photos. That is not to say that it did not happen, but nowadays with technology it can happen instantly and to such a wide audience. That is where the harm can come from for people.

More recently we have had the advent of people taking and sending photos electronically, including intimate images, what is known as the practice of sexting. Explicit photos of themselves or their peers are sent to other people via texts, often

with consent, but sometimes without consent. One facet of the practice is where the sharing of these images is consensual. In many cases the sharing of those images is part of a relationship between two people. The sharing of images is done in good faith and as part of that relationship.

Some social commentators believe that sexting can be seen as a normal, everyday part of modern day courtship for young people. It may not seem relevant or acceptable to some older people, but it is very common amongst young people, according to the research. The problem comes when some of these relationships break down, often acrimoniously. Then we can see and we have seen the sharing of those images to a wider audience without the consent of the person involved.

Some of these may even lead to what is colloquially known as revenge porn, although that does of course imply a sort of victim blaming label, if you like. It implies that someone has done something that means someone is going to take revenge on them and that is not usually the case at all. It is when a jilted, angry or jealous partner is threatening to use these images to exact some form of financial or emotional blackmail et cetera against a former partner.

Recently it has become apparent how easily this can be done. Images that may originally have been taken and shared consensually can so readily be shared to a wider audience. First we saw this I think with so-called celebrity sex tapes, where somehow people got hold of tapes or videos of well-known people and shared them, sometimes for financial gain.

But it has grown. It is not just your well-known people; it is all of us who are potentially at risk here. They can be sending them via email, via social media networking sites or even, quite disturbingly, there have been some websites set up with the specific aim and intention of sharing these types of images and videos. It is quite a disturbing thing.

It is quite obviously an area where legislation has failed to keep up with common practice. The legislation has been lagging behind. What that has meant is that victims often had very little recourse against their abusers. But today, through Mr Hanson's bill, we have the opportunity for us to take that back and make it a crime to take some of these actions.

It is true that we need to encourage young people to understand what is right and what is not right, what they can and cannot do and what they should and should not do. That is important. It is equally important to put an end to any of that victim-blaming approach. When many of our laws were created these types of technologies did not even exist, even in our imagination.

The legislation today is bringing us just that bit better up to date, although it is easy to see that it is going to be a struggle to keep pace with changes in technology all the time. The harm caused through this sharing of images can be so detrimental to victims. It can affect their family life and their work life and have really devastating effects.

Making the non-consensual sharing, threatening to share or threatening to capture intimate images a crime is a really positive step for our community. I hope to see other states and territories adopting similar measures.

Once again, I commend and thank Mr Hanson for bringing this bill forward. It is a really important step. I also commend him for the way he has worked with the government and the Greens to get improvements to make it an even better bill. I am very grateful that everyone is supporting this bill today. Thank you once again to the shadow attorney-general.

MR HANSON (Murrumbidgee) (11.41), in reply: At the outset I would like to thank the government and the Greens for their support of this important piece of legislation. It genuinely is a team effort. No doubt we would all want to take the credit, but I acknowledge that this is genuinely a team effort that we have achieved in the Assembly today.

I thank Mr Gentleman, speaking on behalf of the Attorney-General. I also acknowledge the Attorney-General's efforts in this regard, as well as those of Ms Le Couteur, Ms Berry and Ms Lawder. I also note that it was Ms Lawder who brought this to my attention and provided me with significant background information, so I particularly thank her for the role that she has played within the opposition to get to this point.

The government will be tabling a number of amendments to the bill. These have been negotiated through a very good process that has broadly been between the government and the opposition but it has involved the Greens as well. Just as the government will be supporting this bill in principle, we will be supporting the amendments.

If I can go to the history, this is a bill that seeks to do one thing, and to do it well: to put onto our statute books the tools to deal with a 21st century problem, that is, intimate image abuse. This bill was first presented as an exposure draft and placed on the legislation register on 18 May this year. When it was presented it was based on the Victorian model because that was one of only two operational laws in Australia at the time. But in the intervening period New South Wales also tabled a bill to address the same problem. We subsequently adapted ours to be more consistent with New South Wales, which I think in general is a better principle. There was also the advantage of the extended development process that we have sought to learn from.

I note that in her speech Ms Le Couteur talked about other provisions that were in her exposure draft and in her bill. She is now intending to bring it in as a separate piece of legislation. I think it is good that we are dealing with this as a specific offence and not trying to broaden it out. There are complex issues relating to some of the provisions in Ms Le Couteur's exposure draft and in her bill which would have made it problematic to get to this point today. I think it is the right approach to deal with this as an issue that is separate; then, if Ms Le Couteur wants to bring on other issues to do with consent, onus of proof and so on, they can be dealt with separately. I do not think that, at this stage, they would enjoy the same level of tripartisan support and they would have muddied the issue. So I thank Ms Le Couteur for essentially dropping those for now, and we will deal with them subsequently.

This is a real problem that we are dealing with here today, and it is a growing problem. Within the ACT, until today, it has been a problem without a proper solution. An RMIT report earlier this year showed that one in five Australians may fall victim, and as many as one in three young people. Recent articles have highlighted just how damaging this type of abuse can be. Many stories have emerged, including one from 5 April this year, where the victim—and I quote:

... described the pain she felt at seeing her image being traded like a footy card, at seeing her image abused and dehumanised by anonymous people who made up lies, rated her body and used callous threats and abuse with abandon.

She felt sick and powerless and completely alone.

After we pass this bill today there will be repercussions for these sorts of offences, and very serious ones. It will now be a crime in the ACT to commit the act described in that media article. The worst offenders will face a maximum of three years jail or a very large penalty. We hope that this will stop and prevent much of the harm we have seen done by these actions.

It will also provide for rectification, whereby a court can order the person who posted the images to do everything within their power to remove those images. We hope that will try to repair some of the harm. We also hope that, with the penalties, the rectification and the very fact that this is now on our statute books as a serious crime, it will, importantly, prevent some of this harm from happening in the future.

There is no doubt that this is an important, serious issue. I have just used the example of a young woman to illustrate the harm that can be done. But this is not something that affects just one gender. In fact the RMIT report showed that this is a widespread problem that is balanced, in terms of victims, between both genders. Women, at 22 per cent, and men, at 23 per cent, were broadly equally likely to be victimised. Fifty-six per cent of people with a disability and 50 per cent of Indigenous Australians had been victims of image-based abuse. People who identified as lesbian, gay or bisexual were more likely to be victims, at 36 per cent, than heterosexual people, at 21 per cent. One in three people aged between 16 and 19 and one in four between 20 and 29 reported at least one form of image victimisation. We are not, therefore, singling out any group. We need to recognise that this is a widespread problem and that these laws we are passing today will help all people.

Having outlined the key offence provisions, I would like to talk about the exceptions and protections that we have included. We have tried to draft exceptions and protections that indicate clearly what the intent of this legislation is, which is the knowing or reckless distribution of intimate images without consent. That is why, as an example, we have provided important protections for young people. If a young person consents to these images, it is not a crime if that person is within two years age of the other person. If there is a larger age gap, the provisions will apply. This is consistent with other parts of the Criminal Code, and one of the government amendments is to ensure this consistency. We believe this is a balanced and appropriate response to not only protect the rights and freedoms of the young but also protect them from harm should the worst occur.

I want to state very clearly—and this is an important point—that this legislation is not aimed at the innocent or foolish young person. It is not aimed at people who share images, who are adults, with consent. It is designed as a protection against abuse. I would like to encourage the government, as Ms Le Couteur did, to engage in education for young people and police to make sure these laws operate as intended. We do not want innocent people caught up in these laws. We have done everything that we can collectively to make sure that the legislation we are passing today will not do that.

This has been a very good process, I believe. I would like to acknowledge everybody's role in this, and particularly that of the government and the very good consultation between my office and that of the Attorney-General. I refer in particular to Mr Dave Ferguson, who has been excellent to deal with. The work that has happened there, with the amendments that are coming forward, enhance the legislation that I tabled. I would like to thank those in my office for their efforts, particularly Mr Ian Hagan, as well as Jessica Hynson in that process.

I would also like to thank the Greens. I acknowledge the role that Ms Le Couteur in particular has played in this. They have been engaged in this process for a long time; I acknowledge that. I acknowledge the petition, and the work that Ms Le Couteur has done within the community. Certainly, in this case, this is not an exercise in point-scoring. It is not a matter of who got there first; it is a matter of looking at how we deal with this in the best way. I thank the other parties for dealing so cooperatively in this sense. I particularly thank her staff in the dealings that we have had, including Veronica, Travis Jordan and the Greens chief of staff, Indra.

Others that have been involved extensively in discussions with all parties include the Law Society, and particularly Dianne O'Hara; the Bar Association, and particularly Ken Archer; and the commissioners of the ACT. With respect to the responses provided by the Human Rights Commission—Helen Watchirs, John Hinchey, Jodie Griffiths-Cook and Karen Toohey—they put in a joint submission. It was excellent; it really informed our legislation and many of the changes we made, going from the exposure draft to the bill that was tabled. They put in an excellent submission.

I also thank the drafters at PCO who have worked hard on this bill, including Savvas Pertsinidis, Bianca Kimber and their staff. I know there have been a lot of changes and a lot of parties involved in this, so they must have been busy with the drafting. I also note the members of the public who contributed. I know that many people got involved by way of Ms Le Couteur's petition. We have had a number of very good responses on the Canberra Liberals have your say website that have also been informative.

I also thank the people who are on the front line of services, including the Women's Services Network, the Women's Centre for Health Matters and ACTCOSS, who have raised some very pertinent points with us that we have incorporated, and we are happy to continue with those conversations.

Importantly, this is about the victims of these crimes. I hope it gives some comfort to people who have been victims of these crimes that this provides remedies for them. Today, through our actions, it will mean that people will not be victims who otherwise would have been. I think that, by passing this legislation today, we will achieve that. Often there is no silver bullet, but this is an important measure that will help to keep vulnerable people in our community safe.

I thank members for their contributions. We will be moving to the detail stage, where I can indicate again that we will be supporting the amendments from the government.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

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) (11.53), by leave: I move amendments Nos 1 to 29 circulated in Mr Ramsay's name together [*see schedule 1 at page 2859*]. I table a supplementary explanatory statement to the government amendments.

The government amendments will bring this bill more closely into compliance with the national statement of principles relating to the criminalisation of the non-consensual sharing of intimate images. Specifically, the government amendments to the bill ensure compliance with: principle 6, through the creation of a separate offence under section 72DA; principle 7, through the amendment to section 72E to ensure it is an offence to distribute, irrespective of whether or not the image exists; principle 9, through the amendment to the meaning of the word "distribute" under section 72B to ensure coverage of distribution to more than one person or when the intended recipient is unknown; principle 12.2, through the inclusion of an offence if the gaining of consent to distribute the image was reckless to section 72D, 72DA and 72EA; principle 13, by ensuring any exceptions to an offence do not require proof that harm has been caused to the person depicted in the image by the sharing of the intimate image under section 72D and 72DA; and principle 14, by ensuring any exceptions to an offence do not require proof of an intention to cause harm or distress or another outcome under section 72D and 72DA.

The government amendments will also ensure that the bill effectively criminalises the distribution of intimate images without consent and threats to capture or distribute intimate images.

The proposed amendments were subject to targeted consultation about operational and human rights issues with a broad range of stakeholders, including the Human Rights Commission. The submissions received have been taken into consideration in formulating these amendments.

In broad terms, as well as ensuring that the bill gives effect to the national principles, the government amendments will provide that children are protected in relation to consensual sharing of intimate images; the penalty for sharing intimate images of children is higher than for sharing images of people 16 years of age and older; the language of the bill is consistent with the language already used in the Crimes Act; and the language of the bill does not discriminate against transgender and intersex people.

With the amendments proposed by the government, I believe this bill will be a great step forward for the ACT, and I am pleased that the government is lending its support to this important initiative.

MS LE COUTEUR (Murrumbidgee) (11.56): I rise to support the series of amendments put forward by the government today. As I mentioned previously, all three parties have collaborated on these amendments and we have agreed that this is the legislation we are going to support. I am very pleased about this. Some of the amendments were initiated by my bill and go part of the way to what I wanted to achieve in my bill, so I am very pleased to vote in support of them and acknowledge once again the tripartisan support in reaching this point.

Some of the amendments that I particularly draw the Assembly's attention to include ensuring that "distribution" specifically refers to "show", so that physical distribution, such as putting up posters or showing someone an image on a phone, is part of what we are talking about. I refer also to ensuring that where an intimate image shows something in a "sexual context"—for example, to ensure that if "for a good time call 04xxx" et cetera had been put on someone's face—this is just as much an "altered image" and is able to be prosecuted. And I refer also to ensuring that the two-year rule is extended to, at the very least, protect young people consensually distributing intimate images of each other. Once more, I thank everyone for the tripartisan nature of our debate here.

MR HANSON (Murrumbidgee) (11.58): As I indicated in my in-principle speech, we will be supporting these amendments. I would like to thank the Attorney-General and his staff, the JACS staff, as well as the Greens. I omitted mentioning the JACS staff in my in-principle speech. They have done a lot of work in this regard as well, and I know they have contributed significantly to the amendments.

As indicated by Mr Gentleman, these are important amendments. They are broadly technical and they are much about making sure that this bill is finely tuned to make sure it sits within the ACT statute book, noting, as I did before, that, with the format of this legislation, a lot of the design came from New South Wales. This will enable it to fit within the ACT statute book, aligning language and making it consistent with other areas of the Criminal Code.

Nothing has changed in terms of the core elements and the intent of this bill. These have been through a very rigorous process. I think that the phone has run pretty red-hot between Mr Dave Ferguson, in the Attorney-General's office, and Ian Hagan

in my office. There has been lots of toing and froing. Again, because it is quite unusual for this place, can I say what a good process it was. It is something that we can be very positive about: that the three parties have worked so collaboratively together to end up with a piece of legislation that is good. I think it took compromise from all parties to achieve a result for the greater good.

The contributions from each of the parties have meant that we have a bill that is optimal, that is the best that we can achieve to deal with this offence. So that is a very good thing. I will not make a habit of it but I again thank the Labor Party and the Greens for their important and significant contributions to what we have achieved here today.

Amendments agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Canberra—governance

MS LAWDER (Brindabella) (12.01): I move:

That this Assembly:

(1) notes that the ACT Government:

- (a) has shown an inconsistent and contemptuous approach to the governance of the ACT;
- (b) is failing to provide the people of the ACT with transparent and consistent decision making;
- (c) has made numerous decisions which are detrimental to public safety, including the:
 - (i) mismanagement of the accommodation at the Alexander Maconochie Centre, providing dedicated accommodation for only 29 women despite having had 45 women in the prison this year;
 - (ii) failure to provide an environment in the dysfunctional Bimberi Centre for the staff and the detainees which is safe, with an assault taking place on average every six weeks; and
 - (iii) ACT Policing contracts have failed to keep pace with community expectations, as funding over the past five years is below the consumer price index;
- (d) has driven up the cost of living and has shown a disregard for community consultation, including the:

- (i) burden of rates, land tax, and other ACT Government charges rising far above the consumer price index, which puts households under increasing financial pressure and particularly targets low income and fixed income households;
 - (ii) failure to engage in any form of meaningful conversation with the community about its decision to take Community Facility Zoned land away from the broader community in order to build public housing on land which the Government does not pay for, but which the community is permanently deprived of; and
 - (iii) disregard for businesses and residents operating and living near the light rail route who are severely impacted by the construction of light rail; and
- (e) gives preferential treatment to causes that align with the Labor Party, including:
- (i) the decision by the Chief Minister and his cabinet colleagues to no longer deal with Clubs ACT;
 - (ii) the fact that the Labor Club did not pay any lease variation charge for its 35 unit development in Braddon; and
 - (iii) within one week of Andrew Barr becoming Chief Minister, the ACT Government purchased the CFMEU headquarters in Dickson for \$3 900 000, and is now leasing it back to the CFMEU for \$1 per year; and
- (2) calls on the ACT Government to explain why:
- (a) there are such serious shortcomings with crime prevention and rehabilitation;
 - (b) so many Canberrans cannot keep pace with the cost of living and are being left out of the conversation about our city's future; and
 - (c) cronyism has become a defining attribute of government in the ACT.

Today I want to talk about the inconsistencies, the one-off, ad hoc approaches, double standards and preferential treatment this government has demonstrated. My colleagues and I over time have raised many issues in this Assembly that expose a government that has become so used to governing it takes the people of Canberra for granted. I will talk about some specific issues. Some of them include the recent lease variation charge, an enormous increase that came through in the budget. This has been mentioned to me as a huge misfire on behalf of the government which will potentially see a fall in LVC revenue as it takes projects from being feasible to not feasible to complete. More concerning is that I have been given advice that there has been a rush in applications. Some consultants are advising clients to quickly lodge development applications before the charge becomes effective as there are some transitional arrangements in place.

This increase in the lease variation charge will see the monopolistic position of the government's land agency further reinforced at the expense of small builders and small townhouse projects. The government often says in many different forums that it is committed to providing affordable housing. However, this big new tax of LVC hits first homebuyers hard because increasing the cost of development will increase the cost of properties and it will reduce the availability of affordable housing. This may become a deterrent for suburban renewal as costs to developers become unsustainable.

If there are no buyers, there is no development and it will kill competition within the land supply market because it does not apply to the government's own land supplier or to Mr Fluffy sales, which will of course now get a big head start over any competition. This change only affects residential purpose leases, so it misses all greenfield land—in other words, LDA or SLA land—and commercial areas where large apartment developments can be built. The simple reality is that this LVC in the budget is effectively a tax that targets the only real competition to land supply the government has: its own ratepayers.

Another example we have seen is the debacle that is the contentious use of community facility zoned land. We all understand in a general sense that the purpose of zoning laws is: to improve and protect the public health, safety, convenience and welfare of our citizens; to help plan for the future development of communities; to develop new community centres with adequate utility, health, educational and recreational facilities; to recognise the need of industry and business for future growth; to provide residential areas with health surroundings for family life; and to ensure that the growth of the community is constant with the efficient and economical use of public funds. Yet we have seen the government sneak through a technical amendment that significantly changes their ability to use community facility zoned land which takes away from the amenity of all ACT residents to expect community facilities where they live.

In some areas there has been community outrage at the proposal to build public housing flats or townhouses in five suburbs. But as I have said in another discussion, the argument that community outrage would have occurred if there had been a proposal, for example, to build a defence facility on that community facility zoned land is not the point. The actual purpose of the building on that land is not the point; the point is that it is not being used for a community facility. However, the government chose not to be transparent and kept from the community the information about changing the purpose for the community facility zoned land. Instead of listening to those who were concerned about the developments—the ratepayers who indirectly fund these developments—the government has dismissed them and labelled their concerns as nimbyism.

This is one of those arguments that is really difficult to rebut because the government is trying to show that people do not have regard for people in public housing. The government is using this argument to belittle the concerns of local residents. But local residents, some of whom purchased properties near the CFZ land expecting the zoning to be for community facilities, are quite outraged at being labelled nimbies. They

purchased these properties in the expectation that there would be a future facility there for the benefit of the entire community. However, that is not what has happened and it demonstrates the contempt for the people of Canberra that the government has shown time and time again.

I will run through another couple of quick examples. The Brumbies: the government agreed to waive the \$7.5 million lease variation tax that the Brumbies land would have received. Questions have been raised about whether the tax benefit went to the developer rather than the Brumbies, and many questions remain unanswered. Another example is the CFMEU site in Dickson, a block of land owned by the Tradies Club which also happens to house the CFMEU quarters at Dickson. That was purchased for \$3.9 million in 2014. That's right: pretty much \$4 million for a block of land. How much would you expect to pay in rent for a block of land valued at \$4 million? Apparently \$1 per year. Furthermore, the land had been valued at \$3.2 million. Were there any other valuations to justify the \$3.9 million? It is one of those questions in the documents obtained under the Freedom of Information Act.

Not only is the land being leased back to the CFMEU for \$1 a year, but that \$1 a year is only payable on demand. So we may not even have received the \$1, Madam Assistant Speaker. It makes you wonder what they are going to do with that land that they have been prepared to pay \$4 million for. The government have not been able to articulate a plan for that land: \$4 million of taxpayers' money, and the minister and the director and officials were at a loss to explain what they were going to do with the site and had to take the question on notice.

Another example is the sale of land adjacent to Glebe Park in Braddon. Two valuations were obtained: one for \$1 million and the second for \$3.8 million, but then the government paid \$4.2 million for the land and, again, taxpayers foot the bill for that. The Auditor-General was scathing in her investigation of this deal saying that transparency, accountability and rigour had been lacking on the sale.

The Auditor-General was similarly critical of the LDA's purchase of land around Lake Burley Griffin, the land previously occupied by the bike hire and boat hire places, local businesses that had been operating in Canberra for a long time. The valuations were quite different to what was paid. The Auditor-General once again blasted the deal saying that the Colliers report does not stand on its own and cannot be relied upon without further review and the final ascribed value lacks evidence and methodology.

They are a few examples and there are many more. Some of my colleagues will speak of other examples that do not pass the pub test, including the Braddon Labor Club headquarters being redeveloped into apartments. Another example that makes you question what is going on is a golf club looking to redevelop. The government is running the consultation process, and the golf club believes that moving away from ClubsACT to the government's preferred clubs provider will advantage them in the deal. When organisations are willing to say that publicly it makes you wonder about what is going on with the government.

How many one-offs are too many? How many times will we see these one-off deals, this lack of the due process, the lack of accountability, the lack of appropriate paperwork and the lack of methodology into how final valuations and purchase prices are calculated? One more example I will touch on was the recent one-off deal for an inner south Mr Fluffy home owner who was asked to sign a nondisclosure agreement. On the other hand, a Mr Fluffy home owner in Turner—with similar circumstances of owning both properties on a dual occupancy block—was denied the right to buy back the block.

When one-off deals are made, when special arrangements are made, it is hard for normal people to understand what the rules are. We have rules and processes for a reason. Even in this place we run to a set of rules that should be respected at all times. So it is very difficult to understand the government's reasoning behind many of these decisions. They like to keep us in the dark as to how these decisions are made. We would like to see, and the people of Canberra want to see, open, fair and accountable practices from the government. Consistency is important. There is a place for special arrangements to be made but, once again, the reasoning behind those decisions must be open and transparent and accountable and not, as we have heard from the Auditor-General's report, lacking in rigour and unable to be explained.

Madam Acting Speaker, it is surely not too much to ask for fair, open and transparent consultation with the whole community and for consistency in the interpretation and application of legislation and guidelines and principles. I call on the government to govern with fairness, openness and transparency. I look forward to further examples being provided by my colleagues in other areas of government and not just the planning area which I have spoken about. This is a malaise that goes across government in the way that they apply legislation, principles and rules.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.15): I thank Ms Lawder for ensuring that the contrast between the government's clear and positive agenda for our city and the grating negativity of those opposite has never been clearer.

At the recent election, Canberrans decisively re-elected the government because of our progressive values and our clear plan for the city. We put forward a plan to make our schools, hospitals and transport system even better, and in the most recent budget we have commenced the delivery of that plan. Our commitment to a better Canberra means delivering policies that reflect our community's progressive values. We are standing up for women and delivering policies that put women's health and the welfare of domestic and family violence survivors first. We are campaigning to recognise marriage equality and equal rights for our LGBTIQ Canberrans, and we will work hand in hand with our community to make sure that the yes vote in the ACT is the highest in Australia. We certainly will not be needing to apologise via social media for the hurt our own party causes our LGBTIQ friends and loved ones.

The ACT government went to the last election with a positive plan to renew schools, hospitals, transport infrastructure and our neighbourhood. The budget that we are

debating in this fortnight delivers on that plan to make this city even better. We are renovating Canberra schools by delivering classroom and facility upgrades right across the city. We are renewing our city's health services by building new walk-in centres in Gungahlin and Weston Creek, planning for a major renovation expansion and new hospital facilities in Woden, and upgrading cancer and aged care facilities at the Canberra Hospital.

We are investing right across the territory to revitalise our town and group centres and to clean up our suburbs. We are encouraging investment in our city, most recently with the announcements this week from UNSW Canberra and Microsoft that will create new jobs and generate opportunities for Canberrans. The announcements by UNSW and Microsoft this week are a sign of confidence in the direction our city is heading, and this week is the biggest single week of investment announcements in this city's history. We are building better road and transport networks to keep our city moving. It is what Canberrans want their government to do for them, and that is what we are focused on every day.

The government has built up and maintained a strong integrity framework, and this will continue to be at the heart of government policy. The community does have high expectations of their elected representatives. We understand that we are rightly held to high standards of accountability and integrity. The Assembly has adopted the Latimer House principles, including entrenchment of good government based on high standards of honesty, probity and accountability. Adopting these principles includes a range of guidelines for government integrity such as a code of conduct for members of the Assembly and the implementation of a lobbyist register. We took a package of further reforms to the election. This includes the creation of a new integrity commission, and work is now underway, through a select committee, to establish the best structure and powers for the commission. We have banned property developer donations, we have committed to expand the scope of the ACT lobbyist register, and we are further strengthening our engagement process with Canberrans.

I would have to say that in my extensive dealings with the ACT public service across all directorates and at all levels over a decade now, I have found officers to be accountable, ethical and honest. This is backed up by a range of stringent rules and investigation powers that apply here in the ACT.

The government is committed to equality of opportunity and support for those less well off in our community. That is why we have established and updated a range of schemes to help those most in need, in particular in relation to rebates and concessions, on utilities, for example. And there is the capacity to enter into a range of different schemes to support those most at need.

We are leading the discussion on affordable housing, and the new housing strategy will have several key areas of focus: reducing homelessness, strengthening social housing assistance, increasing affordable rental options, and improving pathways to affordable home ownership.

Our tax reform program continues to promote fairness and equality, sustainability, and a stable and equitable revenue base for the territory into the future. I would further observe that those opposite have run very hard against this reform now for two consecutive elections. The people of Canberra have had their say twice now and have supported this reform twice.

In conclusion, Madam Acting Speaker, we took a positive and progressive plan to last year's election. We are delivering it. That is what Canberrans care about, and that is what we are focused on: better schools, better hospitals, a better transport system, delivering urban improvements across the city. The government—all of my ministerial colleagues, all MLAs—are determined to work hard for our community.

For these reasons, we reject the premise of Ms Lawder's motion and will be opposing it today.

MR RATTENBURY (Kurrajong) (12.21): What this motion from Ms Lawder outlines is that the Liberal Party clearly disagrees with the agenda of the government. That, of course, is the wonder of democracy. That is very much their view, but I reject a lot of the premise of this motion, and the Greens will not be supporting it today.

This motion highlights a series of concerns and policy positions the Liberal Party has. The Greens hold a different view on many of these matters. We took very clear commitments to the last election, and we have a very clear agenda as to why we are in this place. It is an agenda of sustainability, of social justice, of participation by the community and transparency in government. These are values that we carry through the work we do in this place every day.

This motion loses sight of the fact that Canberra remains and is regularly rated as one of the most livable cities in the world. That is not to say that the city is perfect. I am really conscious, every day I come to work, of things that need to be improved and areas that we must focus on to either fix things up or make sure we take the next step in improving something in our city or getting ahead of the curve and making sure that we are at the forefront of being an excellent city. That is something that, as the Greens member of this government, I strive for every day, and it is something that, I think it would be fair to say, applies across the government.

There are a number of specific matters that Ms Lawder has raised in her motion. In fact, there is quite a grab bag of issues that have been flagged there. I do not intend to discuss each of them individually, but there are a couple I would like to focus on. I can flag that, given the motion from Mrs Jones later in the day, whilst I disagree with the point on the AMC, we will discuss that more extensively this afternoon. So I will not dwell on that point now, but I think that it is a mischaracterisation of the issue and I think it is both simplistic and inaccurate in the way that it frames the issue.

One issue that is contained in this motion is the issue of the cost of living. That is one that I will touch on. One area of particular interest for me is energy. We are seeing some pressures there, and we have seen recently in the ACT a significant rise in

energy costs, with electricity prices rising by 19 per cent on 1 July. That is a point of real concern for me. This does have a significant impact, particularly on households where they are really counting every penny when it comes to paying the bills. We know that that is quite a number of households across the ACT.

It is important to reflect on why those energy prices went up that much. The Independent Competition and Regulatory Commission were very clear in their decision on this that it was due to rapidly increasing national wholesale energy prices which were a direct consequence of a failure to deal with energy policy effectively at a national level. Over the period of six or seven years that the conservative parties have been in power nationally, we saw first of all an attempt to dismantle the carbon pricing initiative that had been put in place—that took some time—and then no clear and effective replacement policy.

This has meant that we have had a disorderly removal of significant capacity in the national energy market. For example, the unplanned, unprepared for closure of the Hazelwood coal-fired power station in Victoria this year was a travesty, in the sense that nobody did anything strategic to prepare for that moment. I have been of the view that Hazelwood needed to close. Members of my party have argued that for a long time. It was the dirtiest coal-fired power station in Australia. But for a decade at least we have been saying that we needed to plan for this, that we needed a transition strategy both for the energy market and for the local community, to protect their jobs and their town. Instead, our federal government just allowed this to happen willy-nilly, with no clear replacement strategy, no clear national policy.

The Finkel review came out. It highlighted many of these problems. It had 50 recommendations. Our federal government went, “Yes, we will cherry-pick 49 of them, but we will leave out the central one because we cannot get our act together on agreeing a policy position.” It is not a focused debate on this issue today, but I highlight that we cannot simply draw these issues out in isolation and say that it is an ACT government issue.

In stark contrast, the ACT government—certainly in my time in this place, since the Greens struck a parliamentary agreement with the Labor Party to reduce our emissions by 40 per cent by 2020 and bring in significant renewable energy policies—has had consistent policy over a sustained period of time. The ACT is now lauded for our energy policy positions, for our progressive thinking, for our strategic approach, for the incredibly low prices that were achieved for our energy supply over a sustained period of time. It stands in stark contrast that this government, over a sustained period of time, has done that work and has positioned the ACT extremely well. It is one example, but one that I think is worth focusing on.

On the cost of living issues, which are where I started this point, we have really dedicated policies in that space as well. The energy efficiency improvement scheme, which has been in place for again a sustained period of time now, has provided support to literally tens of thousands of households across this city to reduce their energy bills on an ongoing basis. It is potentially hundreds of dollars a year for the

average household. Of course, the cheapest unit of energy is the one you do not buy. That is a great example of the kind of policies that the Greens strongly support and that this government has been putting in place.

Similarly, there is the ACTsmart program, which provides similar sorts of initiatives for both households and businesses, particularly small businesses. That program, which provides both information and rebates, has been operating successfully for a number of years now, and can result in businesses, small businesses particularly, saving literally thousands of dollars a year on their energy bills, having participated in the program. The feedback on that program is extremely positive, because people understand how successful it is for them. I bring it up today because I want to once again promote it and encourage both households and businesses in the ACT to get involved in these programs, because they offer real and genuine savings. The team are extremely dedicated. They want to help households and businesses to improve their energy efficiency, because they know it can make a real difference not only when it comes to the bottom line, but also, particularly for households, in relation to quality of life in having a warmer, more comfortable home to live in.

As I say, there are many other issues we could debate on this. Mindful of the fact that it is almost the lunch hour, I intend to leave my remarks there. I will canvass the issues of the AMC later this afternoon. The Greens will not be supporting this motion today.

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

Sitting suspended from 12.29 to 2.30 pm.

Ministerial arrangements

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (2.30): The Attorney-General is absent today as he is unwell. For the benefit of members, Minister Rattenbury will be assisting by taking questions.

Members interjecting—

MADAM ACTING SPEAKER: Okay. You are obviously easily amused today.

Members interjecting—

MR BARR: I might have won a bet there, mightn't I?

MADAM ACTING SPEAKER: That would be unseemly, Chief Minister.

MR BARR: It would be unseemly, Madam Acting Speaker. Minister Rattenbury will be taking questions in all of the attorney's portfolios.

Questions without notice

Electricity—load shedding

MR COE: I have a question for the minister for the environment and planning, in his capacity as minister responsible for advising the government on potential or actual interruption of electricity supply. Minister, during estimates one of your officials suggested that during the forthcoming summer months load shedding of electricity would be required. What assessment has been done and what coordination with our utilities supplier has the directorate made to determine the extent and volume of such power restrictions, and if not, when will it be done?

MADAM ACTING SPEAKER: The minister for the environment and planning, Mr Gentleman.

MR RATTENBURY: Madam Acting Speaker, I actually have responsibility for those matters, so I will take the question on behalf of the government.

MADAM ACTING SPEAKER: In your capacity as?

MR RATTENBURY: Minister for Climate Change and Sustainability, which includes the energy portfolio.

MADAM ACTING SPEAKER: Thank you.

MR RATTENBURY: As Mr Coe knows, earlier this year, on 12 February, the ACT did face the possibility of load shedding. Measures were put in place in the short term to help the ACT through that day. Through some very good partnerships with a range of major energy consumers we were able to avoid any sort of rolling outages that day. That was because of extreme heat, and the prospect of that occurring again this summer is a real one.

A number of steps have been put in place. At a national level, AEMO is taking steps to address, on a national scale, issues of supply and also putting in place nationally focused measures to address those sorts of problems. At an ACT level, I have asked the directorate to do a number of things. Firstly, they are collaborating with the New South Wales government. Of course, sitting within the New South Wales grid, as we do, it is a very closely related issue. There is a considerable level of communication, including that New South Wales has briefed the ACT on its preliminary findings from the events in February this year. Secondly, I have asked the directorate to come up with a more thorough communications strategy so that if these circumstances do occur in the ACT again this year, we will be better positioned to communicate more effectively with the ACT community about both possible steps they are going to take to assist and also preparation for possible consequences.

MR COE: What are the details of that communications strategy or publicity campaign, and will it be proactive at the start of summer or will it be as and when issues arise, which may limit the contingencies that households can put in place?

MR RATTENBURY: In terms of what will be in that communications strategy, I am keen for the directorate to put together very clear instructions for people that are available for them to find easily. Because last year was the first time it happened in the ACT, it would be fair to say that it was a little bit put together in a hurry. That would perhaps be the best way to describe it. It was effective but I would like to see it more thorough, so that there is a website people can go to to get more detailed information, because one of the things that clearly came up in February was that people have lots of questions. I am keen that if we are in this situation again people are able to go and find the information themselves: if they hear something on the radio, they are able to drill down a bit further. That is what we want to do.

In terms of whether it will be proactive, I have not taken that decision yet. That will depend a little bit on the further discussions with AEMO and their advice on the likelihood of such events. That will depend on some analysis of the national energy market. I am of a mind to have the information available, at least on the ACT government website, at the start of summer so that if people want to go and look they can. Then we would seek to promote it more extensively if the circumstances were to arise. There is still some work to do in this space. It is a live discussion inside the government at the moment and I am continuing to think about it and receive advice from my directorate.

MS LEE: Minister, have the particular areas of vulnerable households that may be affected by this potential been identified, and will the government undertake to ensure that these vulnerable households will be protected?

MR RATTENBURY: I presume you mean vulnerable households in this context to mean people who are, perhaps through medical conditions and other reasons, particularly reliant on continuous electricity supply, as opposed to financially vulnerable households, for which I do not think this issue is such a specific one. That is certainly work that needs to be done through further a communications strategy and further analysis of the likelihood of these circumstances occurring. I am happy to provide an update on that closer to summer if members would find that useful.

Crime—fuel theft

MRS JONES: My question is to the Minister for Police and Emergency Services. Several petrol station owners and operators have continued to contact me regarding the large number of times petrol, diesel and gas drive-offs have occurred. These owners and operators have expressed their frustrations to me about the massive cost that this theft is having on their businesses cumulatively. In your answer to my question on notice during estimates, you advised that the total figure for stolen fuel in the ACT is \$77,661, as per ACT Policing's figures, and that the average amount stolen per incident was \$55.13. This represents approximately 1,408 incidents of theft. Despite this, only 16 people were charged with fuel theft last financial year, as opposed to 29 being charged in the year before that. Minister, why has the number of people being charged for fuel theft almost halved in 12 months while the costs to business have remained the same?

MR GENTLEMAN: I thank Mrs Jones for her continued interest in this matter for business owners across the territory. It is in regard to the evidence that can be provided to police and the evidence that police can act on in regard to the drive-offs. As I have mentioned earlier, we have taken a proactive stance, if you like, in other opportunities to dissuade people from stealing cars or from changing numberplates across the ACT.

In fact, we have instituted the numberplate safety screws that police are able to affix to vehicles for people that apply at police stations, which has assisted quite a bit in reducing the number of numberplates removed across the ACT and therefore has helped in these drive-off situations too. Those are proactive measures we are taking. Of course, as I said, it is goes to the amount of evidence that can be supplied to police or that police can act on.

MRS JONES: Of the approximately 1,408 incidents of fuel theft, how many incidents were the 16 people charged responsible for; and for how many more incidents of fuel theft have the responsible persons not been charged?

MR GENTLEMAN: There are quite a number of incidents that Mrs Jones has indicated. I will have to take that on notice and get the detail for Mrs Jones, but I am happy to do that and come back to the Assembly.

MR WALL: Minister, what policies, if any, have you implemented since taking charge of this portfolio area that empower petrol station owners and operators to recoup payment from people shown to have stolen fuel whilst in a non-stolen vehicle?

MR GENTLEMAN: It is a specific question in regard to policy on drive-offs relating to fuel theft in non-stolen vehicles. I have not taken any action specifically in that regard.

Mrs Jones: Why not?

MR GENTLEMAN: That is because we have laws in place that deal with these sorts of activities across the ACT. As I said the challenge is not the law or the policy; it is the opportunity for police to get the evidence needed to be able to make the charges.

Icon Water—waste to energy plant

MS LE COUTEUR: My question is to the Chief Minister in his role as the shareholding minister for Icon Water and it relates to ActewAGL's proposed \$200 million waste to energy plant in Fyshwick. On 2 August you told the Assembly that the shareholder ministers provide approval for Icon Water's major purchases. When will you be approving or rejecting Icon Water becoming a 25 per cent owner of the waste to energy plant?

MR BARR: There is a formal process that needs to be gone through.

MS LE COUTEUR: I did not quite hear what Minister Barr said.

MADAM ACTING SPEAKER: I think Mr Barr said there was a formal process to go through.

MS LE COUTEUR: Assuming that there is a formal process, is that formal process going to include consulting the community whether to approve or reject this?

MR BARR: Yes, there are elements of community consultation as part of the process.

MS LEE: Chief Minister, when was this project first discussed within cabinet?

MR BARR: It has not been discussed within cabinet. There is no formal submission before cabinet. Cabinet does not make decisions on behalf of ActewAGL.

Transport—light rail stage 2

MS CODY: My question is to the Chief Minister. Chief Minister, what will the government's commitment to the delivery of light rail stage 2 mean for the Canberra economy?

MR BARR: Light rail stage 2, from the city to Woden, is indeed a city-defining project. It builds on the first stage of light rail from Gungahlin to the city. The project reflects the ACT government's vision to create an efficient transport spine north-south for our city. It connects our city's major population and employment precincts. It integrates with other transport options, and it certainly is already demonstrating significant stimulation of urban renewal projects along the transport corridor. That will continue into the relevant town centres.

Right now, light rail construction is supporting thousands of jobs directly on the project, and all of the complementary investment that is occurring along the corridor is supporting thousands of additional jobs. Deloitte Access Economics, in its *Investment Monitor*, has specifically reported light rail as a major driver of economic growth in Canberra, and has now added stage 2 to its list of future projects, further boosting long-term economic confidence.

Businesses around the construction of light rail stage 1 are booming, and this will continue southwards from the city as light rail stage 2 gets underway.

MS CODY: What benefits will light rail stage 2 have for Woden, Chief Minister?

MR BARR: I thank Ms Cody for the supplementary and her ongoing interest in the Woden town centre. Light rail stage 2 will build on the economic, social and environmental benefits that are now being realised by the delivery of stage 1. Our city's high level of car dependency leads to traffic congestion and frustration and has a productivity impact for our town centres. That will certainly increasingly be the case as Canberra grows if we do not act now to invest in proper public transport.

By 2031—just 14 years from now—Infrastructure Australia has estimated that congestion will cost the economy \$700 million annually. The development of light rail stage 2 builds a true north-south public transport spine for our city. The city to Woden extension better supports a connected city. Residents of Woden and south Canberra specifically will reap benefits from a quick and simple journey to and from work. Light rail stage 2 will also support sustainable urban development in the Woden town centre. As we are already seeing in the stage 1 corridor, light rail drives land use changes which lead to additional benefits for residents.

MS CHEYNE: Chief Minister, given these benefits, how important are political certainty and bipartisan support for this long-term project?

MR BARR: Investment certainty is essential for large-scale infrastructure projects. We compete in national and international markets for the skills and resources to deliver these large-scale projects. Uncertainty of support for major projects can certainly significantly impact on our city's reputation as a place to invest and this was clearly demonstrated by the response of the infrastructure community, the business community and indeed political colleagues from around the country and in the federal government in relation to the commitment taken to the last territory election by those opposite to rip up contracts that had been legally entered into.

Those opposite do have form. They were very willing to throw away their principles in exchange for what they believed at the time would be a short-term political benefit, a decision that now seems quite absurdly misguided. Even their federal colleagues described this stance as “economic lunacy”.

Mr Hanson: What happened to the bloke who said that?

MR BARR: He is about as successful as you, actually, which would be how I would describe his career. He might have moved up from being part of the chaotic federal Liberal government at this point in time. You, I guess, get to rest in peace on the middle benches in this place. But I digress.

The importance of honouring contracts cannot be understated, and in this instance political certainty created by the territory election result and the fact that government now has a very clear mandate for the further delivery of this project should be heeded by all in the political debate in this city. (*Time expired.*)

Animals—dog attack compensation

MR DOSZPOT: Madam Acting Speaker, my question is to the Treasurer. On 2 August 2017, in this Assembly, you gave a speech in which you confirmed your decision to deny the payment of an ex gratia payment to the young boy seriously injured when attacked by dogs in an ACT public housing property. With your back turned on the young boy, who was in the chamber, you said that you based your denial of the payment on the existence of a “framework under which ... Act of Grace payments are assessed”. You said that you had “tabled the framework”. The

framework was not tabled. This has been confirmed by examination of Assembly databases and by Assembly staff. Mr Barr, why didn't you table the framework on 2 August as you said you would?

MR BARR: I did in fact table the framework, so something has gone wrong in terms of the Assembly processes. In relation to the paper, I handed it to an attendant right here. I remember doing it. I read out the framework in my answer, in my response to Mr Doszpot's motion. He should know, after being in this place for a period of time, that when speaking in this chamber you address the chair; you do not address the public gallery.

MR DOSZPOT: Mr Barr, will you table this mythical framework before adjournment today?

MR BARR: I already have tabled the document but I need to get a further copy. I read it out. It is in *Hansard* and it was tabled in this place, but I am happy to get another copy and table it again. But it is concerning that it does not appear in the official record, because I did table it in this place during that debate.

MR PARTON: Mr Barr, when giving your speech denying the ex gratia payment, why did you turn your back on Jack Hartigan and his family for the whole duration of the motion?

MR BARR: It is form and practice in this place, Madam Acting Speaker, to address the chair when participating in a debate.

Bimberi Youth Justice Centre—Human Rights Commission referral

MRS KIKKERT: My question is to the Minister for Disability, Children and Youth. Minister, I refer to your statement in this chamber on 3 August that the Human Rights Commission is not looking into all allegations relating to Bimberi. Have all recent allegations been referred to the HRC? If not, why not?

MS STEPHEN-SMITH: I thank Mrs Kikkert for her question. Some of the allegations that were raised in the emails earlier this year related to incidents that were already known and had previously been investigated. My understanding is that the Human Rights Commission was looking into allegations that were not already known and had not already previously been investigated. However, I will take on notice whether the Human Rights Commission received every single one of those emails and allegations that were raised.

MRS KIKKERT: Which specific issues is the Human Rights Commission currently investigating?

MS STEPHEN-SMITH: I will take that question on notice because I want to get that detail right; and I will have to check with the Human Rights Commission as to exactly what they are investigating.

MRS JONES: Minister, what steps have you taken to make sure that all other issues are also being investigated? When will we know the outcomes?

MS STEPHEN-SMITH: I am regularly provided with information from the directorate about incidents that have been raised: the ones they have previously looked into, the details of those and what has been referred. I am in constant conversation with the directorate about the range of incidents that were raised in a number of anonymous emails earlier this year.

I am assured that those incidents are either known and have been investigated—are being currently investigated—or, as I have previously said in this place, some specific incidents have not been able to be investigated in detail because insufficient information was provided to enable an investigation in detail. In relation to those, the Community Services Directorate has sought from the anonymous correspondent additional detail so that those allegations can be investigated.

Canberra Hospital—patient flow management

MS LEE: My question is to the Minister for Health. Minister, what have you done to satisfy yourself that the Canberra Hospital is coping with demand and that code yellows are rarely required?

MS FITZHARRIS: I thank Ms Lee for the question. I refer to some of the answers that I gave yesterday, and I can provide a further update of a question that I took on notice. I can advise the Assembly that in the current winter period, when we are seeing increased demand, Canberra Hospital has extensive plans in place to cope with this busy winter season. These include 34 additional inpatient beds provided under the winter bed management plan and two additional ICU beds from the beginning of August. Nine more ED beds opened as the final stage of the ED expansion in July.

Additional nurses have been recruited in paediatrics, as well as permanent and casual positions in the nursing and midwifery relief pool. All staff across ACT Health have received the flu vaccination, which has seen nearly 3,600 staff vaccinated as of 14 August. Ward services have adjusted wardsperson rosters to meet afternoon and evening demand through ED and medical imaging, adding more hospital assistants to clean beds as they turn over and maintain medical stock levels. And there is increased afternoon and evening availability of the central equipment courier for transporting items of medication to and from pharmacy and pathology.

Daily operational disciplines are used to ensure that the hospital is operating effectively. Canberra Hospital will discharge between 600 and 650 patients each week during this time of year, and there is a close operational focus on managing patient movement throughout the hospital. The discharge lounge additionally will be open from 10 am to 4 pm on Saturday and Sunday, commencing this weekend, to assist with weekend patient flow.

MS LEE: Minister, will you take on notice how many code yellow incidents have occurred at the Canberra Hospital during the winter of 2016 and during the winter of 2017?

MS FITZHARRIS: Yes, I will.

MR COE: Minister, has the worse than expected flu season and the excess demand which has been put on the Canberra Hospital emergency department led to doctors having to work increased hours over the past few months?

MS FITZHARRIS: I thank Mr Coe for the supplementary question. Not to my knowledge, but I will confirm that and take the question on notice. But I welcome Mr Coe's recognition that a busy flu season does have an impact on the hospital, unlike Mrs Jones's comments in the Assembly yesterday that seemed to indicate that it was not of relevance that we have a very strong public health program to assist us in managing hospital presentations and the hospital during this period.

Transport—light rail stage 1

MS CHEYNE: My question is to the Minister for Transport and City Services. Can the minister update the Assembly on the progress of stage 1 of the city-wide light rail?

MS FITZHARRIS: I thank Ms Cheyne very much for her question and am delighted to update the Assembly on the significant progress on stage 1 of our city-wide light rail network. Three weeks ago I toured the stage 1 route and the light rail depot with a range of local media.

Construction on the light rail corridor is progressing very well, with the project milestones on track. Among these activities are road widening, which is continuing along the corridor, with commuters to and from Gungahlin using alternative routes during necessary road closures. We have seen terrific progress at the Mitchell depot: both the maintenance building and the administration building are now taking shape, and preparations are well underway in readiness for installing rail tracks within the depot later this year.

Along the Federal Highway crews are continuing the relocation of the major gas mains from the median. We anticipate that these works will continue through till late August. Intersection closures are taking place along Northbourne Avenue so that crews can complete utility relocations and install reinforced concrete track slab across these major intersections.

In Gungahlin barriers and hoardings are in place to protect the public and workers on Hibberston Street. Canberra Metro crews are installing stormwater drains in conjunction with early works for the new Gungahlin bus station. These projects are working collaboratively to minimise local disruption and keeping in close contact with local traders.

As we know, light rail will transform and revitalise our growing city. I thank local residents, traders and road users for their patience while these important works continue.

MS CHEYNE: What can Canberrans expect to see during this stage of construction, Minister, and what are the upcoming construction milestones?

MS FITZHARRIS: Canberrans can expect to see significant ongoing construction activity as we deliver this essential project for our city. Construction activity will be concentrated in the northern section from the Federal Highway to Gungahlin over the coming months, with widening of roadways, notably Flemington Road; relocation of utilities; and laying concrete track slab and soon light rail track along the alignment. A slip form concrete paving machine is being used to place concrete track slab, with some hand-pouring of intersections and with the stabling yard in the depot.

To date over 2.5 kilometres of track slab has been placed. Construction works at the Mitchell depot will continue to focus on preparing the track and completing the light rail operations centre and maintenance facilities. Over the coming months we will also see a prototype stop in Flemington Road near Nullarbor Avenue, and track slab construction begin between Northbourne Avenue and Alinga Street later this year.

Light rail vehicles are currently in production. The first light rail vehicle will arrive at the Mitchell depot later this year. Following static testing and commissioning within the depot and stabling yard, we anticipate seeing light rail vehicles commencing testing along the northern section of the track from early 2018. I am sure that Mr Coe will be just as excited as I am to see light rail vehicles running up and down Flemington Road in our electorate in the coming months.

MR STEEL: How is the government working to ensure minimal disruption to the community during construction?

MS FITZHARRIS: I thank Mr Steel for this question. It is an important question. As we all know, the light rail project is the largest construction project ever undertaken in the territory. We understand that construction can cause disruption to people as they travel around the city. Our government is working closely with Canberra Metro to ensure minimal disruption during construction by communicating regularly with the community and affected residents and businesses.

Construction activities that impact traffic along the corridor are included in construction updates to the public via the Canberra Metro and Transport Canberra and City Services websites, social media channels, electronic news bulletins, text messages, radio interviews and through paid advertising.

An interactive map is available on the Canberra Metro website to inform the community of works being conducted out of normal working hours and at major intersections to supplement these communication channels. Temporary traffic

management plans are reviewed by a multi-stakeholder forum on a weekly basis, with safety for pedestrians, cyclists, road users and construction workers a primary consideration.

The impact on the road network is minimised as much as possible, although there will be some impact on travel times during these periods. Time restrictions are applied to full closures at major intersections to mitigate impacts on the road and the bus network. Again, I would like to thank all residents, road users and local businesses for their patience while these important works continue. I can assure them that the wait will be worth it.

Googong Dam—access

MR WALL: My question is to the Minister for the Environment and Heritage. Minister, in this year's budget it was revealed that your government was planning to permanently lock the southern gate at Googong Dam foreshore near the London Bridge and Burra end, a popular recreation spot for fishing, bushwalking, bird watching and kayaking. Given that a large number of recreational users enjoy the use of this area and will be severely impacted by this decision, do you stand by your policy as outlined in this year's budget to permanently lock the gate, or has common sense prevailed?

MR GENTLEMAN: I thank Mr Wall for his question. The decision to change the operation for the gate on Googong was to ensure that we still have access for those particular users but ensure that our rangers' time is well used in response to the sustainability of that area. We are ensuring that we still have access for people to go to the lake to do fishing or kayaking as needed, but at this point the gate will be closed.

There are two reasons for that: one is, as I said, for the operation of our rangers and the sustainability of their control of the environment in the area; and the second is to ensure that we do not have access for recreational four-wheel drive users of an evening where we have found damage occurring to the area.

MR WALL: Minister, when will the gate be shut, or has that already occurred? If so, when will a solution be in place that will allow appropriate daytime access to the recreation precinct of the southern end of Googong?

MR GENTLEMAN: The rangers normally look at the availability of times for recreational users in the summer months; not so much in the winter months. I do not have the actual dates and times for the locking of the gate in front of me here. I am happy to take that on notice and come back to Mr Wall.

MR MILLIGAN: Did you consult with fishing clubs before making this decision to close the gate?

MR GENTLEMAN: My understanding is that EPSD has consulted with a number of stakeholder groups across the area. I am not sure if they have specifically consulted with fishing clubs belonging to the ACT or New South Wales, but I am happy to come back with that detail.

Budget—justice and community safety portfolio

MR HANSON: Madam Acting Speaker, my question is to the Treasurer, and it relates to the budget cut being applied to JACS through the efficiency dividend. Treasurer, the DPP has stated in his annual report, and in estimates, that his office is at “a critical level”; that he cannot attract senior prosecutors; that he lacks proper resources; and that certain cases are not being pursued due to lack of funding. Given that your government can afford to pay the Tradies club \$4 million for land which you then lease back to them for a dollar a year, will your government exempt the DPP from the efficiency dividend?

MR BARR: There is no efficiency dividend, Madam Acting Speaker.

MR HANSON: Treasurer, will you guarantee future exemptions for the DPP from the efficiency dividend?

MR BARR: There is no efficiency dividend at this time. I think the former Leader of the Opposition might be confusing this government with his federal Liberal colleagues.

MR PARTON: Chief Minister, can you explain to the people of Canberra why the Tradies club is more deserving of \$4 million of taxpayers’ money than the DPP?

MR BARR: That question borders on being out of order, Madam Acting Speaker, but, given that you have not ruled on it, I will respond simply by observing that the DPP received an increased allocation in this year’s budget.

Planning—Woden

MR STEEL: Can the Minister for Planning and Land Management provide the Assembly with an update on how the ACT government is supporting the development of Woden as a transport hub?

MR GENTLEMAN: I thank Mr Steel for his question and his interest in Woden. The ACT government is committed to the renewal of the Woden town centre and, with the announcement last year that stage 2 of light rail will go to Woden, it is now also set to become a key transport hub. With consultation undertaken on the proposed routes and investigations being done on how best to deliver the benefits of light rail in stage 2, the ACT government is working hard to ensure that Woden will also see the transformative effects of light rail. A key part of this work is the progression of the draft variation to the Territory Plan for the Woden town centre.

Following the Woden master plan work last year and further consultation this year on the proposed changes to the Territory Plan for Woden, I am pleased to advise that the draft variation process has taken another step closer to positive planning outcomes. With the announcement that stage 2 of light rail will be coming to Woden, it is particularly important that we get planning outcomes and consultation right to fully

utilise the renewal opportunities that will open up. The draft variation consultation has highlighted what is important to the local community to help us deliver better planning outcomes, like high quality public spaces and built environments that people enjoy using.

A roundtable discussion was held in late May—with Mr Steel facilitating—with approximately 50 representatives from a cross-section of the community, from private individuals, community and professional groups, developers, building owners and architects. The work on the draft variation has opened discussion on residential and commercial opportunities, public and community space, active and public transport, community services and the renewal of older buildings in Woden.

Planning changes proposed by the Woden variation permit increased levels of residential development along public transport routes and the development of additional community facilities close to the town centre. The variation will have the interim effect for applications lodged after Wednesday, 26 July (*Time expired.*)

MR STEEL: Minister, can you provide further detail on the proposed changes to the Territory Plan regarding Woden?

MR GENTLEMAN: I thank Mr Steel for the supplementary. The proposed variations to the Territory Plan for the Woden town centre have an important role to play in the development of Woden as, as I have said, a transport hub.

As I said in my answer to the first question, the planning changes proposed will permit increased levels of residential development along the transport corridor routes and the development of additional community facilities close to the town centre. The proposed Territory Plan changes complement significant ACT government investment in Woden, including the relocation of over 1,000 ACT Health and Access Canberra staff to the town centre, the upgrade to the bus interchange and the upgrade of Phillip oval. By bringing more people to the town centre and increasing public transport options, the government is supporting the development of Woden as a transport hub.

The draft variation rezones selected areas, including parts of the open space area south of the Callum Offices, to permit community facilities, upgrading the residential zoning of land in Woden Green near the corner of Hindmarsh Drive and Callum Street, as well as land along Athllon Drive, to permit higher density development.

The draft variation introduces building heights to the centre potentially up to 28 storeys, as well as selected sites where marker buildings will be permitted to assist the identification of the centre. The draft variation also retains the existing planning requirements for community facilities to be provided within the centre, and proposes additional community facility land for future facilities. The draft variation also includes heritage requirements for the protection of the Callum Offices heritage character through height controls around the offices.

MR PETTERSSON: Minister, how will active travel be supported in Woden to further contribute to the development of Woden town centre as a transport hub?

MR GENTLEMAN: I thank Mr Pettersson for the supplementary. Even with the proposed development and increased density, which will bring many benefits to the Woden town centre, it is important that we preserve both open space and ease of access to the town centre. The draft variation to the Territory Plan recognises this and ensures that public space is preserved to encourage active travel.

More specifically, the draft variation includes rezoning of the open-space, shared path along Athllon Drive and Swinger Hill from residential to urban open space to ensure the active travel path is retained. This will continue to facilitate the link between the nearby suburbs and the town centre through easy walking, bike riding or other active travel options.

Furthermore, built-form provisions are included in the draft variation, nominating building setbacks and active frontage requirements to ensure interesting and safe public spaces for pedestrians. Awning requirements are also included to ensure all-weather protection along the main pedestrian areas.

Maintaining ease of travel around Woden town centre will support active travel both to and from the centre. Requirements for solar access in the town centre square will support the use of the area as an attractive place to meet, eat, drink and do business. Bringing more people and investment into the area and ensuring that even while more people live and work in Woden it is as easy as ever to get around. Preserving active travel arrangements is a key principle of this variation and will only assist in the development of Woden as a transport hub.

Hospitals—bullying

MS LAWDER: My question is to the Minister for Health and Wellbeing. Minister, on 16 August 2017, the Australasian College for Emergency Medicine issued a media release giving the results of a member survey. The survey was independent, confidential and anonymous and was conducted in April and May 2017. Forty-four per cent of their members responded. This survey revealed that 34 per cent of respondents had experienced bullying, with 21.7 per cent experiencing discrimination, 16.1 per cent experiencing harassment and 6.2 per cent experiencing sexual harassment. Minister what do surveys of ACT public hospital employees and visiting medical officers show on these issues and what have been the trends over the past three surveys?

MS FITZHARRIS: I thank Ms Lawder for the question. I, too, as the college itself indicated it was this morning, was concerned to hear some of those reports. But I congratulate the College for Emergency Medicine on being proactive, as are many of the professional colleges for medical practitioners.

I will take the specific question about the trends over the past three years on notice. But I can tell you that the director-general and executive staff at Canberra Hospital and across ACT Health take bullying and harassment very seriously. A clinical culture

committee has been established, chaired by the director-general, who has taken a particularly proactive approach in ensuring that staff feel that they can report such incidents and that there is good leadership of all staff throughout ACT Health and at the Canberra Hospital in particular.

I also know that the colleges, including the emergency medicine college and the Royal Australasian College of Surgeons, among others, have taken it upon themselves to be extremely proactive in developing a set of protocols and guidelines that they expect all their members to adhere to. Some have even taken the extra step of initiating specific training for that particular college. I congratulate them very much on their proactive approach to stamping out bullying and harassment as part of medical culture.

MS LAWDER: Minister, what strategies have been put in place by the management of Canberra public hospitals to address employee concerns about these issues?

MS FITZHARRIS: As I referred to in my previous answer, the clinical culture committee takes a very proactive leadership role in Canberra Hospital. I can also advise that the people and culture branch provides ongoing information and support to managers who are managing allegations of bullying and/or to staff experiencing bullying in the workplace. Advice is frequently given to managers and staff based on information contained in relevant enterprise agreements.

ACT Health is continuing to expand the RED contact officer network, which now has 103 staff in it. These contact officers model and promote the ACT public service values and signature behaviours to develop positive work cultures across the ACT public service and provide information to staff seeking a solution to improve or resolve a workplace issue or situation. Managers and staff are advised of the support available to them as well through the employee assistance program.

MS LEE: Minister, what disciplinary sanctions are available for use against bullies in Canberra's public hospitals and have those sanctions been applied in the past three years?

MS FITZHARRIS: The usual public service processes that I outlined in my previous answer would be applied very proactively. I will take the specifics of the question on notice.

Minister for Health and Wellbeing—ministerial briefing

MR MILLIGAN: My question is to the minister for health. I refer to the answer to estimates question on notice 516. Mrs Dunne asked:

Why did your incoming minister's brief not include information about the risk status of the electrical system at Canberra Hospital ...?

You replied:

The purpose of the incoming Minister's briefs was to provide the new Minister with an update on key priorities, issues and projects as at the time of the briefing.

Minister, why was the electrical switchboard replacement not considered to be a key priority, issue or project?

MS FITZHARRIS: I thank Mr Milligan for the question and note, again referring to my answer in estimates and also to the purpose of an incoming government brief, that it is of course prepared by a directorate to advise the minister. It is not up to the minister to answer, as a new incoming minister, what the department determines to be in that brief. Its very purpose is to provide a platform for discussion with an incoming minister.

However, I did advise that part of that incoming government brief, from my recollection, one element of the incoming government brief, was to focus on the implementation of significant budget initiatives. And for the umpteenth time, Madam Acting Speaker—

Mrs Jones interjecting—

MS FITZHARRIS: the 2016-17 budget—

Mrs Jones interjecting—

MS FITZHARRIS: contained nearly \$100 million—

Mrs Jones interjecting—

MS FITZHARRIS: to upgrade a range of assets and infrastructure at the Canberra Hospital. The government acted on this in last year's budget.

Mrs Jones interjecting—

Mr Rattenbury: Point of order, Madam Acting Speaker.

MADAM ACTING SPEAKER: Yes.

MR RATTENBURY: I note that the previous question was about bullying and yet Mrs Jones continues to interject and make it very difficult for me to hear the minister for health.

Mrs Jones: On the point of order—

MADAM SPEAKER: Mrs Jones, please sit down. I will not take the point of order. Also, Mrs Jones, I would point out to you that when a member is speaking it is not appropriate to stand and speak over them. Supplementary question, Mr Milligan.

MR MILLIGAN: Minister, what concerns have you raised with your directorate about the lack of information in your incoming minister's brief?

MS FITZHARRIS: I have not raised concerns with the directorate. As I indicated, it is up to the directorate to provide information in that briefing pack. It was very clear that ACT Health were implementing the recommendations from previous assessments that resulted in a nearly \$100 million commitment in last year's budget to undertake upgrades at the Canberra Hospital and at other ACT Health facilities. I will say it again: the government took action last year to invest nearly \$100 million to upgrade ACT Health assets.

MR WALL: Minister, did you receive an incoming minister's brief as Assistant Minister for Health, and did it include information about the AECOM report?

MS FITZHARRIS: Yes, I did. My recollection is that I did receive an incoming minister's brief when I became Assistant Minister for Health. I do not recall whether it included that information, but I will check.

Disability services—government policy

MR PETTERSSON: My question is to the Minister for Disability, Children and Youth. How is the ACT government working to ensure positive outcomes for Canberrans with disability?

MS STEPHEN-SMITH: I thank Mr Pettersson for his question. The ACT government envisions an inclusive ACT community where people with disability can achieve their goals and aspirations and are valued as full and equal members of the ACT community.

The Office for Disability works with the ACT community of people with disability to realise the key priorities of the National Disability Strategy. This is achieved in part through the many priorities and actions under the ACT disability commitment, *Involve*, which aims to ensure that the ACT is a welcoming, accessible and inclusive place for people with disability to live, work and play.

Just one example is that this government is working to design and build an accessible and flexible integrated transport system, which already includes nearly 300 easy-access buses in ACTION's current fleet and a flexible bus service, and will soon include the light rail system, which is designed with accessible stops and level boarding.

The Office for Disability also works with the Disability Reference Group, which is integral to ensuring that the ACT government is aware of the issues affecting people with disability and informing the government on ways in which the ACT can be more inclusive for people with disability. The group met for the first time this week under the guidance of the new co-chair Mr Dougie Herd, who will continue the great work of the outgoing co-chair Ms Sue Salthouse.

The work of the Disability Reference Group is supported by the Office for Disability to provide policy and program expertise. The Office for Disability also supports ongoing policy and oversight responsibilities related to the implementation of the NDIS in the ACT, ensuring that the ACT can monitor and advocate in relation to issues related to both participant and provider experience in the NDIS.

The ACT government wants to see flexibility and diversity in programs, services and supports for people with disability across our community.

MR PETTERSSON: How is the government supporting individuals and organisations to raise awareness and be inclusive of people with disability?

MS STEPHEN-SMITH: I thank Mr Pettersson for his supplementary question. We are committed, of course, to ensuring the delivery of a broad range of services and programs that support people with disability to have control over what supports they have and to be able to live the life they choose. The ACT government also continues to support individuals and organisations to raise awareness and be inclusive of people with disability.

The ACT government's 2017-18 budget, for example, provides \$200,000 over four years for new disability access grants. These grants will support greater social inclusion for people with disability by increasing opportunities for people with disability to participate in mainstream community and volunteer groups. Small grants will be made available to enable groups to become more inclusive, with grants being considered for training, awareness raising and infrastructure modifications. I look forward to announcing further information about these grants later in the year.

Additionally, up to \$25,000 has been provided for the 2017 I-Day grants. I-Day stands for International Day of People with Disability. I-Day is held on 3 December each year and is the United Nations sanctioned day that is celebrated internationally. It aims to increase public awareness, understanding and acceptance of people with disability and celebrate the achievements and contributions of people with disability across the community. This year up to \$5,000 is available to individuals and/or organisations to assist in staging programming or events for I-Day.

As well as highlighting the role of people with disability in our community, I-Day events may also raise awareness of issues facing people with disability. Applications for this program will close on 4 September 2017. I encourage all members in this place to raise awareness of the program and to participate in I-Day activities when they come around on 3 December and in that week.

MS ORR: Minister, how have Canberrans marked International Day of People with a Disability in previous years?

MS STEPHEN-SMITH: I-Day brings together individuals, schools, businesses, community organisations and governments from every corner of the globe to celebrate and acknowledge the contributions, skills and achievements of people with disability.

Since commencement of I-Day celebrations in the ACT, a diverse range of activities and events have taken place that have been effective in raising awareness, providing information and resources, launching new ventures and celebrating the diversity and talent of people with disabilities.

Events hosted in the ACT with the use of I-Day grants in previous years have included art exhibitions, including photo exhibitions, for example, highlighting LGBTIQ Canberrans who identify as having a disability, or women with disability performing in a circus; workshops for people to start a business; digital stories of young people with disability; all abilities sports events, like bowls and lake walks; forums, including last year's strong women, strong self-management forum hosted by Women with Disabilities; and a sensory garden unveiling with Tandem life skills program, hosted by DUO.

These previous I-Day grants recipients have supported the delivery of programs and events that bring together the wider community, business sector and government to promote social inclusion.

I encourage everyone again to get involved in this year's activities for the United Nations endorsed International Day of People with a Disability. Let us celebrate together the role that people with disability play in the political, social, economic and cultural life of our community. More information on activities and events and on I-Day itself can be found on the Community Services Directorate website.

Public housing—maintenance

MR PARTON: My question is directed to the Minister for Housing and Suburban Development. Minister, when will you be releasing the request for tender for the provision of repairs and maintenance for public housing?

MS BERRY: I do not have the exact time frame for the release of the request for tender for the contract for maintenance of public housing with me today. I can get that information, if it is available, and provide it to the Assembly.

MR PARTON: Minister, what stakeholder sectors have or are being consulted in developing the statement of requirement for that request for tender?

MS BERRY: All relevant stakeholders will be consulted during the process.

MRS JONES: Minister, what services will the request for tender cover?

MS BERRY: I do not have a comprehensive list of every type of different service that the current maintenance provider provides to Housing ACT, but it would and does include things like cleaning and maintaining houses once they are at the end of a lease, upgrades to kitchens, upgrades to the houses in general around carpeting and painting, any kind of minor repairs that are not repairs required to be done by the tenant as part

of their lease with Housing ACT, changing locks at the end of a lease. There would be any number of general maintenance items that would be covered by the current maintenance contract.

Education—STEM learning

MS ORR: My question is to the Minister for Education and Early Childhood Development. Minister, I note that this week is STEM week and there have been a number of activities across the ACT. Can you advise the Assembly on why the government is encouraging young people to take up an interest, a vocation or a career in science, technology, engineering and maths?

MS BERRY: Of course, it is actually Science Week, which makes up the science part in the STEM program of education. It is almost stating the obvious to say that the future of work in the developed world will be in fields based on science, technology, engineering and maths. Take a look around, pick up a newspaper or get on the internet and it is clear. Gone are the days when routine and manual tasks form the basis of our world. Our world is increasingly globalised and digitised, characterised by increasing levels of disruption and a rapid pace of technological development.

Members might have noted the recent release of a report from the Foundation for Young Australians titled *The New Work Smarts*. If you have not, I draw it to your attention. The report outlines findings from an analysis of 20 billion hours of work completed by 12 million Australians each year. It looked at more than 400 occupations and matched them with required work-related skills to gain an insight into what skills would matter most in 2030. The findings are telling and affirm the government's focus. Almost 100 per cent more time at work will be spent solving problems, 41 per cent more time will be spent on critical thinking and judgement and 77 per cent more time will be spent using science.

Similar themes are being found in the International Labour Organisation's future of work research, and the government's own future of education conversation is uncovering this, as our community has recognised the same need. The topic "learning for the future" has so far received the most comments in total and is being raised by most stakeholders, including students, parents, teachers and academics.

Our curriculum needs to address and include learning for the future or 21st century skills. The government is focused on providing future generations with the chance of a decent life. An important part of this is encouraging young people to take up an interest or vocation—(*Time expired.*)

MS ORR: Minister, how is the government encouraging teachers to excel in teaching STEM?

MS BERRY: Building teacher capability is at the core of improving education in science, technology, engineering and maths for our students. The ACT government has committed funding in the 2017-18 budget of \$875,000 over four years for 25 scholarships a year with a particular focus on these areas. These scholarships will

build teacher capability to implement the Australian curriculum in related subjects. Teacher professional learning in this way will also improve teacher understanding and skill in STEM teaching and learning.

Our city needs both teachers with expertise in these subjects as well as teachers with expertise in teaching these subjects. I have noted with interest some of the work that the University of Canberra has been doing on this issue, including the appointment of Professor Tom Lowrie, a well-respected leader in mathematics education, visual reasoning and spatial ability as well as information graphics and dynamic imagery. I look forward to working with the UC in the future on this important work.

Additionally, the government is investing in modern learning environments so that our teachers and students have what they need to teach and learn these subjects. The 2017-18 budget commits \$85 million over four years to school infrastructure upgrades, some of which will be used to refresh, for example, science labs. Additionally, the Centre for Innovation and Learning at Caroline Chisholm School, a \$5.896 million capital works project, is due to open in 2018, and the government will bring forward in a future budget funding for its commitment to an ACT academy of coding and cyber skills.

There are already some great examples where the government is supporting innovation and excellence in teaching STEM subjects. At Melrose high teacher Geoff McNamara has established unique student-mentor partnerships and learning opportunities that support excellence in STEM learning, and many other schools are taking up the initiative to do the same.

MS CODY: Minister, how is the government supporting students to excel in learning in science and other STEM subjects?

MS BERRY: The work the government is doing to support teachers in science and other STEM subjects is of course a vital part of supporting student learning. I outlined in response to the last question some of the great initiatives that are underway in our schools, as well as the government's investment in infrastructure and programs like the Centre for Innovation and Learning and the Academy of Coding and Cyber Skills.

There are a range of initiatives focused on ensuring that students have boundary-crossing capabilities, such as critical thinking and problem solving, as well as developing core knowledge and skills that are essential for lifelong learning and the future of work. In preschools the early years learning framework embeds support for children to develop dispositions and skills such as curiosity, problem solving, inquiry, experimentation, hypothesising, researching and investigating.

In our primary schools, inquiry-based learning approaches involve posing questions, making observations, conducting research, collecting and analysing data, and creating solutions. A number of schools have also established maker spaces to strengthen their focus on project-based collaboration and problem solving.

Initiatives in high schools to engage and enthuse students in science and other STEM subjects include the CSIRO creativity in science and technology program, providing support for students and teachers to undertake open-ended science and technology investigations, as well as in partnership models like Mr McNamara's mentoring program.

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

Supplementary answers to questions without notice Animals—dog attack compensation

MR BARR: Earlier in question time Mr Doszpot asked a question in relation to whether matters were tabled in this place in the debate on 2 August. I can confirm that the minutes of proceedings record that I presented an act of grace payments assessment framework—page 300 of the minutes of proceedings. The framework was tabled and sits in the folder that the secretariat have before us. In asking that question, aside from the amateur level of research associated with it, the member has breached standing order 117(a)(i) and most likely (iii) and (iv) in relation to the question. Facts must be authenticated in the asking of a question.

I would also draw to Mr Doszpot's attention that should he publish or seek to publish false reports of proceedings of this place he will be in contempt under standing order 277G. My final observation on this matter is that any further approaches from Mr Doszpot outside this place in relation to this matter will, in my view, constitute contempt under standing order 277(b), improper influence of a member. He is free to pursue opportunities within the form of this place but approaching me in the car park seeking private conversation, seeking to influence my decisions as a member of this place, stands in contempt of the standing orders. He has been in this place long enough to know that he cannot mislead the Assembly like he did.

MADAM ACTING SPEAKER: Withdraw.

MR BARR: I withdraw, Madam Speaker. He would be aware of the standing orders. He has been in this place long enough and that question, when the facts were clearly on the table, demonstrates a contempt for this place and for the standing orders of this place.

Mr Coe: Settle down.

MR BARR: No, I will not settle down. I take these matters seriously.

MR DOSZPOT: Madam Acting Speaker, the facts I brought up—

MADAM ACTING SPEAKER: Sorry, you cannot just stand and speak. You need to use the standing orders.

Mr Rattenbury interjecting—

MADAM ACTING SPEAKER: Order! There has been discussion in this place about bullying today.

MR DOSZPOT: I seek leave to make a brief statement.

Leave granted.

MR DOSZPOT: The questions that were put to Mr Barr today were based on information that my office sought from the Assembly secretariat. We were told that there was no tabling of any documents. That is what we presented and if—

Mr Barr interjecting—

MADAM ACTING SPEAKER: Order! You were heard in silence.

MR DOSZPOT: If that information is inaccurate then I apologise, but we only spoke on the advice that was given to us.

Budget—justice and community safety portfolio

MR HANSON: I fear that the Chief Minister may have misled the Assembly and I am inviting him to either correct the record or clarify his response to a question without notice.

MADAM ACTING SPEAKER: You need leave to make a statement.

MR HANSON: I seek leave to make a brief statement.

Leave granted.

MR HANSON: I asked a question in question time today with regard to the efficiency dividend being applied to the DPP. The Treasurer responded that there is no efficiency dividend being applied to the DPP. The response that has been provided to me previously and to the estimates committee, to which I refer members and which I am happy to table, is the response to question on notice 166 from the Attorney-General. It says:

The current breakdown of the allocation of the \$4.9m JACS Directorate portfolio efficiencies by business unit and percentage of the estimated business unit appropriation is outlined below:

It allocates a \$228,000 efficiency dividend to the DPP. Either the Attorney-General has misled in response to the estimates committee or the Treasurer has misled the Assembly in his response to my question without notice. I invite the Treasurer to clarify or correct the record.

MR BARR: There is no government policy for an efficiency dividend.

MADAM ACTING SPEAKER: Sorry, you will need leave to make a statement.

MR BARR: I seek leave to respond to a statement in response to the member opposite's statement in response to my statement in question time.

MADAM ACTING SPEAKER: You do need to use the standing orders.

MR BARR: Indeed.

MADAM ACTING SPEAKER: You were quoting them before.

Leave granted.

MR BARR: There is no government policy for an efficiency dividend. That does not preclude the government seeking savings in portfolio areas. The question was specifically in relation to an efficiency dividend. That has a very clear meaning and understanding. My response is in accordance with that very clear meaning and understanding. As I indicated in my response to his subsequent question, the government in fact provided an additional appropriation for the Director of Public Prosecutions.

**Googong Dam—access
Crime—fuel theft**

MR GENTLEMAN: I have two answers arising from question time. The first is to Mr Wall's question in regard to the gate at Googong. I can advise that while I was away directorate officials worked with those stakeholders whom we discussed. They will be installing an automatic closing gate with access for the anglers. That will ensure that the community has access to Googong while ensuring the savings that we were after.

In regard to Mrs Jones's questions about drive-offs, police have advised that they do take action on drive-offs from petrol stations. Where the complainant elects to report the incident without provision of supporting evidence and police identify evidence of a secondary criminality such as repeat offences, stolen number plates or stolen vehicles, a police investigation will be commenced and supporting evidence will be requested from the complainant.

Where the complainant elects to report the incident and provides supporting evidence such as CCTV and witness statement and there is no evidence of secondary criminality a police investigation will be commenced and the complainant will be required to commit to the judicial process. When the complainant cannot provide evidence or evidence is not available there is, unfortunately, limited action that police can take.

Public housing—renewal program
Public housing—maintenance

MS BERRY: In response to a question from Mr Parton yesterday I can provide the following information: there are 782 dwellings progressing or completed under the public housing renewal task force construction program and 497 dwellings have been purchased or are under contract through the expression of interest process. As I alluded to yesterday, replacement properties are being built and purchased in suburbs all across Canberra, in line with the government's approach to providing public housing right across our community.

In addition, on the question today I can provide some clarity with regard to the housing maintenance contract. The new contract will kick off from 1 July 2018 with announcements on the tender process soon.

Legislative Assembly—chamber acoustics

MADAM ACTING SPEAKER: Just on a matter about the chamber, I know that former practice and standing orders say that you should address the chair but I have become very conscious that, especially when people sitting at the centre table speak, people behind them cannot hear. It may be that we are going to have to talk to the attendants about turning up the volume or something like that. I noticed Ms Le Couteur had problems hearing the Chief Minister earlier. It seemed that Mr Parton had problems hearing as well. It is just something we might have to keep in mind.

Supplementary answers to questions without notice
Roads—Erindale

MS FITZHARRIS: Yesterday Ms Lawder asked questions about work underway in Gartside Street in Erindale, and I am pleased to advise that works have indeed commenced on Gartside Street improvements today. These stage 1 improvements, as we know, will focus on resolving on-street car parking, traffic issues, pedestrian safety and the amenity of the street. Gartside Street will be narrowed to slow cars, providing room for safer, indented car parking as well as more space on the verges for pedestrians, street trees, footpaths and paved gathering spaces, with seats, bins and bike racks.

Other improvements as part of the upgrade will include reducing the number of driveways along the street to remove conflict points for cars; improvements to the path on the southern verge to fill in the gaps in the existing path network; and a pedestrian crossing on Gartside Street, with lighting improvements rolled out to the new crossing and along the street.

The works will enhance the street character and encourage active living by improving pedestrian routes with appropriate infrastructure and landscape elements that are more people friendly and inviting.

TCCS can also advise that the following consultation was undertaken most recently with local business and the community. Preliminary consultation with local businesses was undertaken in March 2016 following the extensive master planning process. Further community consultation was undertaken between July and August 2016. Local businesses were also notified in late June and again in early August, outlining the commencement and timelines for works. This included a letter box drop just two weeks ago.

Bimberi Youth Justice Centre—Human Rights Commission referral

MS STEPHEN-SMITH: The Community Services Directorate has been able to confirm that all the emails it received—in relation to a question I was asked earlier—were provided to the Human Rights Commission. In providing that answer, I would also remind those opposite that it is not only the government that has an obligation to report to the Human Rights Commission but that anyone with information about alleged misconduct or wrongdoing can and should report those allegations to the Human Rights Commission. That includes those opposite, should they receive any such information.

Canberra—governance

Debate resumed.

MRS JONES (Murrumbidgee) (3.47): I am pleased to stand to speak in support of the motion in Mrs Lawder's name on the notice paper. Ms Lawder has accurately outlined some of the many problems that the government is suffering from in its old age. I can add that it is very interesting that in the Chief Minister's response he did not seem to want to accept that there was anything wrong. We did not really have a discussion of the matters that were in the motion here. I think it is telling, in a way, that the government is not keen to go into these details, despite the fact that they are all matters of record.

One of the most apparent examples of the failure of this government to manage is the accommodation crisis at the Alexander Maconochie Centre. Unfortunately, the AMC is currently experiencing a real problem with its accommodation for women, a crisis which could have been avoided if the Minister for Corrections were paying more attention. There will be a motion later today in my name on this topic.

The minister admitted to the chamber on 3 August that the AMC has had up to 45 women in a facility designed for 29. As a result, the prison is undergoing all sorts of challenges. They have had to repurpose the management unit and cells on the side of the health unit to find an additional 14 beds and four beds respectively. This is far from best practice. On top of this, the government is now considering both on-site and off-site options to solve the crisis, only there is no clear idea yet as to when any of this will occur.

The minister told the Assembly that the rise in the population of women in the AMC was a development for which he did not plan. I ask the minister how it is that he did not foresee the rise in the number of women being incarcerated in the ACT, when even ABS statistics show that the per 100,000 rate of women being incarcerated in the ACT has been steadily rising since 2014.

This evidence shows that there has been a trend for some years across the ACT. Yes, the trend has accelerated, but there has absolutely been, year on year, a trend of increase. The government's very own JACS annual reports indicate that the average daily female prisoner population has continued to grow, particularly amongst Indigenous women. It has not been growing exclusively in the past few months. This growth dates back to the year the AMC was opened. Was the government ignoring these facts or just not doing due diligence?

Did the minister consider the massive growth to our population in the ACT we keep hearing about from this government? And what about the growth rate of women in prisons in other states and around the world? Furthermore, the government's response to the Select Committee on Estimates report yesterday is further evidence the government is not willing to accept that it has actually failed in this area of good governance.

Recommendations 81 and 82 of the report recommend that the government immediately address the lack of dedicated accommodation for women in the AMC, and report to the Assembly on any plans for resolving it. Arrogantly and disrespectfully, the government's response to the committee is merely to note those recommendations. The government has agreed to 59 recommendations, agreed in principle to 36 and agreed in part to 10, but it only notes the recommendations about women's accommodation. It does not even agree to them in principle or in part. That is quite a shame and a bit absurd.

The ACT government has also shown a disregard for the community's safety by failing to adequately equip and support our police. In the 2011-12 ACT Policing contract, total funding of \$148,564,000 was allocated. In 2016-17 the contract was \$154,932,000. That is an increase of about 4.3 per cent over five years. In that same time inflation in the ACT has increased by about 8.2 per cent. In real terms, that is actually a cut to the police. And this is before we even consider the 11.2 per cent population growth over the same period.

This does not meet community expectations. The ACT government needs to show real support to the police, giving them the authority and resources to best do their jobs. The government has failed to provide for the community's safety from criminal bkie gangs by refusing to act on our calls and those of others for anti-consorting laws. The Attorney-General has cited human rights concerns for bikies. Yes, really!

This government is out of touch, arrogant, uninterested in good governance, tired and old, and would rather focus on doing inconsistent and unjustifiable deals than on fixing issues with the prison or supporting our police. The government is more

interested in finding ways to support its mates, be it purchasing the CFMEU headquarters and leasing it back to them for a dollar per year or holding a one-off government-supported panel to further the needs of a private golf club which recently converted from Clubs ACT to the Chief Minister's favoured Canberra Community Clubs.

The government is more interested in burdening the people of Canberra with increases to their rates and land tax well above CPI and the cost of living, hiking up government charges and treating them like an ATM to pay for all of these inconsistent and unjustifiable dodgy deals. The government is more interested in steaming ahead with its public housing agenda without the proper consultation, taking public amenity from communities with no regard for their expectations or the promises that have been made to them.

The government needs to have a bit of an attitude adjustment towards the people of the ACT. It must act to protect the public, must stop making inconsistent and unjustifiable decisions, must become more transparent and must stop giving preferential treatment to its mates. The people of Canberra deserve better.

MRS KIKKERT (Ginninderra) (3.53): I stand today to speak in support of the motion brought forward by Ms Lawder. Canberrans certainly deserve better than what they have been getting from this government. Other members have already addressed the basic issues such as inconsistency, lack of transparency, failure to provide for basic safety, and blatant disregard, often outright contempt, for many in our community. I know that the Chief Minister said they are doing what Canberrans want them to do. Yet the issues plaguing the youth justice system have been around for years. This may indicate that the government are picky about who and what they listen to.

I wish to speak specifically to section 1(c)(ii) of the motion: the failure to provide an environment inside the Bimberi Youth Justice Centre that guarantees the safety of both the young detainees and the staff who work with them. Much was said on this topic two weeks ago. I therefore will provide simply a brief reminder and overview. First, a place of youth detention should be a place of safety for all inside. Though it should have happened a long time ago, this basic and obvious point has recently been formalised by the ACT government in its new charter of rights for young people in Bimberi.

Second, a right spelled out for detainees in this document is: "You have the right to be kept safe while you are at Bimberi." The ACT government has repeatedly failed to secure this right for those in the territory's youth detention centre. In a statement tabled in this Assembly two weeks ago, the Minister for Disability, Children and Youth admitted that in 2015-16 there were at least eight assaults by detainees on other young people in Bimberi. Former youth workers have told me they suspect this is a case of under-reporting.

When faced with a motion of censure, the minister updated the members of this Assembly with more recent information for 2016-17. Unsurprisingly, Bimberi

remained unsafe for both detainees and staff last year as well, with at least four assaults on young people and at least two on youth workers. We are not confident that this might not be another case of under-reporting.

Third, when asked about violent assaults in Bimberi, the minister explained to the media: “When you have people like that together, every now and again accidents will occur.” In other words, the ACT government is willing to tell kids in youth detention one thing: that they have the right to be kept safe. But then they will admit the truth to the media: that this government lacks both the will and the capacity to actually guarantee that right. Which is it? Do young people have the right to be kept safe in Bimberi? Or should they expect to face occasional brawls and violent assaults because “that is just what happens”, Minister Stephen-Smith said, “when you have people like that together”?

Perhaps a bit of honesty should have been written into the new charter of rights, such as, “Dear Bimberi kids, we really wish you had the right to feel safe while you are here, but in reality we do not actually know how to run this place, so please keep your eyes open for violent incidents that are inevitably going to occur every now and again for people like you. Yours sincerely, the ACT government.” This is unacceptable. There you have it: honesty and transparency, which is what this government lacks. To paraphrase another Australian parliamentarian, if a government cannot guarantee the safety of a juvenile inmate, then they are failing in their basic requirements as a government.

I note that there was a decline in reported assaults at Bimberi last year. But I suspect that that may have been, in large part, a result of the low number of detainees in the first half of the year. With what Dr Mark Collis has identified as a surge of young people into the centre over the first part of 2017, I worry that the number of assaults will simply go up again.

The one thing I feel reasonably confident of is that the number of violent assaults in Bimberi this year will not be zero. It should be, but it will not be. This task is not impossible. A 2016 report written jointly by the Australian Children’s Commissioners and Guardians identified a number of factors that create opportunities for assaults to occur in places of youth detention. Two main factors are the inadequate staffing levels and the lack of necessary training for staff, issues that all of us in the chamber understand continue to plague Bimberi.

A serious government that genuinely cared for the safety of vulnerable young people and the staff who are employed to help them would not tolerate what the minister herself has reported as the current state of safety in Bimberi. I can only conclude that the ACT government holds these young people and their families in contempt. They are, in the minister’s own words, “people like that”. I reject this label and the lack of regard that it implies. Canberrans deserve better. We deserve a youth justice centre where both young people and youth workers have a right to be kept safe. We deserve a government that can guarantee the right, not just pay it lip-service on paper. We should accept nothing less.

MR PARTON (Brindabella) (3.59): It is funny that when we start talking about preferential treatment, cronyism, favouritism, mates' rates and secrets the tone changes over the other side. There are 25 members of this Assembly, who all received quite a substantial primary vote in October last year, which entitled each and every one of us to represent our electorate in this place. And it is a great honour for us all to do that.

What those opposite seem to forget, or do not seem to be able to understand, is that when you are elected to this place you are supposed to represent everyone in your electorate. Indeed, depending on your portfolio responsibilities, you are here to listen to and represent all Canberrans. Canberra is not just one big Labor club. As much as you would like it to be, it is not. How dare you ignore those who do not agree with you. You were not elected just to represent Labor voters. How dare this government go out of its way to punish those who have dared to stand up against it. I think it is disgraceful.

The front bench opposite us is populated by a number of members who have long been a part of this arrogant, power hungry and condescending government. Although they may shake their heads and scoff at what I am saying, I know that some of the newer members—members who are still awake, unlike Mr Pettersson, who is catching some zeds—who have not yet been poisoned by this machine know in their hearts that so much of what I am saying is true. But raging against the machine is just a bit too hard for them at this stage.

This is a government that believes it can get away with anything. They keep on telling us that their election victory has given them a mandate to do whatever they like. What a disgraceful act to steal the community facility zones from the suburbs of Wright, Holder, Mawson and Chapman, armed with a sneaky little technical amendment to the planning act. We have all seen the shameful public consultation, or lack thereof, in that space.

I am still gobsmacked that our Chief Minister has the gall to come out and publicly declare that he refuses to deal with the peak body representing the vast bulk of our community clubs. We certainly were not expecting that ClubsACT would help them to write any tax policy, but they should be consulted. Instead they are going to get their trade union buddies to set up a pretend clubs group and make sure they look after them while ignoring the rest of Canberra's clubs, all the while throwing barbs and insults at this legitimate peak body for daring to step out of line.

The regulatory services minister made a masterful maiden speech in which he promised to include everyone. He promised he was going to listen to each and every voice, but in his apprenticeship as a minister he is not courageous enough to stand up to the Chief Minister and say, "Excuse me, Mr Barr, maybe this isn't the way to deal with this." "Yes, Chief Minister. Of course, Chief Minister. Whatever you say, Chief Minister. If you don't want me to even speak to ClubsACT, I'll stand in line with you, Chief Minister." This is how school bullies operate, and I think school bullies must be stopped.

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) (4.03): I want to take this chance to remind members about some of the opportunities to be involved in conversations across portfolios that I am responsible for that have been kicked off this year. The family safety hub is a very important project that is going through a co-design process, having hundreds of conversations, importantly, with the experts in the sector that deliver services to women and children and with others who are experiencing domestic and family violence.

This is occurring right now. Members of this place have been invited to come along and have a walk through the work that has been happening so far with the co-design of that hub. It is such an important part of the design of the hub to ensure that the voices of victims and survivors, as well as support workers, are very much engaged in how the family safety hub will operate once this co-design process is completed.

I hope that members in this place will take the chance to come along and find out what is going on, because it is a very important project. Domestic and family violence is a very important issue. For the ACT government, for the first time, to have a minister for the prevention of domestic and family violence and to develop the family safety hub is nation leading. We will do everything that we can to stop this kind of violence happening in our community. But, importantly, it is a conversation that is happening within our community to prevent what is unacceptable from happening.

The future of education consultation was kicked off earlier this year. There have already been thousands of conversations with young people in kindergarten, early childhood educators, teachers, support workers, parents and others all across our community. They are being involved in this conversation. As far as I am aware, this is the first time a conversation as big as this one, to develop a strategy for Canberra on education, has ever occurred. It is a very important conversation. In addition, in the early childhood education and care space there is funding for the development of a strategy. It is also being done with very detailed and careful conversations with the workers in the sector, with the operators that provide the services and with the parents, children and young people who access those services.

Having the voices of young people in all of these conversations has been important to me, to make sure that the children are involved every step of the way so that we can get the best advice and stories from more than just academics, although academics' advice is always very carefully considered. The people who are actually using these services, who are in our schools—Catholic, independent, public, early childhood education centres—are all involved in these conversations to develop strategies that will take our city into the future.

In addition, I recently launched the affordable housing strategy. We have a conversation leading up to a summit on 17 October. We have so many different opportunities for people—more than just the experts—to be engaged in that

conversation. We are looking at ways to make sure that individuals within our communities get the chance to have a say and get to have a say in a way that suits them, not so much just responding to a question on an internet site.

We are going out to shopping centres to make sure that individuals have the chance to have a conversation about how we build affordable housing and a housing strategy for Canberra for the next decade and into the future. It is not a government that is relying just on the internet or on social media to get a response; it is a government that is going out and talking with individuals and groups to make sure that we properly have feedback from all of those organisations and individuals in all of the work that is occurring in these places.

I want to touch on the comments that have been made about the government stealing and taking community facilities away from existing communities. I make this point: what the government is asking is for these communities to share a small piece of their open space so that we can build public housing that best suits the needs of our tenants and that gives our tenants, some of the poorest people in our city, the best chance at a decent life. Instead of running around demonising and creating fear and division across suburbs, across this city, between poor people and others, the Canberra Liberals could take the chance to build strong communities that care about supporting poor people in our community so that they can have the same kinds of chances that they do.

MRS DUNNE (Ginninderra) (4.09): I warmly welcome Ms Lawder's very apposite motion and the examples she provided in the motion to prove how important it is that we look at the good governance of this territory and highlight the bad governance that has come under the tutelage of this Labor Party and this Chief Minister. I would like to reflect for a little while on a couple of other examples.

It is clear that matters emerging in the health directorate show a culture of neglect that has gone on for many years. Previous health ministers talked about the 10-year war in obstetrics and shrugged their shoulders and said that warring and bullying in the health system was something that we just had to take for granted. We have lots of processes, but even to this very day we see reports of how bullying in the health system, not just in the ACT health system but across the country, is endemic. I think we have a very complacent view on that. When we put people on the front line and demand so much of them, not to protect them from bullying and not to take this seriously is an important matter. It goes to our integrity as administrators if we do not look after these issues.

The other issues that have plagued the health system, of course, have been the integrity of hospital data, which is a saga that has gone on since about 2009. It was highlighted in 2012 when deliberate data doctoring it came to light. We know that some people were punished for that, but we also know from the PricewaterhouseCoopers report that there was more than one person involved. We have never managed to highlight who the other people were.

There is also the ongoing saga of the maintenance at Canberra Hospital. The minister likes to say that there is money in the budget and we are acting on it. But the glacial pace at which we have approached these issues, and the issues especially around the switchboard, show that we are not really engaged with them. The contradictory information that this Assembly has received through answers to questions on notice and even today in the chamber show that this minister is not across her brief and is a bit complacent about the fact that she is not across her brief. She does not even seem to be concerned that incoming government briefs did not tell her the things that they should have told her, and she does not seem to have done anything about it. They are the issues in the health system.

I want to highlight some local issues that as a member for Ginninderra have occupied a lot of my time. I think Ms Lawder was hoping that there would be something other than planning issues. I am sorry; these are planning issues as well. One of them is the proliferation of multi-unit developments in Kinleyside Crescent, Weetangera, in my electorate of Ginninderra. Kinleyside Crescent is within the RZ2 zone. There are provisions, which are perfectly legal, that allow people to build increasing density in those areas. But the level of cooperation with neighbours and the quality and the density that has been allowed really cause concern for the neighbourhood. There is also increasing concern for those people who are going to be squeezed out by multi-unit residential developments.

There was a development application lodged for a development in Kinleyside Street in Weetangera on 21 May 2015. The government said that it sent out letters to neighbouring and opposite residents about this development application on 25 May 2015. It is strange that the government thought it was appropriate that only seven residents should be identified and have letters sent to them, but at least three of those never got the letter that the government claimed they sent. The government did not seem to think that mattered. They really seemed to think that a sign put on the front of the property stating that the DA was available online and an advertisement in the paper were sufficient. That provided, they thought, plenty of opportunities for residents to find out about the development and to take action. That might be fair enough, except if you are an affected resident who happens to back on to that block and you may not drive past the front of the block and see the sign in the street.

Two objections were submitted, but the government decided there was no need for the development application to be amended. It did impose some conditions, but none of the conditions addressed the residents' concern about privacy or solar access for neighbours. Some residents have been quite adversely impacted by this development, specifically because the land at the back of the block falls away quite significantly. The residents have told me about, and I have seen, the extent to which fill was brought in to address this. There are places where about 1.5 metres of fill was brought in. If you run a string line from the ground floor to the 1.8-metre back fence of the block, they are almost on the same level because the area has been built up so much.

This means that because the blocks fall away, the back porches of people who have now bought into this multi-unit development essentially look over the back fences at

about hip height into other neighbours' areas. They have a clear view of everything that is going on in the property. The view, I understand, is even better than on the first floor. The government says that the developer has complied with the privacy rules. Some of the affected residents have spent considerable amounts of money to try to preserve their privacy. In May last year I sent a letter to the Minister for Planning and Land Management asking some questions. Amongst other things, I asked about the use of landfill, changes in the natural fall of the ground, whether the fences complied with the DA approval and whether the development impinged on the privacy or solar access of neighbours.

The minister responded later that month and said that other residents had asked similar questions. He told me that a copy of a letter to them was attached. It was not. I have been trying to get a copy of that letter ever since—that is, since May last year. Then there were issues of whether the developer's landscaping complied with the approved landscaping design. One resident told me that grass had been planted all the way to the back fence and there were no trees or shrubs, as per the approved landscape design. Once again, I sent a letter to the minister. This was in April last year. I am still waiting for a response from the minister. In February this year I followed up with the minister on both of these letters, the ones written in April and May last year. Just like the other correspondence on the Kinleyside development, it has been ignored by the minister. The minister's inaction led me to put questions on notice. They appeared on the notice paper this week. I wonder whether the minister finally will give me some answers.

There are two other developments in Weetangera, both of them in Smith Street. In April this year I wrote about both of these developments. I am still waiting for a response. For one of them, I have again put questions on notice. Maybe if I put questions on notice I will get answers to my questions, because there is some requirement in the standing orders to answer those questions. When a constituent wrote to me about the other residential development in Smith Street, he said he had sent an email to the Minister for Planning and Land Management on 30 January 2017. In that email, he complained about a lack of substantive response from his directorate to objections that he had made about 17 Smith Street. The minister ignored it.

I wrote to the minister in April and followed up in July. The Minister for Planning and Land Management has ignored these letters too. It seems that getting anything out of Mr Gentleman is like extracting teeth. It seems that Mr Gentleman, as the minister for land planning, really exemplifies the kind of contempt that this government holds the people of Canberra in, which has been highlighted by Ms Lawder's motion.

I also think the Minister for Planning and Land Management holds the members of this place in contempt. I am aware of two instances recently. One was where I was invited to spend half an hour of my time to talk about the Kippax master plan. I do not mind doing that. I have spent a bit of time talking about the Kippax master plan. I was asked to come at 8.30 on a particular evening and I was given 1½ days notice. I thought I could attend, but it turned out that I could not attend. With such little notice it is very difficult to attend. I note that Ms Lee received similarly short notice recently in relation to the Federal Golf Club. These are the issues that show such bad governance from this government. They should be remedied.

MS LAWDER (Brindabella) (4.19), in reply: I will close the debate. What we have heard in response to this motion today I think continues to demonstrate the contempt in which the government holds the people of Canberra. The Chief Minister says that the people of Canberra overwhelmingly endorsed his government last year. I am not sure that 1.7 per cent of the total vote to Labor over Liberal is a glowing endorsement and an overwhelming endorsement. The Chief Minister and Mr Rattenbury then said that they reject the basic premise of my motion today. I think you will find that the vast majority of the points listed in this motion have come about through FOI requests, through Auditor-General's reports and through questions in the Assembly from members to relevant ministers. So how can we reject this publicly known data?

How does the Chief Minister reject the fact the government paid \$3.9 million to purchase land from the CFMEU with no plans to use it? How does the Chief Minister reject the fact that his government is now renting that same block back from the CFMEU for \$1 a year? How does the Chief Minister reject the fact that his government purchased land adjacent to Glebe Park for \$4.2 million when valuations placed the property between \$1 million and \$3.8 million?

How does the Chief Minister reject the fact that the building, property and real estate sectors say they were blindsided by a huge 300 per cent increase in LVC on unit developments, let alone how that is going to affect the price of properties and, therefore, affordability for your average Canberran? How does the Chief Minister reject the fact that the purchase of the boat hire company and Mr Spokes near Lake Burley Griffin for \$1 million took place when one valuation was between \$50,000 and \$100,000 and the other \$900,000 to \$1 million? And how does the Chief Minister reject the concerns expressed by a one-off deal given to a Mr Fluffy property in the inner south, with a non-disclosure agreement attached, but not give consideration to others in similar circumstances?

How does the Chief Minister reject the concerns of residents, of ratepayers, of constituents about that sneaky technical amendment which allowed the government to use CFZ land basically for residential purposes? How does the Chief Minister reject the fact that his government has been giving mixed messages to the Ainslie shops? One minute they are to be remediated; the next minute they must be demolished. How does the Chief Minister reject the fact of issues plaguing the youth justice system and of how to keep young people and staff safe at Bimberi? How do you reject the fact that there are peak bodies such as ClubsACT that the government is punishing and refusing to meet with for daring to disagree with them?

How can you reject the fact of issues in the health directorate, such as bullying, integrity of data and maintenance? The fire in the switchboard was another fact. How can you reject the Auditor-General's findings that "transparency, accountability and rigour have been lacking" and that "the final ascribed value lacks evidence and methodology"?

Mr Parton mentioned that this government feel they can get away with anything. The Chief Minister has today rejected transparency, accountability and good governance.

Good governance happens when government behaves in a fair, open and transparent manner. It happens when consultation involves the whole community. It happens when ministers respond to requests and letters from other elected representatives who have every right to ask questions on behalf of their constituents and have every right to expect an answer.

This government does not reflect this. It is for that reason that I moved this motion today asking the government to explain why there are such serious shortcomings with crime prevention and rehabilitation, why Canberrans cannot keep pace with the cost of living, why they are being left out of the conversation about our city's future and why cronyism has become a defining attribute of government in the ACT. It is one-offs; it is special deals; it is cronyism; it is not knowing, not applying the rules in a fair and consistent way; it is double standards and dubious deals; and it is preferential treatment for some and not others. I am very disappointed that the government and the Greens will not support this motion today. But let me say, Mr Assistant Speaker, that I am not at all surprised.

Question resolved in the negative.

Education—government investment

MS ORR (Yerrabi) (4.25): I move:

That this Assembly:

(1) notes:

- (a) the importance of school education as a pathway to employment, inclusion and lifelong learning for Canberrans;
- (b) the contribution of school leaders, teachers and educators to the lives of young Canberrans and the broader community;
- (c) the ACT Government's record of investment in ACT education, continuing through major initiatives in the 2017 Budget;
- (d) the importance of funding schools on a needs basis and supporting equity among schools and students;
- (e) that quality learning environments are central to effective teaching and learning; and
- (f) the need for all schools to be safe, supportive and inclusive; and

(2) calls on the Government to:

- (a) deliver the education commitments it has made to the Canberra community through the election campaign and the Parliamentary Agreement;

- (b) continue to implement and actively advocate for needs based school funding in line with the National Education Reform Agreement;
- (c) support the ongoing development and empowerment of school leaders, teachers and educators to deliver the best quality education to our students;
- (d) support greater use of schools by sporting, community and multicultural groups to grow their place as community hubs; and
- (e) ensure that ACT schools are Safe Schools where support, awareness and inclusion for same sex attracted, intersex and gender diverse students, staff and families are provided.

Education plays an integral role in providing Canberrans with a more inclusive city that supports lifelong learning and gainful employment. It gives me great pleasure to have the opportunity to move this motion today, being myself a product of the ACT public school system. Being a student at Lyneham High School taught me so many of the values I hold dear today, values that I hope to reflect in representing the people of Yerrabi.

The Lyneham High School community is committed to care, quality and creativity. These values played no small part in my path to politics. Working at the department of infrastructure I recognised the importance of caring for my colleagues and took up a position as a CPSU delegate, representing their rights at work. When the project team I was working with was dissolved I realised how much I valued the quality of the work we produced, so strongly, in fact, that I joined the ALP to fight against similar outcomes. The creative environment I was lucky enough to learn in no doubt contributed to me seeking to find new ways to make better use of public space as an urban planner and now an MLA.

I owe much of who I am and where I am to the education I received from ACT government schools. So I seek to move this motion today in support of this government's ongoing commitment to ensuring that more Canberrans can enjoy the opportunities I have been lucky enough to experience. Schools play a key role in the broader community. Many of our public schools in the ACT act as harbours for multicultural, sporting and community groups. Recognising the important role our public schools play in our suburbs, the ACT budget delivers our commitment to invest \$85 million in the upgrading and expansion of classrooms and facilities. This funding will ensure that Canberra's public school facilities keep providing great infrastructure and services not just to our students and staff but to local residents and community groups.

The ACT Labor government is also investing in Gungahlin school facilities in response to growing demand. Public school enrolments in the north of Canberra have grown by 53 per cent over the last five years. With Gungahlin playing host to some of the fastest growing suburbs in the country, this trend is set to continue. The ACT government will provide \$26.2 million in funding to schools in Gungahlin to

expand their capacity. The budget provides funding to Harrison School, Gold Creek School, Neville Bonner Primary School and Palmerston District Primary School. In addition, the new school proposed for north Gungahlin will now include a community-use oval, continuing our commitment to the role schools play in the community. The government will also continue to consider sites for a new school in east Gungahlin.

Of course, it is not just the schools themselves but the teachers and staff that provide support for our local communities. In the ACT our teachers are some of the best educated and most capable in the country. One who I had the pleasure of meeting is Cara. She is an Aboriginal/Welsh educator and a proud member of the Wiradjuri nation from Dubbo. Cara worked at the Wanniasa School until last year as an executive teacher, where, among other things, she taught languages and Indigenous studies.

During her time at the school Cara sought to align the school's strategic plan with a vision to improve engagement with Aboriginal and Torres Strait Islander students to provide better educational outcomes and future pathways. Cara achieved this by working with Indigenous students, their families and educators to develop a culturally sensitive curriculum and stronger understanding within the schools community. Throughout her time at the school Cara displayed an enduring commitment to establishing relationships with all the students she worked with, allowing her to successfully teach and mentor Aboriginal and Torres Strait Islander students at Wanniasa, other schools and the broader community.

Now at Campbell high, Cara has continued this work, opening an Indigenous education centre which she hopes will serve as a resource for other schools in Canberra. The centre incorporates a mix of philosophies, allowing for different approaches for different children depending on their needs. Cara's continued efforts in Indigenous education are driven by what she identifies as a need to find Aboriginal ways of learning that are culturally relevant to Aboriginal children.

I was recently fortunate enough to attend the ACT branch of the Australian Education Union's annual awards night, where a number of local teachers were honoured. At those awards, Cara Shipp received the reconciliation award, awarded each year to a branch member who has worked to further the aims of reconciliation in their work and education. This commitment has led her to reach out beyond her teaching commitments, maintaining a blog about incorporating Indigenous perspectives into education and regularly presenting workshops and professional development sessions for educators and policymakers. Cara's story is one that reflects the inclusive city we live in and the support this budget offers culturally specific initiatives for improving Aboriginal and Torres Strait Islander outcomes.

The importance of a child's education cannot be overstated; it might well be more important today than ever before. The global economy is already well entrenched in a sustained phase of great uncertainty and disruption. While this may seem daunting, at the same time this offers unprecedented potential. Children starting school today will face a very different world when they graduate. Many of the occupations our children

will be employed in may not even have been imagined today. As we continue to realise the seemingly infinite possibilities created by human innovation, ever-growing data capacity and high speed internet, our existing societal and economic constructs face even more and greater challenges. Robotics, algorithms and apps have already replaced a number of jobs our parents and grandparents once held. This trend will only continue, presenting a growing challenge for our policymakers, workers and investors in responding to the unknown. The decisions we make today in this chamber will have an ongoing consequence for whether our children can adapt to our constantly changing technologies and can access well-paid, secure work.

In meeting these needs the best tool we can provide our future workers with is the capacity to undertake lifelong learning. This means a commitment to education that spans from the early learning years right through to access to quality reskilling education and training later in life. The ACT government will continue to work on achieving the best outcomes for students of all ages regardless of their background or circumstance. This budget delivers on that commitment, offering \$3.5 million in the pursuit of continued high quality education for all students. Part of this funding will support the ACT government's future of education process. Never complacent, the ACT government has committed to look at ways that we can further improve our school and early learning education experiences. This budget delivers \$500,000 to support the important engagement with the ACT community in how we can progress education attainment.

Our teachers are our most important resource in equipping our children for the future. This government recognises this better than most. That is why the ACT budget provides funding for 3,649 teachers to educate our 46,557 students. This means there will be one teacher for every 12.7 students in the ACT, one of the lowest teacher-to-student ratios in the country. This ratio is crucial. In a recent program for international student assessment results, Estonia, a country whose GDP per capita ranks 29th of 34 OECD countries, topped Europe, coming in fifth internationally. It has been noted this improvement is partly due to the ratio of students to teachers in Estonian schools falling from 20 students per teacher to 12 over the past two decades. The significance of this should not be lost, as it clearly illustrates the need for the ACT to continue to invest in our teachers to ensure that we continue to enable our students to reach their potential.

As well as needing to teach students the skills they will need in the job market, it cannot be forgotten that our schools play a vital role in teaching life skills. It is in the classroom and playground where we learn to interact with one another, use our inside voice and respect one another for who we are. Growing up alongside others culturally diverse from us offers greater understanding and acceptance of our differences. This lesson on social diversity is one of the greatest virtues of a public school education. Across Canberra we see students from a wide array of backgrounds learn side by side in our public schools. This is no more so than in my electorate of Yerrabi, which is the most culturally diverse in the ACT. With families from more than 40 different cultures, including China, the Philippines, India, Korea, Sri Lanka and Vietnam, to name a few, the electorate is a rich tapestry of multiculturalism. Diversity in schools

is not just something to feel good about; it has real benefits for students and their families. Socioeconomic and racial and gender diversity have been shown to be beneficial for student results and social understanding.

Also, we cannot ignore the commitment our teachers make to our students. At the 2016 AEU teachers awards the AEU recognised two proud Canberra teachers for their lifelong pledge to promoting public education in their schools and the wider community. Heather and Andy Wardrop joined the AEU at the very beginning of their teaching careers, on the same day in 1976. Seemingly destined for one another, their AEU membership numbers ended with 21 and 22. Throughout their careers their commitment to educating young Australians from every background has not wavered. They each live and breathe the values of public education, so much so that in each other they found their soulmate. Having contributed 83 years of loyal service to public education in the territory, Heather and Andy have maintained a strong commitment to ensuring their colleagues and students receive the best outcomes possible. In their commitment to public education, the Wardrops exemplify the significant contribution our teachers make to a better Canberra.

This ACT government is committed to ensuring that every Canberran has access to an education in a safe and encouraging environment. Your sexuality or how you identify should not act as a barrier to education. I have already stood in this chamber to record how proud I am to be an elected representative of in the most LGBTIQ-inclusive city in Australia. Today I am proud to stand in solidarity with my colleagues in support of the ACT Labor government's commitment to an inclusive school environment and our continued funding of the safe schools program.

This budget delivers \$400,000 to support our school communities in ensuring that everyone in our community is treated with respect and dignity and is able to participate in society regardless of their sexual orientation or gender identity. This continues the work already undertaken by the ACT Labor government in ensuring our LGBTIQ community is supported, including the creation of the office of LGBTIQ affairs and the implementation of laws which remove discrimination and recognise the love shared by all Canberrans.

In addition, this budget commits us to hiring five more school psychologists to ensure our students are receiving the mental health services they need. The impact bullying and mental health have on a student's education cannot be ignored, and I am proud to be a part of a government taking this step in the interests of the wellbeing of students everywhere in this city.

As a member of the ACT Labor government I commend our record in providing ACT students with a pathway to employment, inclusion and lifelong learning. I believe this budget delivers on the promises we have made to the ACT and offers a path forward for better student outcomes. That can only be a good thing.

MR WALL (Brindabella) (4.37): I am very pleased to speak to Ms Orr's motion on education today. In doing so, I will be pre-empting the amendments that have already been circulated. I will move them at the conclusion of my speech. The management of

our education system is core business for the ACT government, as it is for every other jurisdiction in Australia, and definitely worthy of a motion in this place. It is a big ticket item in our budget and equates to over \$1.2 billion in investment from the territory.

However, we have now seen seven sittings in this new Assembly, and while no-one in this place should be surprised to see yet another politically fuelled motion from the Labor backbench, on any subject matter, I am surprised at the level of hubris that is on display with the motion today. Foreshadowing my amendments, my motivation is to ensure that the record shows the true state of affairs in the ACT when it comes to the education of young people.

I will start by saying that Ms Orr is correct in noting the importance of school education as a pathway to employment, inclusion and lifelong learning for Canberrans. She is also correct in noting the contribution of school leaders, teachers and educators to the lives of young Canberrans and the broader community. I have been very privileged in the last few months, as I have made my way around the ACT visiting many schools across all sectors, to have met some of the most inspiring educators who have demonstrated a great deal of dedication to their job that I find wholly inspiring and encouraging for the work that is being done across territory schools.

But this is where I will deviate from Ms Orr's motion today. The contribution of teachers and support staff is being dramatically impacted by the rise in violence in classrooms. I am also very conscious of the pressures that our educators face on a daily basis when it comes to dealing with increasing violence in their workplace. We know that there has been a dramatic increase—a 26 per cent increase, in fact—in reported incidents of physical violence against teachers or school leaders, with a total of 264 reported incidents for the last financial year. That does not include the level of unreported incidents that would go largely unknown. This level of violence highlights some real issues in the lack of adequate policies, resourcing and support in place to deal effectively with such violence at a school level.

Whilst it is true that the ACT government has made significant financial investments in education, most particularly public education, we must acknowledge the fact that money does not always solve all problems. As we can see from the ACT Auditor-General's report released earlier this year, significant investment does not equate to significant results. In fact, the Auditor-General elaborates on this by saying in her report:

ACT public schools are performing below similar schools in other jurisdictions despite expenditure on a per student basis for public schools being one of the highest in the country. Since 2014 reviews of ACT public schools have consistently identified shortcomings in their analysis of student performance information and their use of data to inform educational practice. These shortcomings indicate a systemic problem.

This issue does require attention, and, in my view, has needed this attention for some time. I am pleased to see the response to this report provided by the government that was tabled in this place yesterday. I note that there is agreement in part to most of the seven recommendations made by the Auditor-General. This is a positive start.

The glaring omission in Ms Orr's motion is the contribution made by the non-government education sector to the ACT. The fact that Canberra families are currently able to choose the educational setting that is right for their child regardless of their ability, age, religion or even socioeconomic status is a testament to the dedication of educators in all three systems of schooling.

There was an obvious silence from the ACT government earlier this year in the wake of the education funding decision made by the federal Liberal government. The proposed funding changes would have left 35 schools in the ACT receiving less funding in 2027 than they currently receive today and many more receiving only marginal increases of funding over the same period. The flow-on effect would have been catastrophic for the almost 40 per cent of students who attend non-government schools. And still the ACT Labor government did nothing. I am proud to have worked alongside Senator Seselja for a much fairer deal for the ACT that has been negotiated. A review of the SES funding model, in light of the unique situation that the ACT finds itself in, along with a package of an additional \$57.9 million over the next four years, ensures a strong future for our non-government schools across the territory.

Against the backdrop of this scenario, it should also be noted that, according to the Productivity Commission, the ACT government in fact cut non-government school funding to the extent of 4.8 per cent between 2010 and 2015 while the commonwealth contribution rose 17.1 per cent. Just so that everyone is clear on that: the Labor government was cutting education funding, the commonwealth Liberal government increasing it.

Students, regardless of their ability, have the right to have choice in education options. This year's census tells us that there are 3,208 students identifying as accessing special needs programs across all school sectors. Some of these students will also have behavioural difficulties that require specialist support to manage. Equally, there are an unknown number of students in the entire school system that do not have a diagnosis of disability but do display very complex needs and challenging behaviours that require additional supports. We only need to look at some of the sad situations that we have seen in this town, such as a cage being constructed for a young boy on the autism spectrum in a school which drew national and international condemnation, to see how a situation can escalate without adequate supports in place.

This ability to make a choice also extends to the rights of parents and carers, who choose what kinds of programs their children are exposed to in a classroom setting. However, this has not been the case with regard to the safe schools coalition program as it has been rolled out in schools across the territory. It has been well publicised that Sexual Health and Family Planning ACT, SHFPACT, has signed a contract with the ACT Education Directorate to rebrand, rename and rewrite a new curriculum for the ACT version of safe schools and that this program has been funded in this year's budget.

It is important to remember that the commonwealth cut funding to the safe schools program across the country, and they did so for a reason. In 2016 there was an

independent, unbiased review into the original program rolled out by the Safe Schools Coalition. This review found that it was inappropriate for aspects of the program to be taught in schools. Consequently, the Turnbull government implemented recommendations to make schools more inclusive of LGBTIQ students and to maintain that our children are not being exposed to inappropriate or contentious content. This is especially, and most importantly, without the knowledge or consent of their parents.

Let me make it very clear. Just as every parent has the right to be the mentor of their child, every child deserves the right not to be bullied, especially in a school setting. This is not a contentious point. I and my Canberra Liberal colleagues completely support any program that truly stops bullying of any kind perpetrated on anyone. But when it comes to the safe schools program, it can be best described as a lack of leadership by the current government to alleviate many of the concerns that many parents in the community hold. We only need to look at last weekend, at a rally that was attended by many concerned Canberrans on the safe schools program, to see that there is a great deal of misinformation and misunderstanding about what the program actually entails and what is being delivered in classrooms. That highlights a lack of leadership by the current minister and the current government to take the community along with them on programs which are considered by many in the community to be highly controversial.

It is very much worth noting again, foreshadowing my amendments to this motion, the position that both the New South Wales and Tasmanian governments have taken with regard to this program in taking the decision to implement a true, tough anti-bullying program in schools. The Tasmanian government has announced that it is investing \$3 million over four years as part of a budget initiative that is aimed at providing a truly safe and inclusive school environment which supports students' learning and wellbeing.

In conclusion, let me get back to the fundamentals. There is no evidence base whatsoever to suggest that the policies and investments made by the Labor-Greens government are translating into results for our students. To obtain a clearer picture, we must do more than just have a conversation. The current education minister's half a million dollar conversation simply is not going to garner the results that the community expects.

It is possible to get a clearer picture. There is analysis already available from the Education Directorate that compares apples with apples. It compares schools with similar socioeconomic profiles in other jurisdictions to those operating in the territory. This analysis largely informed the Auditor-General's report, where it was highlighted that the ACT public schools were performing well below comparable schools in other jurisdictions, despite our expenditure being amongst the highest in the country. The minister's half a million dollar conversation on education, I fear, is tokenistic at best and should comprehensively address all students' performance in a more meaningful way.

As I see it, there are five key pillars that ensure a robust education system for both government and non-government schools: ensuring that we have the best and most equipped teachers; providing a safe and inclusive environment for educators and students alike; ensuring the right balance when it comes to autonomy for schools; making sure that our school communities are fully engaged with what is happening within their school and their community; and, finally, having a robust and current curriculum. This is what the government should be focused on instead of cheap political shots through motions in this place on a Wednesday.

Madam Assistant Speaker, I move:

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

“(1) notes:

- (a) the significant contribution teachers make to the quality of the ACT education system;
- (b) the increase in workplace violence against teachers and school support staff;
- (c) the importance of providing support and adequate professional development to teachers and support staff in all ACT Schools;
- (d) the ACT Auditor General’s Report No 4/2017 which found, among other things, that ACT public schools are performing below similar schools in other jurisdictions despite expenditure on a per student basis for public schools being one of the highest in the country;
- (e) the diversity that non-government education brings to the ACT in offering parents’ choice;
- (f) the importance of adequate funding for all school sectors;
- (g) the importance of adequate funding and resources for students with special needs; and
- (h) the NSW Government’s recent decision to scrap the Safe Schools Coalition Program; and

(2) calls on the ACT Government:

- (a) to ensure Canberra families have choice when it comes to selecting the best educational; and
- (b) to table any analysis available to the Education Directorate that provides an accurate picture of the ACT’s academic performance when compared to similar schools in other jurisdictions.”.

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) (4.47): I want to thank Ms Orr for bringing this important matter on through a motion before the Assembly today. I do not think there should ever be a time that people in this place should tire of talking about one of the most important things in our community: the education of our young people.

This motion sets out the important work that the government is doing to support the ACT's young people through our education system. I am very happy to take responsibility for this portfolio. I have been working very hard with my team and the Education Directorate to deliver on the commitments the government made during the election. I regularly take the opportunity to update members in this place on all the things that are happening, so I will focus my remarks on reminding members of a couple of the highlights.

As we move through debate on the 2017-18 budget, members should take note of the significant investment the government is making in education. Our priorities are clear for the community to see, and education is an important priority, with a total investment of \$1.2 billion. The ACT government has a proud record of investing in education as a fundamental expression of our values. The government is increasingly ensuring that it targets education investment according to need, and the 2017-18 budget continues this work. In the next few sitting days during the budget debate, members will hear more about the initiatives included in the budget, like new and expanded schools, school upgrades, modernisation, technology-enabled learning, teacher scholarships, teacher support and student mental health support.

School funding has recently been a high profile issue because of decisions that have been taken by the federal coalition. They broke their existing funding and school improvement agreement with the ACT and pushed through their changes unilaterally. It has been a frustrating process for states and territories, and non-government school managers, who were provided with very little detail about the actual impact of these changes as they progressed. Regardless, I have consistently upheld the ACT government's election commitment to implement and actively advocate for needs-based school funding, in line with the existing six-year deal.

I spoke just yesterday about some of the important things the government is doing to support school leaders, teachers and support staff by making sure that they are safe at work. But we also know that they need to be developed and empowered to provide the best possible education for the ACT's children. The ACT has an excellent track record in teacher professional development. The work of Anne Ellis and her team at the ACT Teacher Quality Institute is regarded by many as the best in Australia. Their focus on building the capability of the profession, rather than just blunt regulation, is a vital part of ensuring continuing improvement to school education in the ACT.

Members might be interested to know that the ACT is strongly represented among the ranks of teachers certified at the highly accomplished and lead levels of Australia's

teacher professional standards. Recognition in this way is important because it supports a growing respect for the teaching profession. Raising the standing of teachers in the community through increasing professionalism was one of the clear lessons from my study trip to Finland and Singapore. It is also one of the issues the government is discussing with the community as part of the future of education process.

I have spoken a lot in this Assembly about the future of education work because it is a vital part of how the government is delivering on its commitment to education for the next generation. I reported last sitting week on the huge amount of activity in schools and across the community in this conversation. We have already received lots of submissions and had hundreds of conversations in a range of different ways to make sure that the process is as accessible as possible to as many people as possible.

I have personally heard from children, parents, carers, teachers, educators, school support staff, school leaders, school board members, academic experts, unions, community and health service providers, regulatory and government agencies and more. The conversation has spread right across the city, in both government and non-government schools. Just a few days ago, I had the opportunity to meet with a representative group of parents and teachers in Catholic systemic schools. This conversation continues, but already there are some clear themes that will help to inform the development of a strategy. I mentioned some of these a few weeks ago.

We are being told about the important role that schools have as hubs for their community and how this provides an opportunity for young Canberrans to be better supported with the things they have going on. Mental health, for example, is commonly raised, as is the need to support all children, regardless of their background or circumstances. Along similar lines, the community is raising the importance of seeing students as individual and unique people. Different students learn in different ways; they excel in different areas and struggle differently. All of this is normal and it is beautiful. Our approach to education needs to accept and respond to this.

Alongside that, the government needs to take a closer look at the things that are measured and evaluated for students, in schools and school systems. Data needs to be useful for supporting individual students and making school and system improvement. As the saying goes, what you measure is what you focus on. The things students are being taught also really matter. Students, as well as their parents, have often spoken of the need for young people to be prepared to enter adult life, with both the general capabilities they will need for work and also broader life skills.

The future of education work is a clear example of the government's commitment to education. I kicked off this process talking about the government's belief in a diverse and creative school system which embraces difference in our children, empowers teachers and educators and fosters excellence. I spoke of a thriving and inclusive education community where background, culture, gender, class, religion, sexuality, wealth or ability exclude nobody, a system where children learn together with others very different from themselves.

Even now, the government is putting these values into action with our commitment to deliver a safe and inclusive schools program. This program is still being reviewed and developed by SHFPACT. SHFPACT has also engaged with the non-government school sector. How important will this be as Australia faces an unnecessary, divisive, expensive, non-binding postal opinion poll about the right of all loving relationships to be treated equally?

Students in all schools, irrespective of their religious or philosophical basis, present to schools with diversity in gender identity and presentation, sexual orientation and intersex status. The government is committed to respecting, welcoming and celebrating this diversity. The years children and young people spend at school involve a long process of discovering their own identity and place in the world. Negative experiences during this time will of course affect their feelings of security, belonging and engagement in this world, let alone their education. The government will not allow this to happen. We want everyone to be able to be themselves at school and to feel safe and welcomed for who they are. Our safe and supportive schools program will provide expert advice and support to teachers and school staff so that they can develop and maintain safe, inclusive environments for all children and young people.

These highlights of the ACT government's work in the education portfolio are just the beginning. Over the years to come, I will continue to deliver on our election commitments and remain focused on providing the best possible outcomes for all our school students in the ACT. Madam Assistant Speaker, I note the shadow spokesperson for education's amendment to the motion. The government will not be supporting this amendment. The motion that Ms Orr has put forward is far more inclusive. The motion that Mr Wall has put up is not, so we will not be supporting the amendment.

MR RATTENBURY (Kurrajong) (4.55): The Greens will be supporting this motion today. I take this opportunity to reconfirm our support for public education, needs-based funding and, in particular, safe schools. Having formerly held the portfolio, I know all too well the complexities of school funding across the sectors. I applaud Minister Berry and the ACT government for the ongoing strident commitment to genuine needs-based funding.

The Greens believe that high quality, free and equitable education is a cornerstone of a healthy democracy, as I have told this chamber before, and is fundamental to Australia's continued prosperity and that everyone should have equitable access to education that meets their needs and aspirations and gives them the skills and capacity to meaningfully participate in society. As Mrs Orr's motion does, we also recognise that learning is a lifelong process, from early childhood through adult life, fostered in both formal and informal settings. The Greens have long recognised that we have to address the academic achievement gaps associated with socio-economic background if we are to truly address lifelong disadvantage.

This must begin in early childhood and care settings and in the homes, but schools are clearly the place where a progressive, caring government can help shape these children's trajectories most by providing them with the best possible opportunities to close some of those gaps that may exist because of the circumstances into which a child was born. I know these issues are also close to the education minister's heart. This is apparent in the future of education consultation currently, and I look forward to seeing the outcomes of that process and the input the Canberra community provides.

Certainly as Minister for Mental Health I am pleased to be able to inform policy and increase resources and expenditure to enhance support for young people in schools, as outlined in the parliamentary agreement. And certainly my time as education minister very much informed that thinking. It was made very clear to us—to me and to the Education Directorate—by principals and staff at the coalface that mental health issues are a significant factor for students, for our young people, and if we do not adequately address them they can be a barrier to learning. We certainly heard the voices of the Education Union, principals, teachers and parents of students across all sectors, and we have kept our commitments to improving mental and social support services, as evidenced by this year's budget. An important part of my thinking there was to provide sector-blind services because these mental health issues do not affect one schooling sector more or less than another.

These are issues that are prevalent in all our schooling sectors and we need services that are available for as many weeks of the year as possible. I think it is important that we do not just provide mental health support services in term time. We need to provide them for as many weeks of the year as possible. That presents some challenges but it also means we are going to think creatively about how we provide those services. And that is a conversation that I will continue to have with the minister and with my own directorate as we seek to improve those services for young people in our community.

There are a couple of other elements of Ms Orr's motion that I want to particularly comment on. One is the reference in paragraph 2(d) to community sporting groups and multicultural groups having access to school facilities. I think this is something that is very important. Our schools are a significant piece of government infrastructure and can go a long way to providing additional spaces that can be used out of hours for a range of community activities. Of course many already are, but I think there is certainly scope to continue to improve that. I am mindful of the role that the new Charles Weston School plays in the area of Molonglo, where, as those suburbs are still very much in their early development, the school is the key piece of infrastructure at the moment and the way it was designed was very mindful of that. As people's understanding of this is improving, accessibility to the school out of hours has been enhanced in the design of Charles Weston School to maximise those opportunities.

Schools can also provide important sporting infrastructure, and I know there is work going on on that. Certainly in my time as education minister and when Minister Berry was the minister for sport we were able to make, for not a lot of money, an adjustment at Deakin High School to provide out of hours access to the school hall for the

Weston Creek Woden Dodgers basketball club, to give them an additional venue to train at. Literally with a couple of thousand dollars and a little bit of change in the process, we were able to make much better community use of that facility. I think there are further opportunities like that that we can continue to harness.

I welcome that reference in Ms Orr's motion, because I think it is an important point to remember, and one that we need to keep our directorates focused on, to make sure we unleash those easy opportunities. They do take a bit of work, but I think they really are the low-hanging fruit when it comes to getting some good outcomes and the best use of our government infrastructure.

The final area that I would like to focus on is to categorically put on the record again my support for the safe schools program. As disappointing as it is unsurprising, the noxious fear campaigns regarding the LGBTIQ community have begun in earnest since the federal government announced the most expensive and offensive survey in our country's history. The postal survey on same-sex marriage or marriage equality, which was announced with no legal protections against misleading communications, has acted like a beacon call to those who have objections to safe schools.

To be clear, there can be informed debate on this issue. I can understand parents and carers wanting to know more about safe schools or seeking clarification about its aims and methods. What I cannot abide is the sudden proliferation of what can at best be described as "fake news" currently doing the rounds. The safe schools program in the ACT has, thankfully, to the best of my knowledge, not been the subject of some of the more extreme mistruths being peddled in other states.

To those with genuine questions or those who have concerns, I encourage you to seek briefings or meetings with your school community. Go and talk to the principals and the teachers and get their insights into how this program actually operates on the ground. To others, who are simply repeating the rubbish of the ultra right-wing conservatives, I implore you to look more closely at the purpose of this program, to reflect on the impact that hateful and hurtful comments can have on others and perhaps just try to walk a little in someone else's shoes.

The safe schools program is there for a very good reason, because young people who are uncertain about their identity should be able to access information. All students should be given insight into the vulnerabilities that some can experience. And all students should be given guidance on how to approach what are really sometimes confronting and challenging questions in a way that is safe and respectful for everybody. For me, that is what the safe schools program is about, and that is why the Greens completely support the program. We believe it does provide a mechanism for those issues to be sorted out and for students to be given the skills to approach difference and to approach diversity with sensitivity and with an open mind.

The Greens will be supporting Ms Orr's motion today. We will not be supporting Mr Wall's amendment. He has raised some quite interesting issues and certainly issues that warrant discussion in the education debate. I will not go through all of them now. As I say, it is not that we completely dismiss the issues that he has raised,

but I do not agree with the way some of it has been framed. I am happy to have some of these individual discussions at a different time, and no doubt we will, because they are significant issues in the education sector. But we do believe that the framing of Ms Orr's motion is more consistent with the way the Greens view the education debate, and we will be pleased to support the motion today.

MR STEEL (Murrumbidgee) (5.04): I rise to speak in support of Ms Orr's motion. The ACT Labor government went to the last election with a positive plan to renew our schools, hospitals, transport infrastructure and neighbourhoods. In the budget in June we funded classroom and facility upgrades across the territory, as well as building new schools for our growing suburbs. Labor's priorities are and always will be health and education, and this is reflected in the budget itself and in the private member's motion brought before the Assembly today.

Before being elected to the Assembly, my background was in the education sector. I know that education is a driver of Canberra's future prosperity, and this government continues to focus on this critical area. In June I was privileged to visit my former school, Melrose high, where the announcement of \$85 million in capital investments for public schools across Canberra was made. This will make a huge difference to ensuring that our public school environments reflect the quality of teaching and outcomes that they produce. When I was at high school I remember well how difficult it was to concentrate during the hotter days of the summer months on the top floor of the ageing school building, and these upgrades will provide heating and cooling at Melrose high and other schools.

Other investments include improved energy efficiency in our schools and, in addition, the funding will revitalise learning spaces, new toilets and improvements to school garden facilities. Stromlo high, in my electorate, will also benefit from this investment, with a new roof, which will improve protection from the elements and the look of the school building. I was actually out there recently, where the work was well underway. Garran primary, Malkara school and other schools across Murrumbidgee will also benefit from this capital funding. Malkara and Garran will benefit from upgrades to the front office and the school administration area. In June I had the pleasure of attending Malkara with Minister Berry and Chief Minister Andrew Barr. Malkara is a school which solely services students with a disability. While I was there I saw some classes in session and was able to meet some of the students and staff. It was great to see that this school and other schools like it will be benefiting from the ACT government's decision to deliver and invest \$3 million in additional funding to support students with a disability so that every child has the opportunity to succeed.

It is Science Week, and we know that science, technology, engineering and mathematics, or the STEM subjects, power our economy and advance our city, building our shared prosperity. That is why it is critical that we activate STEM learning in our schools and spark interest in these subjects, by letting children and young people experiment with STEM ideas in hands-on, real-world situations. Delivering a better STEM education in the ACT is a matter of preparation and planning, and this budget will ensure that we have the STEM teachers to power the future of science, technology, engineering and maths in our classrooms.

It is critical that we activate STEM learning across our classrooms by giving teachers the skills they need to teach these subjects so that students get the skills they need to succeed in the future. That is why I was pleased to see that in the budget the government is investing to deliver 25 scholarships a year for Canberra teachers, particularly focusing on STEM and languages. These scholarships, worth \$875,000 a year, will help teachers gain qualifications for their professional development and help create richer learning environments for Canberra children. Delivering better STEM subjects in our schools is one of the many things that the ACT government is delivering for education in this budget.

When I was at Melrose just the other month I met our award-winning Melrose High School teacher Geoff McNamara, whom the Deputy Chief Minister mentioned today, the teacher behind the MSATT telescope at Mount Stromlo. I saw firsthand the products of the school's academic curriculum enrichment science mentors program which pairs students with some of the ACT's top scientists. These students are doing high quality, original science, and it deserves our full support.

I asked Geoff McNamara what he needed to continue this great work, and he responded that greater time to focus on the mentors program was needed for teachers. That is why I am so glad that this budget focuses on helping teachers by funding school assistants to take the pressure off teachers and to ensure that teachers can spend more time focusing on student learning. The investment of \$16 million over the forward estimates will help to reduce the administrative workload of teachers through the employment of more administrative assistants. We are providing teachers with STEM skills and we are also providing students with the latest technology-enabled learning so that every school and public high school and college has access to devices.

My electorate of Murrumbidgee has some of the fastest growing areas in Canberra, in the Molonglo Valley. In the lead-up to the election Labor promised a new school for the region, and this budget delivers on the first step of that commitment by funding the early design and scoping works for new schools in the Molonglo Valley. I am pleased that the budget invests \$500,000 in the early planning of a new school in Denman Prospect.

This budget also prioritises safety for school students and sees the introduction of the school crossing supervisor pilot program, which will be introduced at 20 different crossing sites. This involves improvements to road safety around schools, such as providing bigger and better signage, dragons teeth in the road, dedicated school crossing areas and the employment of lollipop officers. \$3.3 million will be invested to improve the safety of students walking and cycling to our schools.

As well as ensuring that children get to school safely, we need to make sure that the schools they are attending are safe schools. Our ACT public schools provide the fundamental right to an education for all children, no matter who they are, and ensure that they are included. I am incredibly proud to see the ACT Labor government make it clear that bigotry and homophobia have no place in classrooms in the territory and the government will continue to fund the safe schools program in our schools to support inclusive practice.

The government will invest \$400,000 over the next four years to actively support ACT schools in delivering the program. This is in conjunction with an investment of \$2.4 million over four years for the hiring of five new school psychologists to protect students' mental health and wellbeing in school, ready for the start of 2018. Just as every student in ACT schools has the right to feel safe at school, so do teachers that work with them. In the budget we will invest \$1 million to provide safer workplaces for teachers, educators and support staff, to address occupational violence.

I have devoted my working life to making sure all children have access to a quality education and I know that it is hard to talk about education anyway without actually addressing the fundamental school funding questions. We had a comprehensive review of the system in the past by Mr David Gonski, an agreement by states and territories to a needs-based funding system that provided loading based on disadvantage. I was there at pretty much every ministerial council meeting during the process.

This motion acknowledges support for the reform architecture but also the funding, because we believe it is fundamental that each child should have the support they need to succeed. While it is with a level of frustration that the school funding question has been reopened by the federal government, with less federal money on the table and cuts to many schools, we in the ACT must continue to drive these reforms forward. That means continuing to have a discussion about how we can improve student outcomes in our schools and support our most vulnerable children.

I am pleased that the budget invests \$546,000 to deliver the future of education community consultation on schooling and early childhood education and care, which will help the ACT to build a better school system for the future. I certainly encourage all members of the community, all school communities, all early childhood services and their communities to get involved. Fundamentally the ACT government is investing in the budget to deliver our positive plan to renew schools, hospitals, transport, infrastructure and our neighbourhoods. This budget will deliver further investments to ensure that our schools have better classroom facilities and support for teaching. I am proud to be part of a government which recognises the importance of investing in education for our future prosperity and I commend Ms Orr's motion to the Assembly.

MR PETTERSSON (Yerrabi) (5.13): It is with great pleasure today that I rise to speak in favour of my colleague Ms Orr's motion. Education is a fundamental component in creating a more equal society. It is not the only component but it is an incredibly important component. The motion notes many of the different facets of our education system here in Canberra. It notes the importance that education plays in preparing people for employment. It notes the contribution our teachers and school leaders make to our broader communities. And it also notes the importance of ensuring that all schools are safe, supportive and inclusive. That is a timely reminder, given the debate we will see occurring over marriage equality in the coming weeks.

But there is one point that I would like to focus on today: the importance of funding schools on a needs basis and supporting equity among schools and students. Terms like “needs based” and “Gonski” have been used a lot recently. I suspect that sometimes this phrasing obscures rather than reveals the policy intention of various proposals.

Mr Wall: You find your voice now after the fight has been done. It is great.

MR PETTERSSON: Thank you for the contribution, Mr Wall. Given that, it is worthwhile putting this terminology in the appropriate context with a walk down memory lane. The Gonski report commissioned by Julia Gillard in 2010 was truly a historic document. The motivation for the report was simple: to review the funding arrangements for schooling to develop a system which is transparent, fair, financially sustainable and effective in promoting excellence.

The report, however, revealed several concerning national trends that are of importance in discussing how Canberra’s schools will be funded. It found that in recent decades the performance of Australian students had declined at all levels of achievement. In addition, many of Australia’s lowest performing students were not meeting minimum standards of achievement. What was most concerning, though, was the revelation that Australia has a significant gap between its highest and lowest performing students. This gap is far greater than that of many of our international counterparts.

The then Labor government responded to these findings and recommendations with the national plan for school improvement, a series of reforms targeted at five key areas: quality teaching, quality learning, empowered school leadership, meeting student need, and greater transparency and accountability. This national plan would be the mechanism to enact a new funding model for the states and territories, one based on need rather than the previous obscure and needlessly complex model. By the time it would be fully implemented, in 2020, the plan would see an additional \$6.5 billion per annum spent on schools by the commonwealth as well as state and territory governments, and this plan was met with widespread approval.

Consensus on school funding has not been a particularly common thing in Australia’s history, but this plan drew widespread praise across the public, Catholic and independent schooling sectors. And it was not just the education sector that got on board; importantly, state and territory governments all across Australia jumped at this opportunity. It is important to note that the ACT Labor government was an early adopter of the plan, being only the second jurisdiction to agree to the reforms. The ACT Labor government signed on to this plan because it was in the best interests of the country but, most importantly, because it was in the best interest of the children of the ACT.

The funding agreement would have seen an extra \$190 million in funding for ACT schools. This would have ensured that every ACT school would be funded at least to the level of the school resourcing standard by 2019. The benefits of Labor’s

education plan even drew praise from the then opposition leader, Tony Abbott, who proclaimed there was no difference between him and Labor when it came to school funding. Well, we all know what followed. After the 2013 election the federal Liberal government refused to honour the agreements and proposed a new round of negotiations with the states and territories. Since that time the federal Liberal government under Malcolm Turnbull has implemented yet another funding model, sometimes referred to as Gonski 2.0. That “2.0” should not be confused with being a signifier of progress.

The proposed funding model might be an improvement on the previous ghoulish policies proposed by Tony Abbott and Christopher Pyne, but these reforms fall well short of what is required. That point is acknowledged by groups as diverse as the National Catholic Education Commission and the Australian Education Union, two organisations rarely on the same side of a school funding debate. When you consider the stakes, it is easy to see why there was so much agreement within the education sector. The stakes are too high when it comes to ensuring the best future for Canberra’s kids.

The Gonski review clearly articulated the benefits associated with quality education outcomes, noting that:

Individuals who reach their full potential in schooling are usually able to make better career and life choices, leading to successful and productive lives. Success in schooling also helps to provide the skills and capacities needed to keep a society strong into the future.

It deepens a country’s knowledge base and level of expertise, and increases productivity and competitiveness within the global economy.

We often consider the benefits of education in these terms: improved productivity, improved competitiveness, deepening the skill base. As policymakers, it makes sense to think of it in these terms. We need to give consideration to the impact on the economy as a whole, but we cannot lose sight of what I would say is the moral importance of an equitable school funding system—that is, simply that every child in this country deserves a fair go and every child in Canberra definitely deserves a fair go. It should not matter where you live; it should not matter what your parents do. All that should matter is your willingness and determination. That is the education system that Labor envisages.

That is why this ACT Labor government is investing an additional \$210 million in our local schools, on top of the \$1.2 billion that we currently deliver for schools each year. That is why we are investing \$85 million to improve Canberra’s school facilities. I am excited to see that in Gungahlin we are expanding capacity for Harrison School, Gold Creek School, Neville Bonner Primary School and Palmerston District Primary School. We will invest in our local schools and we will support a fairer funding system for our schools. That is why I am proud to speak in support of this motion today, and I commend it to the chamber unamended.

MS ORR (Yerrabi) (5.20): I thank Ms Berry, Mr Rattenbury, Mr Steel and Mr Pettersson for their support of my motion. Mr Wall, I think we can agree that teachers make a very good contribution to the education system. Unfortunately, I cannot agree with the other points you raised for various reasons that we have already discussed. I would, however, like to pick up on one thing we hear time and again: discussion about the safe schools program in the ACT. This is particularly relevant, given recent events. Time and again I have sat in estimates committees and in the chamber listening to discussions explaining what the program is. Rather than debating the substantive issues around that, I point out to anyone who identifies as lesbian, gay, bisexual, trans, intersex or queer that there is nothing wrong with you feeling safe, included and supported. I am proud to be part of a government that is putting forward a program that does that.

Apart from that, all the points have been made. As a double major English graduate from year 12 I have a question about the grammar in paragraph (2)(a) of the amendment. I am not sure who did it, but I would like to draw that to someone's attention and leave it at that.

Amendment negatived.

Original question resolved in the affirmative.

Standing orders—suspension

Motion (by **Mr Wall**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent Mr Wall from moving notice No 4 on the *Notice Paper*, which appeared in Mrs Jones' name.

Alexander Maconochie Centre—women's accommodation

MR WALL (Brindabella) (5.22): I move:

That this Assembly:

(1) notes:

- (a) the Alexander Maconochie Centre (AMC) was officially opened in 2008, with operations beginning in 2009;
- (b) at the commencement of operations, the AMC had a total capacity of 300 and operational capacity of 270, including dedicated accommodation for 25 women detainees;
- (c) in 2015-16 the AMC underwent an expansion project which increased:
 - (i) total capacity by 169; and

- (ii) the dedicated women's accommodation by 4;
- (d) the AMC after the 2015-16 expansion has dedicated accommodation for 29 women;
- (e) data provided by the Australia Bureau of Statistics shows that, in the March 2017 quarter, the imprisonment rate of women in the ACT is 19.9 per 100 000 adults, up from 12.0 in 2014, an increase of 65.8 percent;
- (f) Justice and Community Safety Annual Reports show that from 2009-10 to 2015-16, the average daily prisoner population has increased among:
 - (i) sentenced non-indigenous women from 6.48 to 9.1, an increase of 40.4 percent;
 - (ii) sentenced indigenous women from 0.91 to 3.6, an increase of 295.6 percent;
 - (iii) unsentenced non-indigenous women from 6.64 to 7, an increase of 5.4 percent; and
 - (iv) unsentenced indigenous women from 1.06 to 3.2, an increase of 201.8 percent;
- (g) the Minister for Corrections updated the Assembly on 3 August 2017, advising that:
 - (i) the AMC has in 2017 held, on at least one occasion, 45 women at once;
 - (ii) the increase in women detainee population was a development for which the Minister for Corrections did not plan;
 - (iii) ACT Corrective Services is considering short and medium term options for women's accommodation in the AMC; and
 - (iv) ACT Corrective Services is undertaking a feasibility study into the future needs of the ACT's prison population of which the needs of women detainees is the top priority; and
- (h) the Minister for Corrections told the Chamber on 3 August 2017 that the use of the management unit to accommodate women detainees was "not for an indefinite period"; and
- (2) calls on the Government to report back to the Assembly by the first sitting of November 2017 with:
 - (a) an explanation of how the Minister for Corrections did not plan for the current level of population growth in women detainees;
 - (b) the details of the statistical modelling methodology used to forecast the likely increase in prisoners in the AMC prior to the expansion of 2015-16;

- (c) details of the feasibility study into the needs of the ACT's prison population, including the terms of reference, estimated completion date of the feasibility study and all options being considered for the women detainee accommodation and the estimated costs of such options;
- (d) an exact date of when the AMC will no longer accommodate women detainees in the management unit; and
- (e) a detailed plan of the specific steps, if any, that the ACT Government and ACT Corrective Services would take in the event that 50, 55, and 60 women were to be incarcerated at any given time during the next quarter.

As many members would know, Mrs Jones has a family matter to attend to this afternoon, so it is with great pleasure and a little bit of nostalgia that I get to move this motion relating to the AMC.

After the official opening in 2008 the Alexander Maconochie Centre received its first prisoners on 30 March 2009, after much controversy around the staging of the opening of a jail that did not open for almost another year. At its commencement the AMC had a design and operational capacity of 270 beds. However, the AMC's total capacity could be increased in its planning to 300 by making use of temporary beds and double bunking.

Today, in 2017, after much expenditure and a lot of debate in this place, we have a much bigger Alexander Maconochie Centre. In 2015-16 it underwent an expansion which saw an additional 169 beds added to its total capacity. Now the AMC has a capacity of 539 beds and an operational capacity of 511 beds. Despite the expansion project which saw an additional 169 beds added to the AMC's total capacity, the female accommodation has increased by only four beds since its opening in 2008, bringing the total dedicated women's accommodation to 29. That is only four beds out of a 169-bed expansion. That is less than 2½ per cent of the expansion project being dedicated to female accommodation within the AMC.

In February of this year Mrs Jones moved a motion calling on the ACT government, the Minister for Corrections, to look into and update the Assembly on the situation of women in the AMC. During the last sitting, on 3 August, the corrections minister, Mr Rattenbury, gave a ministerial statement on women in the AMC which was essentially an admission of failure. The minister confirmed that this year the AMC has held up to 45 women in custody—that 45 women were being detained at a prison which has dedicated accommodation for only 29. This meant that the government had to repurpose the management of the health unit to accommodate female detainees. This is far from best practice. It deprives other prisoners within the facility of those cells and those services, should they be needed, and potentially impacts on the staff and the general management and functioning of the prison overall.

This sees a continuation of many of the poor management practices that required the expansion of the AMC just on two years ago: the use of crisis support unit beds and the use of the health unit beds when the prison hit overcapacity. A hundred million

dollars later, we are still faced with the same fundamental mismanagement issues that plagued the prison a little over two years ago. The minister stated that planning and risk assessments for increased numbers of women are already “well underway”. On the same day, under questioning from the opposition, the minister advised the Assembly in question time that the accommodation of women in the management unit was “not for an indefinite period”. However, the Executive Director of ACT Corrective Services gave a very different impression during the estimates hearings. They are the same estimates hearings which the minister decided were not important enough to attend.

Mr Peach revealed on 23 June this year that by making use of the 29 dedicated female beds, the 14 beds in the management unit and the four beds in the health unit, the AMC had a total capacity for 47 women. Mr Peach stated: “We do have capacity to hold that for the moment.” Mr Peach went on to say that, if it goes beyond that, we have two options at the moment: finding an additional 10 beds within the AMC, which still would not be enough, given the growth rate; or the potential use of the Symonston facility. Mr Peach made it clear that these options will be considered again if the population goes beyond 47 women.

Clearly the management and health units will continue to be used for an indefinite period. There is no indication as to whether the accommodation crisis will be solved properly, if at all. The minister needs to look to provide clarity. If the use of the management and health units is not for an indefinite period of time, when will they stop being used? Why would the director of ACT Corrective Services state that they will only consider options again if, as Mr Peach said, more than 47 women are in custody? Given that there has been a steady growth of female detainees at the AMC since its opening, surely the trend will continue?

Yesterday the opposition received an answer to a question on notice about the maximum number of women who have been held in the AMC each year since 2009. It confirmed what we had already suspected and largely knew: that the number of women has been growing since 2009. It did also show that the strongest growth has been quite recent. If the minister relied solely on these figures then it makes some sense that he may have been caught by surprise by the growth in the number of women detainees. But he should have looked further. The average daily prisoner numbers have increased from 2009-10 to 2015-16 for sentenced non-Indigenous women by 40.4 per cent, sentenced Indigenous women by a staggering 295.6 per cent, unsentenced non-Indigenous women by 5.4 per cent and unsentenced Indigenous women by 201.8 per cent. Whilst these statistics are quite staggering, we do need to bear in mind that we are talking about a small population in the jail. Nonetheless, these increases are staggering.

The minister also admitted in his ministerial statement last sitting that the rise in the population of women in the AMC was a development for which he did not plan. On that point I ask the minister how it is that he did not foresee the rise in the number of women being incarcerated in the ACT, when the evidence shows that this is a trend not just in the ACT but also across Australia and in many parts of the world. There is a lot of compelling evidence. The government’s very own Justice and Community

Safety annual reports show the average daily female prisoner population has continued to grow, particularly amongst Indigenous women. It has not been growing exclusively in the past few months; this growth dates back to the year the AMC was opened.

The minister also confirmed that he is considering both short and medium-term options to address the mismanagement of women's accommodation in the AMC and that ACT Corrective Services is undertaking a feasibility study into the future needs of the ACT's prison population, with the needs of women detainees as a top priority. While it is pleasing to see the minister finally taking these issues seriously and giving them due consideration, it is a shame that it took an accommodation crisis again at the AMC, and the highlighting of this crisis, to force the minister to act. This is not the way to run a government.

It was revealed in the government's response to the Select Committee on Estimates yesterday that the ACT government is not being open and accountable about the immediate need to fix the women's accommodation crisis at the AMC. Recommendations 81 and 82 of the estimates committee report recommend that the ACT government immediately address the lack of dedicated accommodation for women within the AMC and that the minister report back to the Assembly on any plans it has for resolving this issue. Arrogantly or disrespectfully, the government's response is merely to note these recommendations.

Overall the government has agreed to 59 recommendations, agreed in principle to 36 recommendations and agreed in part to 10, but it only notes what must be considered as serious recommendations; that is, those which seek to improve the operation, the accountability and the transparency of the prison in the ACT. There are still many unanswered questions about how the government failed to foresee the growth in women's incarceration and why the level of accommodation for women in the AMC is inadequate. There is also the question about how the government is going to resolve this issue. I am calling on the government and the Minister for Corrections to come clean and stop treating the population crisis and the solution for women in the AMC as an afterthought.

The minister needs to explain why there was not plan for the level of population growth in women detainees and to explain the modelling methodology and the basis of fact used to forecast the likely population of women detainees. Did the minister consider the over 5,000 per year growth in the ACT's population which the Chief Minister keeps going on about? Did the minister look at those national and international trends when considering the expansion of the AMC when it was under consideration a couple of years ago? If the minister did look at these trends, how is it that we find ourselves in a situation where 45 women are in custody in a facility which offers dedicated accommodation for only 29 of them? If the minister did not look at the national and international trends or, more importantly, the local trends, why do we find ourselves in this situation?

The minister should provide to the Assembly a clear time frame for when women detainees will stop being housed in the management and health units in the AMC.

There is confusion in the ranks. The Minister for Corrections says the use of the management and health units is not indefinite. The director of Corrective Services says they will look at it once they get over a capacity of 47. There is a lot of confusion which needs clearing up. All the while, essential health and crisis accommodation is being used inappropriately and not for its designed purpose.

The government must also provide the full details of the feasibility study which ACT Corrective Services is undertaking. This includes the terms of reference of the study, the estimated completion date of the study and all the accommodation options and associated costs which are being considered by ACT Corrective Services. I hope that any feasibility study will consider the employment programs and the out-of-cell activities for prisoners within the AMC. It should consider whether the housing of women in the management unit affects the daily program of the prison, whether it adds extra difficulty for staff moving inmates around the prison and, if so, whether it adversely affects opportunities for rehabilitation or alternative programs for women.

Lastly, the ACT government should provide the Assembly with full details, step by step, of what actions ACT Corrective Services will take in the event that the female population exceeds 47 and hits rates of perhaps 50, 60 or, even worse, beyond. Given the massive growth that we have experienced in the population of women in our prison and the fact that the minister has advised that plans are “well underway”, it is reasonable to expect that this level of incarceration could occur and, if trends continue, will occur. The government needs to have a plan for it. I commend this motion to the Assembly and keenly await the minister’s response.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (5.34): As the Assembly would be well aware, I have made it a habit to keep members and the broader community aware of the issues and challenges facing the corrections system. I do appreciate the considerable interest people have in our jail, and I seek to provide as much information as I can while always having to be mindful, of course, of both security and privacy considerations. By my count, I have provided 10 statements or speeches directly relevant to the AMC in my time as the minister responsible for Corrective Services, which includes specific consideration of capacity issues.

This list does not include responding to motions from those opposite on any given Wednesday, nor does it include statements and evidence given during estimates and annual report hearings, nor the information contained in the many, sometimes lengthy, responses to questions taken on notice. It does not include the written material provided in response to numerous independent reviews and inquiries undertaken by bodies such as the committees, the Human Rights Commission or, more recently, the Auditor-General’s office. I make that point because it is clear that there is a willingness on my part to discuss these issues and to provide regular updates to both this place and the general public.

Of course, the downside that was evident in the speech that Mr Wall gave is that, if you come out and put some of this stuff on the table, suddenly it is a matter of saying

that the minister admitted something, and that is framed in a very negative light. The opposition might reflect on this. They want all of this information, but, as soon as you give it, suddenly you have admitted to something and they try to turn it into a blame frame. I guess that is the way politics is. I have previously and publicly acknowledged that the AMC has recently experienced difficulties in relation to the increasing female detainee population. I have not shied away from the fact that the numbers have increased faster and higher than anyone—anyone—projected. But, as I discussed with my corrections ministerial colleagues just last month, this increase is a national issue.

The motion today calls on me to explain how I did not plan for the current population growth. I can assure members that questions are being asked all over the country, by governments of all political persuasions, about what is driving this increase in the female prisoner population, because it is being experienced nationally. There is no clear answer as to exactly what is causing it and why it started. As I have said in this place before, as corrections minister, the corrections facility is at the end of the line and there are a series of factors above that in the way the courts are operating, the way the police are operating, and a range of social considerations, which are all complex factors feeding into the changing profile of women being sent into custody.

The reality is that projecting prison populations is highly complex and at times an arcane science, and it relies on a vast amount of data being extrapolated and collated. I am not a criminologist, so in August 2013 the ACT government contracted John Walker Crime Trends Analysis to develop a detainee forecasting model for the territory. This goes to the question that Mr Wall and Mrs Jones have been posing about why we did not see this coming.

Mr Walker is a prominent criminologist with over 25 years experience, and recognised locally and internationally. Prior to his consultancy with the ACT government, Mr Walker worked as a research criminologist with the Australian Institute of Criminology. During this time he was ranked as the 25th most cited criminologist in the world's international journals since 1985, and in the top three in Australasia. Mr Walker is responsible for the development of the crime and justice forecasting techniques used by the Victorian department of justice. In addition, Mr Walker has conducted analyses of future correctional trends not only in Victoria but also in South Australia and, of course, for the territory.

I have given some highlights of his CV to underline the fact that the government has sought the best possible advice in seeking to determine future trends in corrections populations for the territory. Mrs Jones's motion, which Mr Wall has presented today, accuses me of failing to plan. I do not consider myself to be an expert in prison population projections, but we got one of the best experts we could find to help us with these matters. I then work on the basis of that advice.

There are two components to a realistic methodology for projecting future detainee numbers: firstly, sound data on the current detainee population, the sentences served by them and the ACT population projections; secondly, knowledge available to the criminal justice system regarding the possible changes in rates of offending, law enforcement strategies and sentencing practices. Data collection needs to include information from the courts, ACT Policing, ACT Corrective Services and the Justice and Community Safety Directorate more generally.

In April 2014 the *Drivers of imprisonment rates in the ACT* report, compiled by John Walker Crime Trends Analysis, was published and formed the basis of the projections used to inform the additional accommodation at the Alexander Maconochie Centre. For members' awareness, this report is publicly available on the ACT Corrective Services website and explains in far more detail than I have time for today the methodology used to come to those conclusions. These projections were peer reviewed by Professor Tom Kompas, Director of the Crawford School of Public Policy at ANU. Professor Kompas concluded that the report containing the projections "could go forward as it stands and we can be fully confident in its method and conclusions".

When reflecting on forecasting data, it is important to remember that reliability of forecasting is inherently difficult as forecasters are ultimately unable to predict what changes might occur in community factors and significant events, legislation trends and sentencing trends that develop after the forecasting has been completed. What you can have, though, is the most robust methodology possible, and a degree of confidence that can help to inform decisions.

In that context, let me turn to the population numbers for women detainees at the AMC in recent times. The maximum number of women detained at the AMC from 2009 to 2016 is as follows: in 2009 we had 18 women; in 2010, 21; in 2011, 17; in 2012, 19; in 2013, 20; in 2014, 25; then it went down in 2015 to 22; then up in 2016 to 32. As members know, in 2017 we have at one time had as many as 45 female detainees. As of today, the AMC is holding 35 women. So we are 10 down from that peak of 45 that we experienced earlier in the year. Given the upward trend in female detainee numbers, ACT Corrective Services responsibly, as they should have, began to explore female-specific long-term and short-term forecasting. The next full projections report, which includes numbers of women, is currently being finalised by John Walker, and I anticipate that it will be completed this year.

As I have noted publicly recently, I have proactively raised this issue with my interstate colleagues, who are also dealing with these matters. I was successful in getting their support at the corrective services ministers meeting in Sydney recently. That will see the ACT lead research, through the course of this year, to be presented at the 2018 corrective services ministers' conference, on the increased rates of female offending and imprisonment. It will present recommendations on how Corrective Services might respond to this and, potentially, recommendations on what we need to do to engage, in a whole-of-government way, to address these issues.

The ACT government is not simply looking at increased numbers of female detainees as a blunt accommodation issue. We are taking the lead in Australia on programs designed under the justice reinvestment framework that seek to reduce crime in our community and reduce recidivism and reoffending. This is important work that requires long-term determination and commitment and whole-of-government coordination. I would be more than happy to arrange for briefings for any members of the Assembly on the full scope of the programs we are rolling out and the broader justice reinvestment objectives and plans, as I believe we are on the right track.

There is still evaluation to be done on some of these programs, but I think the commitment to taking a justice reinvestment approach, where we seek to spend money on preventing people from coming into custody rather than simply building bigger jails, is the right way forward for our community. It improves community safety, it spends money most effectively and I think it is the best outcome for our community as a whole.

Let me turn briefly to specifically addressing some of the points that Mr Wall made in his remarks today. I will apologise to Mr Wall in advance, because I may not address all of the points that he raised. Mr Coe and Mr Hanson started a conversation over the top of his speech and I actually did not hear all of the details, but I will seek to answer some of the key points that he raised.

Mr Wall made an interesting point. The context is that, because of the increased number of female prisoners, the management unit of the AMC has been turned into a dedicated female accommodation area. I should be very clear about this, and I think I have been in this place before, but for the sake of absolute clarity, I state that this is completely separate from the male accommodation. There is no male access to this area; there is no passing interaction. It is a quite separate area. That is something that Corrective Services briefed the Human Rights Commission on, as well as other oversight bodies, prior to moving females into that part of the AMC.

Mr Wall made what I thought was a surprising observation, in that, because the women were there, they were depriving other detainees of access to the management unit. The purpose of the management unit is for those who have been involved in some sort of misconduct or offending behaviour inside the AMC. So I can assure members that most detainees are not keen to get to the management unit, given its purpose. Also—if I misunderstood Mr Wall, I apologise—it sounded like he was talking about the management unit being the place for crisis accommodation. Let me be quite clear to the Assembly that the crisis support unit is not affected by the movement of female detainees; it remains available for its purpose of crisis support for those who find themselves needing that sort of care and attention.

Mr Wall curiously made reference to “\$100 million later”, after the expansion. I can clarify for the Assembly that the original budgeted cost for the accommodation expansion was in the order of \$50 million. That project in fact came in \$9 million under budget and those funds have been reinvested in the AMC for other purposes, to further improve the facilities available to detainees.

It is really important, particularly with the public comments that Mrs Jones has made in recent times, to be clear that we do not have an accommodation crisis at the AMC. The current muster at the AMC is 458 detainees today. As Mr Wall noted in his remarks, we have accommodation for well over 500. Yes, we do need to juggle it around a little bit, but Mrs Jones’s public comments sought to imply that people are having to sleep on the floor. I have heard repeated comments that we only have space for 29 women but there have been up to 45 in there. We have space for all those detainees and we have made space for them, and we will continue to further examine

this issue. Framing this as some sort of accommodation crisis that suggests people are sleeping on the floor, which has been the tone of some of the public comments, is a mischaracterisation of the situation.

In closing, I will not be supporting the motion brought forward by Mr Wall, on behalf of Mrs Jones, today. I move the following amendment that has been circulated in my name:

Omit all words after “(1)”, substitute:

“notes:

- (a) the increasing population of detainees across Australian correctional systems;
 - (b) the recent increase of women detainees in particular;
 - (c) the ACT is leading work on behalf of Corrective Services Administrators’ Council in preparing research for the 2018 Corrective Services Ministers Conference on the increased rates of female offending and imprisonment and presenting recommendations on how to address this;
 - (d) that ACT Corrective Services is currently reviewing accommodation usage within the Alexander Maconochie Centre to better meet the needs of female detainees in the short to medium term;
 - (e) the 2017-18 Budget provided funding for a feasibility study to consider future accommodation needs. The needs of female detainees is the first priority for the feasibility study; and
 - (f) that the statistical modelling methodology used to inform projections are publicly available on the ACT Corrective Services website; and
- (2) calls on the Minister for Corrections to continue to provide regular updates to the Assembly on these matters as required.”.

This amendment notes that there has been an increasing population of detainees, particularly women. It notes the work that is now being undertaken at a national level, led by the ACT. It notes that strategic planning is going on in regard to accommodation, including for female detainees. One of the things I am committed to is that we will continue to update our population data projections on a regular basis and not wait. The work that Mr Walker is currently doing for us was a planned reassessment of our projections to make sure that we keep on top of it.

I am happy to continue, as I have noted in the amendment, to provide regular updates to the Assembly on these matters when I have new information available for the Assembly. That is something I have done throughout my time as the Minister for Corrections, on a number of occasions unprompted by calls from the opposition and on other occasions in response to motions that have been brought forward. I have always been willing to come to this place and provide updates and I will continue to do that. I commend my amendment to the Assembly.

MR WALL (Brindabella) (5.48): There has been a bit of déjà vu—Mr Rattenbury and I sparring over the AMC. It is reminiscent of the Eighth Assembly. But the rhetoric from the minister has not changed: “These were unforeseen circumstances.” “We couldn’t have predicted this rise in population.” These comments sound identical to the discussions that we were having around capacity issues two, three and even four years ago, when the AMC was at capacity during the last few years, which ultimately led to the expansion. Back then, the minister was saying, “We couldn’t have foreseen the increase in prison populations. All jurisdictions around the country are experiencing an increase in the male population.” When that expansion work was done, why was there not a proper look, a proper examination, of both male and female prison population trends done, to ascertain what our future needs might be? Here we are, not even a year since the completion of the last expansion, and again we have capacity issues.

It might be timely to remind Mr Rattenbury of the ministerial code of conduct. Section 3 is headed “Ethical principles for Ministers”—and I know many on the opposite side do struggle with that sometimes. Paragraph e, “Accountability”, states:

Ministers are accountable for their own behaviour and the decisions and actions of their staff.

Mr Rattenbury has been the minister responsible for corrections since late 2012, after the 2012 election. In that almost five years there has been issue after issue after issue. Need I remind members that there have been capacity issues, there has been the drug issue, there have been escapes, there have been deaths and there have been assaults. This is not a well-run prison system. The minister continues to fail to be accountable and to take responsibility for the mismanagement and the failings that have plagued this prison. To give him some credit, some occurred before he got the responsibility for it, but many of these issues have plagued the AMC since Mr Rattenbury took responsibility for it.

The opposition will support his amendment, and we very keenly watch to see what options and solutions are put forward to address the continued overcrowding at the AMC, this time amongst the female population. I look forward to the next opportunity I get to relive the glory days of the Eighth Assembly.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Disability services—mobility permits

MS LEE (Kurrajong) (5.51): I move:

That this Assembly:

(1) notes that:

- (a) ABS statistics show that over 20 percent of Canberrans have some form of disability;
 - (b) the ACT also has a growing ageing population;
 - (c) the Territory Plan's Parking and Vehicular Access Code of 2014 has a requirement that the ACT provide 3 percent minimum of disability parking spaces; and
 - (d) the 2017-2018 Budget has outlined measures to review and increase penalties for the misuse of mobility permits; and
- (2) calls for the ACT Government to:
- (a) start the promised review of mobility permits within the first quarter of the new financial year in line with the timeframe for introduction of increased penalties;
 - (b) include in that review an assessment of eligibility criteria for mobility permits to ensure informed, appropriate use of disability parking spaces;
 - (c) increase surveillance and enforcement of illegal parking in disability parking spaces in support of the new penalties; and
 - (d) assess whether the minimum disabled parking provisions in the Territory Plan's Parking and Vehicular Access Code for all public places for which the Government is responsible, are sufficient for the number of permit holders.

In this year's budget it was announced that the government was going to target the use and misuse of mobility parking permits. They plan to do this by increasing the penalty for misuse, although exactly what constitutes "misuse" is yet to be clarified. The budget papers also indicate that this is "a first step in signalling the Government's intention to tighten compliance by monitoring this concession and reviewing its operation".

As my motion indicates, we have in the ACT upwards of 20 per cent of all Canberrans with some form of disability. We also have an ageing population. This is not to say, of course, that everyone with a disability drives a car or is in need of a mobility parking permit, and the same can be said for older Canberrans. However, from the number and range of complaints, feedback and concerns I receive in my capacity as shadow minister for disability, there is clearly a need to review the current regulation of mobility parking spaces. I have spoken to a number of people in the disability community who use mobility parking across Canberra on a daily basis and who depend on the functionality, the location and the availability of disability parking spaces to carry out their day-to-day activities.

First, with regard to the number of available mobility parking spaces, as my motion indicates, the Territory Plan's parking and vehicular access code of 2014 has a

requirement that the ACT provide a three per cent minimum of mobility parking spaces. The Australian standards currently dictate the ratio of mobility parking spaces at four spaces per 100. The three per cent minimum requirement is one that has been in existence for some time. However the code was only brought into law in October 2014. This means that Canberra already has a lower level than the Australian standard and I am advised that older car parks only have to comply with standards at the time of construction, which can vary greatly.

In April this year I made representations to the government on behalf of a constituent unable to use the CISAC facilities at Belconnen because of the insufficient number of mobility parking spaces. At CISAC four of the 220 sealed car spaces are mobility spaces, not all of which are located closest to the building doors, which met ACT standards at the time of construction. This constituent was told in November last year by Access Canberra that car park owners must follow the code which requires them to make available up to a minimum of three per cent spaces.

But the same constituent was also told after approaching Minister Fitzharris in her capacity as Minister for Transport and City Services that he would have to direct his complaint to CISAC as it was a private issue. Additionally, approval for CISAC was granted in 2006, predating the parking and vehicular access code. It is interesting that Access Canberra did not appear to know what rules apply to car parks in private leases.

It is also disappointing that the three per cent minimum in the 2014 code seemingly may not apply retrospectively, given that the majority of buildings and other places frequently visited by the public in the territory would have been built prior to that year. The only time a higher provision rate than the minimum three per cent is required is for car parks serving health facilities and other places that provide services specifically for aged persons and people with disabilities. It is understandable that there is a general belief among the disability community that the number of mobility car parks is insufficient for today's needs.

I put some questions on how well disability parking is working in the ACT to a number of disability sector organisations. Women with Disabilities ACT's Sue Salthouse informed me that the current ACT standards are inadequate, given our growing ageing population and proportion of Canberrans with permanent disabilities. Both factors necessitate wider, more accessible parking spacing close to entrances of buildings.

She confirmed that the Arboretum has taken the approach of making the entire top row of the car park mobility parking. Similarly, Parliament House has turned the entire top row of the underground car park into mobility parking. Even with this move, Ms Salthouse states that this still is not enough on most days, given the huge numbers of visitors to these two institutions. In looking at the needs of day-to-day activities, Ms Salthouse says the mobility parking ratio at shopping centres is also, on the whole, inadequate.

This morning on ABC radio a listener called to express her frustration at her frequent inability to get a mobility car park near the Canberra Theatre. She has written to the Chief Minister suggesting that after hours the Legislative Assembly car park be set aside for people with a mobility parking permit. We eagerly await the Chief Minister's response.

Another member of the Canberra disability community provided me feedback:

As a wheelchair user who drives, I experience a lot of frustration over disability parking! This mostly relates (I think) to lack of disability parking spaces, coupled with the sheer number of people who seem to have a permit in Canberra.

The second issue I address is the lack of enforcement of misuse of mobility parking spaces. Canberrans who genuinely require mobility parking spaces are regularly frustrated at those who blatantly or carelessly disregard the law and park in these spaces, simply because it is the closest. There are others who have a mobility permit but use spaces close to medical or other facilities as all-day parking because mobility spaces have no time limits, frustrating those who need to park close for a short period for a specific purpose, like seeing a doctor.

There is also the thoughtlessness of those who may not park in mobility parking spaces but render the spaces unusable by parking in the cross hatch or across cutaways, effectively blocking off wheelchair access between the mobility parking space and the footpath.

As a member of the disability community observed:

I must say though that I have very very rarely seen disability parking spaces monitored or their correct use enforced—I do think that people who are using them illegally would be dissuaded if they received a hefty fine. It'd also be great if there was a way the public could alert parking inspectors to illegally parked vehicles in real time!

At the other end of the spectrum, the defence from those who do park in mobility parking spaces without a permit is that in particularly busy areas they have to park in mobility parking spaces because there simply are not enough regular car spaces.

The budget papers outline that the government will increase the penalty for the misuse of a mobility parking permit. It states:

Incorrect use of these permits is unfair to genuine permit holders, undermines the effective operation of car parks and costs the community revenue. This initiative is a first step in signalling the Government's intention to tighten compliance by monitoring this concession and reviewing its operation.

I was advised by directorate officials during estimates that Access Canberra parking inspectors will be proactive in patrolling disabled bays and the use of mobility permits and will check all permits to ensure that they meet legislative requirements. This, of

course, requires further resources and training for not only more patrols but so that inspectors know how to identify and what standards to apply in issuing fines for misuse.

We know the preference for this government is to have a greater public transport dependence and to that end car parks are becoming an endangered species, especially in the city areas. I note the motion moved earlier today by Mr Steel which stated that Canberra needs a fully integrated transport network that, inter alia, “encourages an active and healthy community by providing opportunities to incorporate walking and cycling into the daily commute”. I am sure no-one would argue with the sentiment behind his words. I am also sure that there are many in the disability community who would love the opportunity to incorporate walking and cycling into their daily commute and many who would be prepared to use accessible public transport.

The new light rail, if you happen to live somewhere between Gungahlin and the city and near a stop, or if there is a car park close enough to a tram stop, may be one option. However the current bus services and bus stops, even if the particular bus you want to use does has mobility access, are difficult to negotiate safely on your own in a wheelchair or with other mobility aids.

For the majority of Canberrans, the reality is that you do need a car whether you have a disability or not and the need of course is even greater when mobility is limited.

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

MS LEE: Which brings me to the third issue, and that is mobility permits, both the issuing of them and the monitoring of their proper use. In response to a question I asked on notice during estimates I was advised that there are currently 22,706 mobility permits in use. The permit system is an Australia-wide one which means permit holders can take their ACT-issued permit with them when they travel interstate and it is legally accepted across the country.

There is also provision for permits to be issued on a temporary basis to people recovering from surgery or an accident. Women With Disabilities ACT has suggested that the process for retrieving or invalidating these temporary permits needs to be improved to ensure that they are not being abused by people who no longer need them.

In discussing this motion with staff from Minister Ramsay’s office I was advised that an example of an issue that is being considered by the government is the application form itself and what can be done to improve the way in which eligibility for parking permits is assessed. In response to the government’s announcement to impose much steeper fines for illegal parking in mobility parking spaces, the Chief Minister told the *Canberra Times*:

There is a lot of anecdotal evidence these permits are not being used appropriately and that they are being traded and passed around and there are people who really should not be utilising those permits who are doing so.

Part of our work here is to ensure there's greater compliance around the issuing of those permits because I think we'd all agree ensuring integrity around the use of those permits in limited disabled parking spots should be of concern to the community, is of concern to the community and the government will be responding. If you are using a disability park and you're not entitled to, you are breaking the law.

I welcome the government's review into mobility parking permits and the incorporation of smart technology which will assist in the identification of offending vehicle registration and ownership. Identifying the actual driver or whether they genuinely require a mobility parking permit may be somewhat more challenging and may come down to the judgement of individual inspectors in any given circumstance.

There is always anecdotal evidence or presumptions being made about someone with a valid mobility parking permit who is parking in a space and who, for all intents and purposes, to the reasonable bystander, appears quite mobile. On these occasions the abuse and criticism these people receive from bystanders who make snap judgements about observing "wrongdoing" can lead to misunderstandings and unnecessary confrontations.

As the Chief Minister alluded to, if someone has a family member with a mobility permit how will inspectors know that the vehicle so parked was driven there by the legal owner of that permit? And unless the parking inspector is there when the vehicle is being parked how will they know?

In response to whether demerit points have been considered as a deterrent, I was told that the JACS Directorate would investigate further opportunities to strengthen offences relating to the mobility permit scheme, including the imposition of demerit points.

Given the existing evidence and the views of people and organisations most directly affected, it is timely that the ACT government is taking a closer look at how we can improve the current system to ensure that Canberrans in genuine need of mobility parking spaces have access to them.

In bringing this motion today I acknowledge the work undertaken by Ms Le Couteur in the Seventh Assembly calling for more mobility parking spaces, for better design of these spaces and for increased enforcement of illegal parking. The design of mobility spaces has improved in recent years, and it is now time that enforcement measures were also updated and the eligibility of permit holders reviewed so that people who genuinely need access to mobility parking spaces have it.

The budget contained some encouraging indications that the government is committed to examining these issues, and I look forward to the government keeping the Assembly updated on the progress of the review. I also foreshadow that the government will move some amendments and the Canberra Liberals will be supporting those amendments. I commend my motion to 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) (6.04): I thank Ms Lee for her motion on disability parking permits and for highlighting their importance to members of our community.

In summary, the government agrees with the motion put forward today. As indicated by Ms Lee, the government has some amendments, which are acceptable to her. I have circulated those amendments and I now seek leave to move both amendments together.

Leave granted.

MR GENTLEMAN: I move:

(1) After paragraph (1)(d), insert:

“(e) eligibility for mobility parking permits, known as Australian Disability Parking Permits, is determined by a nationally-consistent set of standards;”.

(2) Omit paragraph (2)(b), substitute:

“(b) encourage informed, appropriate use of disability parking spaces;”.

As the minister responsible for parking policy in the territory, I am very proud to highlight the government’s work in supporting people with disabilities through the mobility parking scheme.

As an inclusive community, the ACT government’s policy is to ensure that people with disabilities have full and direct access to all public places in the ACT. The provision of accessible transport and convenient parking is integral to fulfilling this commitment. This government continues to support parking for people with disabilities in a variety of ways, including our generous disability parking permit system.

The Australian disability parking scheme, a nationally harmonised mobility parking scheme, was developed in 2008 in conjunction with the Australian government and state and territory governments. The scheme establishes nationally consistent eligibility criteria and national minimum parking concessions to help reduce the barriers for permit holders when travelling interstate. The ACT government remains committed to these standards.

Three categories of mobility parking permits are available in the ACT: temporary permits requiring certification from a medical practitioner, automatically expiring after a set period; long-term permits requiring medical certification every three years; and permanent permits issued where the person’s condition is permanent, requiring only an initial medical certification.

Holding a mobility parking permit allows people to park free of charge in government car parks and stay longer in time limited parking. This allows permit holders to stay in both on-street and off-street government car parks for up to two hours if the time limit on the parking sign is 30 minutes or less and for an unlimited time if the time limit on the parking sign is more than 30 minutes.

In the 2017-18 budget, to ensure the ongoing integrity of the mobility parking permit system, the government noted its intention to increase the penalty for the misuse of a mobility parking permit. The misuse of permits is unfair to genuine permit holders, undermines the effective operation of car parks, and costs the community. This measure is forming part of a broader review of parking in the ACT that is currently underway.

The number of mobility parking permits issued over the past decade has grown more than six times the population increase over the same period, with only a small fraction of this increase attributed to the ageing of the population. The concessions available allow permit holders to park all day for free in short stay parking areas. With so many permit holders, pressure is being placed on the availability of short stay parking in some high demand areas. This pressure will grow as parking becomes increasingly provided by the private sector, which normally does not provide the same level of concessions.

The government continues to respond to these pressures and other pressures on parking to identify solutions that respond to both long-term and short-term parking issues. Some of this work is underway through the review of the parking and vehicular access code in the Territory Plan to ensure that it is implementing the best practice in parking provision. The mobility parking permit scheme is also being reviewed to ensure that it is appropriate, meets the needs of its users and is sustainable in the long term as the scheme is utilised by more members of our community.

Considerable work has been completed and is underway to ensure that people who are mobility impaired are assisted when parking in government-owned parking facilities across the city.

MS LE COUTEUR (Murrumbidgee) (6.09): I am very pleased to speak about this motion today. As Ms Lee noted, I moved a somewhat similar motion back in 2012. I will just revisit some of that, because unfortunately it is still relevant.

As I noted then, ABS statistics suggest that 20 per cent of Canberrans have some form of disability, and it is clearly true that the ACT has a growing ageing population. While not every person with a disability has a need for a disabled parking space, a significant number of them do. Our current ACT standards are for three per cent minimum disability parking spaces. If you look at three per cent compared to 20 per cent, and you look at the demand for parking spaces for disabled people, it is bleedin' obviously that we are very undersupplied.

Ms Lee, in her speech, talked about some specific issues. I can speak also from, unfortunately, a period of recent experience. My husband had a stroke a few years ago, so I had a period when I was the driver for a disabled person and thus did an exploration of disabled parking spaces in the ACT. I can tell you that there clearly are not enough of them. And, even worse than that, they are not very well distributed. There are often suburban shopping centres which have plenty, but then you come into Civic, as Ms Lee noted, and there are very few.

I think the idea of making the MLAs car park available for people with a disability to park in after hours is probably one seriously worth exploring. Some of us do come to work after hours, but not most of us in the building.

I would repeat the call that I made in 2012 to increase the minimum disabled car park provisions in the Territory Plan parking and vehicle access code for town, group and local centre parking as well as for parking at hospitals and other public facilities which the government is responsible for. I suggested a ratio of four to five per cent. I do not have any further information as to what would be the best percentage. I note that the government is reviewing this, and I sincerely hope that it will come up with a bigger percentage, because the need is clearly there.

My understanding is that Ms Lee is going to be accepting Minister Gentleman's amendment. I am very pleased that yet again today we will be having tripartisan agreement on something that is important for people with a disability in the ACT.

Speaking about people with a disability and why disability parking spaces matter, let me say that disability often impacts your mobility—not always, but often—and it may impact your ability to take public transport. Partly it could be because of your ability or otherwise to get to the bus or, soon, a light rail stop; or it could be, particularly in the circumstance of our current bus system, your ability to safely ride on the bus. One of the improvements that we can hope for with light rail is that for all people who find the stop accessible, it should be much more disability friendly. People, I understand, will be able to drive their mobility scooters onto the light rail, which will be a great step forward for some people.

If you cannot get anywhere, if you are in the situation where the distance that you can walk, be pushed in your wheelchair or use your walking frame is only a very short distance from a vehicle, in general you are going to need access to parking spaces for disabled people, and there are simply not enough of them around. This means that people with a disability have issues with being involved in society as a whole, issues with going to appointments, issues with doing their shopping. If you cannot get to park close to shops, you may not be able to shop if you have a disability. That is obviously a major problem. And, of course, it is hospitals and medical precincts. I note, as Ms Lee noted, that these areas have, generally speaking, higher proportions of parking spaces for disabled people. I also note from practical experience that in many cases these tend not to be enough.

In conclusion, I thank Ms Lee for this motion. It is an issue that I have been concerned about for a long time. I am very pleased that Minister Gentleman is also supporting it. I think it is great that we are all saying that, for the good of all of Canberra, and in particular the 20 per cent of Canberrans who identify as having some disability, this is something that we can all agree.

MS FITZHARRIS (Yerrabi—Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (6.15): I would like to speak on behalf of the Minister for Regulatory Services, who unfortunately is away today.

There are some touchstone issues for our community that, when raised, are able to stir the passions of the average Canberran like no other. Parking is one of those. There is always a paradox, as has been noted, that if someone cannot find a parking spot, it is because we do not have enough parking inspectors moving cars on. But if they get booked by a parking inspector, it is because we have too many parking officers out supposedly raising revenue.

One of the things that unites all of the views of Canberrans around parking is the concerns that most Canberrans feel when a person without a permit to do so parks in a disability parking space. We all know people who have mobility issues and who need the important amenity of disability parking. It is one of the essential services that we, as a community, provide to our fellow citizens with mobility issues to make their lives a little bit easier or less painful.

The abuse of disability parking spots by those not entitled to use those spots is plainly unacceptable. In this context, I would like to advise the Assembly how it is that Access Canberra enforces parking regulations, including the use of disability spaces across our city.

Parking enforcement runs the risk of being a dry subject, and one which does not lend itself to soaring rhetoric, though I do believe international parking conferences are actually a thing. Regardless of this, it is important that I make clear what it is that forms the basis for how we enforce all forms of parking across the city.

Access Canberra's compliance framework sets out the objectives and principles for Access Canberra's compliance and enforcement activities. The framework outlines the risk-based approach to compliance with relevant legislation in the ACT, and is intended to be a useful and transparent guide. Access Canberra applies this risk-based compliance approach to ensure that resources are targeted to where the risks of harm, unsafe practices or misconduct are the greatest, thereby strengthening its capacity to take action where the community, workers and the environment are most at risk.

There are three strategic objectives central to the role of parking operations. The first is safety. Many instances of non-compliant parking activity pose significant safety risks to the community. Indeed, it is largely for safety reasons that parking is forbidden in certain areas. Unsafe parking can pose risks to pedestrians trying to cross

roads and to motorists, who can face dangers such as impaired line of sight and unexpected hazards. That is why disability parking spots are often located near entrances, to help those with mobility issues move quickly and easily out of the road environment.

The second is public and business amenity. It is important that parking regulations are properly enforced to ensure public and business amenity. This means that disability parking is reserved for people with a disability. It means that loading zones are kept free for deliveries for businesses. It means that short-term parking spaces provide for a turnover of customers for businesses. And it means that residents have unobstructed access to and from their homes.

The third concerns government. The provision of paid parking by the ACT government is on a user-pays basis. In doing this, the government seeks to ensure equitable allocation of space and incentives for ACT residents to utilise alternative forms of transportation.

These strategic objectives are by no means mutually exclusive. For instance, motorists parking in an unsafe fashion are often doing so to avoid paying for parking, which affects government services. Unsafe parking, such as parking across driveways, also restricts residents' access to homes. Motorists not having to pay for parking can mean that other motorists and businesses are disadvantaged, because patrons' access to their businesses is restricted.

This compliance model is implemented by Access Canberra through three fundamental steps: engage, educate and enforce. Engagement means ensuring that there is a positive working relationship with stakeholders and members of the public.

Education means taking reasonable steps to ensure that people know how to comply, for example, through clear signage in parking areas, warnings ahead of major sporting fixtures, or changes to parking conditions. For this reason, parking operations inspectors are some of Access Canberra's most regular communicators with our community. Not only do they provide information about parking obligations and rules, but they are routinely asked for directions and other help. They are, of course, also happy to assist community members, including vulnerable people in need.

Enforcement means taking action for noncompliance proportional to the harm caused by the conduct, such as the issue of warnings or parking infringement notices. What this means in general is that Access Canberra seeks to encourage compliance through education, but escalating enforcement action will be applied to those whose conduct will or is likely to cause harm or those who demonstrate a blatant disregard for the law. I will say that when it comes to disability parking permits there are very few circumstances where misuse of the permit or the parking spot does not end in a fine, and rightly so. In 2016-17 there were in excess of 2,300 mobility bay parking infringements issued.

One of the policy levers the government is using to change illegal parking behaviour is the value of the fine set in relation to a particular offence. From 18 September the

infringement fees for the illegal use of a disabled parking bay will increase substantially, from \$241 to \$600. This is a clear signal from the government of how serious we are about ensuring fair access to and proper use of disability parking spaces.

Parking operations has recently obtained licence plate recognition cameras which are car mounted and able to determine if a car is illegally parked. These cameras are currently being trialled and tested in a number of areas around Canberra.

Parking operations is investigating the possibility of mobility permits being embedded with RFID or similar technology to allow parking inspectors and cameras to electronically interrogate the permit and issue infringements to vehicles displaying expired, lost, stolen or deceased client permits or no permit at all. We will continue to investigate technologies and procedures to patrol more efficiently and enforce lawful use of disabled parking spots.

I would like to restate that this government is strongly committed to ensuring that access to and appropriate use of the disability parking spaces available across the territory is maintained and improved, and will continue to use all the surveillance and enforcement tools available to it to achieve this.

MS LEE (Kurrajong) (6.22): As I foreshadowed earlier, the Canberra Liberals will be supporting the amendments moved by the government, given that they are minor changes which do not take away at all from the purpose and intent of the motion that I bring today. I thank Minister Gentleman and Minister Ramsay for speaking in the lead-up to this motion, and also Minister Fitzharris for speaking on Minister Ramsay's behalf. I thank Ms Le Couteur for her ongoing support on this important issue. It is good to see that we have reached a tripartisan agreement on another issue.

As Minister Fitzharris said, parking as an issue for discussion may not be interesting to anyone perhaps outside of international parking conference attendees, but it is an important one for our community. I am very thankful to all the members who contributed, and even more for the fact that they have supported what I have said.

The issue that Ms Le Couteur raised about the lack of numbers of mobility parking spaces is an important one. Even if you break it down into the figures that are available, over 22,000 permits in use for Canberra's population with a code standard of three per cent mobility parking spaces just does not quite add up. I am glad to hear that the government has started the review which will be looking at that issue as well as some of the other issues that I have raised.

Amendments agreed to.

Original question, as amended, resolved in the affirmative.

Adjournment

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

That the Assembly do now adjourn.

TNA Turns Pink charity event

MS LAWDER (Brindabella) (6.24): I rise today to talk to members about the Tuggeranong Netball Association's recent TNA Turns Pink charity event that I attended along with my colleagues Alistair Coe, Mark Parton, Elizabeth Lee and Elizabeth Kikkert. I am pretty sure I saw Mr Gentleman down there as well and Mr Pettersson also attended and played. I would also like to thank other staff members from the Assembly, colleagues and some family members who helped to make up our team.

This year TNA hosted a marathon netball game to support two local charities. It was also a Guinness world record attempt to bring together as many netball players on the one field as possible in continuous play. It did get about 1,000 players, just short of the Guinness world record, but, more importantly, the event raised just over \$20,000 for two local charities: Bosom Buddies, who support women affected by breast cancer; and Red Nose, previously known as SIDS and Kids ACT, a charity helping find a cure for sudden infant death syndrome.

When I was first invited to this event I was pretty excited to attend. Firstly, to have a bit of practice and playing some netball; I know there is a bit of skill involved—none of which I have—but from going along often to watch my granddaughters and hundreds of others each Saturday morning during the netball season at the Calwell netball courts. Secondly, the opportunity to play netball with family and friends and colleagues while also supporting two great causes was a good part of why I chose to play. And, finally, it promised to be a very fun community event.

Team members and I attended a few training sessions prior to the game. We were met by David Sibley, one of the organisers of the event, and a number of senior TNA netballers also took time out of their day to help us train. They dedicated their time to ensuring everything ran smoothly. They were passionate and dedicated to supporting the charities.

On the day there was fantastic food and drink. There were raffles, a banner competition, photo booths, crazy hair, special outfits, lots of fun and, most importantly, the fundraising for those charities. I would like to thank the committee of the Tuggeranong Netball Association, colleagues, friends and family who played, all the netballers and non-netballers, and families and friends of TNA who came out on what was a bit of a brisk Saturday, especially early in the morning, to support these two charities.

I would like to thank the organisers of the event for all the hard work they put in to ensuring that the event went smoothly. There were: the TNA Turns Pink organising committee; the Tuggeranong Netball Association, including Jonathan Toze, the president of the TNA; David Sibley, as I mentioned, the media and marketing coordinator of TNA for his continued interaction with us, keeping us informed, making sure we attended training sessions et cetera; Netball ACT and the many different netball associations and teams that came along and played on the day; a shout out to the umpires who gave their time on the day to umpire all the games; Jo Pivac; Canberra Giants member Georgia Claydon; the TNA Emeralds captain, Breanna Toze; Carly Symons and Emily Toze from the South Canberra Netball Association for taking the time out of their day to help us train; and the Vikings Group and Icon Water for sponsoring the event.

Despite the physical toll that the day took—on me at least—I had a fantastic time, and I am sure my colleagues agree. I hope you all consider taking part next time the TNA have one of these charity events.

National Science Week

MS CHEYNE (Ginninderra) (6.28): It is National Science Week. While I cannot name all the scientists in the ACT, I wanted to put on the record a number of people in the Canberra community I have got to know over the last little while who are making extraordinary contributions in quite different ways.

The first is Stuart Harris, whom I have spoken about in this chamber before. Stuart is a Belconnen local. He is a citizen scientist whose discovery of a new species of spider, the *Maratus harrisi*, at Booroomba Rocks is well documented in the outstanding and award-winning short film *Maratus*. *Maratus* is available for free viewing for a short time on ABC iview to coincide with National Science Week. I encourage everyone to check out his amazing story. Stuart has since discovered many more species of spider.

I would also like to acknowledge Michael Sidonio, a name well known to many of us here for the excellent support he provides to all members. Michael, too, I think could be described as a citizen scientist. Recently, Michael took a very nice photograph of a large, famous galaxy called, I believe, NGC 253. In doing so his photo inadvertently had in it a small smudge. That small smudge turned out to be a previously undiscovered galaxy. It is quite amazing that we have someone walking among us every day who discovered a galaxy.

Francesca Maclean is a name well-known to many of us. She is someone else I have spoken about here before. Francesca is the co-founder of ANU Fifty50 and is the 2017 ACT Young Woman of the Year. Last week Francesca and her team hosted a Fifty50 big ideas breakfast focusing on what governments, businesses and universities need to do to reach gender equity in STEM by 2025. The breakfast had participants commit to action items in 20 hours, 20 days, 20 weeks and by 2020, and the organisers will be holding all of the participants to account. I look forward to the results.

Dr Anne-Sophie Dielen is a molecular biologist and biochemist, founder of the League of Remarkable Women in Science. Among her many amazing achievements, she is the chair of the ACT National Science Week organisation committee. I have attended two events this week already with a third to come. I commend Anne-Sophie's fantastic organisation and the way in which she has been able to foster enthusiasm and engagement with the many wonderful science opportunities we have in the ACT.

Finally, Madam Acting Speaker, there is Nicholas Husek, who was the runner-up recently in the International Association for Official Statistics prize for young statisticians. Nicholas is another Belconnen local who conducted research into how freight companies' telematics data can be turned into official statistics to inform infrastructure planning and investment. It is clear that this has real relevance in a country like Australia. This is an excellent result in a worldwide competition with research that has the potential to change the way large infrastructure projects around Australia are planned and executed.

As I said, these are just a few of the incredible contributors to science in the ACT. I look forward to talking about many more during my time in this place. Happy National Science Week!

OzHarvest Canberra

MRS KIKKERT (Ginninderra) (6.31): I wish to say a few words about OzHarvest Canberra. Last Thursday we all had an opportunity to learn more about this fantastic charity as we enjoyed delicious soups, mains and a variety of cakes served up in Civic Square, all for a gold coin donation. OzHarvest is a brilliant example of what happens when community-minded people see an opportunity to contribute towards a just and humane society and, instead of waiting for someone else to act, use their resources and personal initiative to get things done.

In this case the person is Ronni Kahn who, after 20 years on an Israeli kibbutz, realised that she was too independent for communal living and too tired of endless poverty. She migrated to Sydney. In Australia, Kahn realised she was also too strong-willed to be someone else's employee and soon owned three florist shops before becoming a successful events planner.

It was in this role that food wastage first started to trouble her. The best way to judge the success of a catered event, she said, was by the amount of leftovers. In her words, "It showed that we completely had catered enough." But she hated throwing away perfectly good food. As a lifelong volunteer, she knew that thousands of people in Australia face food insecurity each day. And as a successful business owner, she was in the perfect position to do something about it.

Kahn and a team of pro bono lawyers successfully lobbied four Australian jurisdictions, including the ACT, to amend legislation to allow businesses to donate surplus food to charitable organisations, and OzHarvest was born. It is now the leading food rescue organisation in Australia.

OzHarvest Canberra has been operating since 2008, collecting surplus fresh food, prepared meals and bakery items and delivering them to over 60 local charities. In a typical week they rescue between nine and 10 tonnes of food. They estimate that over the past nine years they have provided nearly two million meals to hungry Canberrans, an indication of how much hidden hunger actually exists in our territory.

Endless cost of living increases in the ACT will only lift the value of what OzHarvest Canberra does to serve the forgotten people. Beyond feeding the needy, OzHarvest also provides nutrition education to vulnerable Australians and trains disadvantaged youth so that they can earn certificates in hospitality. OzHarvest Canberra accepts food donations only from businesses, but I strongly encourage individuals to donate money and/or time.

Every dollar donated helps them deliver two meals to needy Canberrans, and volunteers are needed to assist with many related tasks. I am pleased that OzHarvest Canberra has recently been chosen by the Vikings Group, a proud member of ClubsACT, as their charity of the year. Vikings chefs cooked the delicious food that we enjoyed last week and the Vikings Group will be actively supporting OzHarvest Canberra over the next 12 months.

I am personally grateful for all that OzHarvest Canberra does. I am likewise grateful to the members and supporters of the Vikings Group who each year lend their collective support to a worthy charity. Though it is impossible to name them all, I am especially grateful to the nearly 70 other charities that use the food from OzHarvest Canberra to provide the hungry in Canberra with both life-sustaining meals and face-to-face interactions.

Question resolved in the affirmative.

The Assembly adjourned at 6.35 pm.

Schedule of amendments

Schedule 1

Crimes (Intimate Image Abuse) Amendment Bill 2017

Amendments moved by the Attorney-General

1

Clause 4

Section 7A, note 1, proposed new dot points

Page 2, line 13—

omit proposed new dot points, substitute

- s 72D (Non-consensual distribution of intimate images)
- s 72DA (Distribution of intimate image of young person)
- s 72E (Threaten to capture or distribute intimate images)
- s 72H (Court may order rectification)

2

Clause 5

Proposed new section 72A, new definition of *breasts*

Page 2, line 19—

insert

breasts, of a female or a transgender or intersex person who identifies as a female, means the person's breasts whether covered by underwear or bare.

3

Clause 5

Proposed new section 72A, definition of *capture visual data*

Page 2, line 20—

omit

4

Clause 5

Proposed new section 72A, definition of *engaged in a private act*, paragraphs (c) and (d)

Page 3, line 7—

omit proposed new paragraphs (c) and (d), substitute

(c) engaged in an act of a sexual nature of a kind not ordinarily done in public.

5

Clause 5

Proposed new section 72A, new definition of *genital or anal region*

Page 3, line 9—

insert

genital or anal region, of a person, means the person's genital or anal region whether covered by underwear or bare.

6

Clause 5

Proposed new section 72A, definition of *image*

Page 3, line 10—

omit

7

Clause 5**Proposed new section 72A, definition of *intimate image*****Page 3, line 11—**

*omit the proposed new definition of **intimate image**, substitute **intimate image**, of a person—*

- (a) means a still or moving image, in any form—
 - (i) of the person’s genital or anal region; or
 - (ii) for a female or a transgender or intersex person who identifies as a female—of the person’s breasts; or
 - (iii) of the person engaged in a private act; or
 - (iv) that depicts the person in a sexual manner or context; and
- (b) includes an image, in any form, that has been altered to appear to show any of the things mentioned in paragraph (a).

8

Clause 5**Proposed new section 72A, definition of *private parts*****Page 3, line 19—**

omit

9

Clause 5**Proposed new section 72B (1) (a) (i)****Page 4, line 6—**

before
 exhibit
insert
 show,

10

Clause 5**Proposed new section 72B (2)****Page 4, line 14—**

omit proposed new section 72B (2), substitute

- (2) A person is taken to have distributed an image whether or not another person views or accesses the image.

11

Clause 5**Proposed new section 72C****Page 4, line 16—**

omit

12

Clause 5**Proposed new section 72D (a)****Page 5, line 23—**

omit
 (the *affected person*)

13

Clause 5

Proposed new section 72D (b) (ii)

Page 6, line 1—

omit

as to

substitute

about

14

Clause 5

Proposed new section 72DA

Page 6, line 4—

insert

72DA Distribution of intimate image of young person

- (1) A person commits an offence if—
 - (a) the person distributes an intimate image of another person; and
 - (b) the other person is under 16 years old.Maximum penalty: 500 penalty units, imprisonment for 5 years or both.
- (2) It is a defence to a prosecution for an offence against this section if the defendant proves that—
 - (a) at the time of the offence—
 - (i) the defendant believed on reasonable grounds that the person against whom the offence is alleged to have been committed was at least 16 years old; or
 - (ii) the person against whom the offence is alleged to have been committed was—
 - (A) at least 10 years old; and
 - (B) not more than 2 years younger than the defendant; and
 - (b) the person against whom the offence is alleged to have been committed consented to the distribution of the intimate image.

Note The defendant has a legal burden in relation to the matters mentioned in this section (see Criminal Code, s 59).

15

Clause 5

Proposed new section 72E

Page 6, line 5—

omit proposed new section 72E, substitute

72E Threaten to capture or distribute intimate images

- (1) A person commits an offence if—
 - (a) the person threatens to capture or distribute an intimate image of another person; and

- (b) the person—
 - (i) intends the other person to fear that the threat would be carried out; or
 - (ii) is reckless about whether the other person would fear that the threat would be carried out.

Maximum penalty: 300 penalty units, imprisonment for 3 years or both.

- (2) In a prosecution for an offence against this section—
 - (a) a threat may be made by any conduct whether explicit, implicit, conditional, or unconditional; and
 - (b) it is not necessary to prove that the other person actually feared that the threat would be carried out; and
 - (c) a person may be found guilty even if carrying out the threat is impossible.

Examples—par (c)

- the image does not exist
- technical limitations prevent the person from capturing or distributing the image

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) In this section:

capture intimate image—a person ***captures an intimate image*** of another person if the person captures an image of the other person, with a camera or by any other means, in such a way that—

 - (a) a recording is made of the image; or
 - (b) the image is capable of being transmitted in real time, with or without retention or storage, in a physical or electronic form; or
 - (c) the image is otherwise capable of being distributed.

16

Clause 5

Proposed new section 72EA

Page 7, line 5—

insert

72EA Consent—pt 3A

- (1) For this part, and without limiting the grounds on which it may be established that consent is negated, a person does not consent to the distribution of an intimate image of the person by another person (the ***offender***) if the consent is caused by a circumstance set out in section 67 (1) (a) to (j).
- (2) Also, a person does not consent to the distribution of an intimate image of the person by the offender only because the person—
 - (a) consented to the offender distributing the image or another intimate image on another occasion; or
 - (b) consented to someone else distributing the image or another intimate image; or

- (c) consented to the offender or someone else distributing the image or another intimate image in a different way to the way the offender distributed the image; or
- (d) distributed the image or another intimate image to someone else.

17

Clause 5

Proposed new section 72F

Page 7, line 6—

omit

18

Clause 5

Proposed new section 72G (1)

Page 7, line 20—

after

section 72D

insert

or section 72DA

19

Clause 5

Proposed new section 72G (1)

Page 7, line 20—

omit

or section 72E

20

Clause 5

Proposed new section 72G (1) (ca)

Page 7, line 27—

insert

- (ca) by a licensed security provider acting reasonably in the performance of a security activity; or

21

Clause 5

Proposed new section 72G (1) (e)

Page 8, line 8—

omit proposed new section 72G (1) (e), substitute

- (e) by a person in the course of reasonably protecting premises owned by the person; or
- (ea) of a child or other person incapable of giving consent in circumstances in which a reasonable person would regard the distribution of the intimate image as acceptable; or

Example

sharing a photograph or movie of a naked newborn relative

22

Clause 5

Proposed new section 72H (1)

Page 9, line 5—

omit proposed new section 72H (1), substitute

- (1) This section applies if a person is found guilty of an offence against—
 - (a) section 72D (Non-consensual distribution of intimate images); or
 - (b) section 72DA (Distribution of intimate image of young person); or
 - (c) section 72E (Threaten to capture or distribute intimate images).

23

Clause 5

Proposed new section 72I

Page 9, line 14—

omit

24

Clause 6

Proposed new dictionary definition of *breasts*

Page 9, line 21—

insert

breasts, for part 3A (Intimate image abuse)—see section 72A.

25

Clause 6

Proposed new dictionary definition of *capture visual data*

Page 9, line 22—

omit

26

Clause 6

Proposed new dictionary definition of *consent*

Page 9, line 24—

omit

27

Clause 6

Proposed new dictionary definition of *genital or anal region*

Page 10, line 2—

insert

genital or anal region, for part 3A (Intimate image abuse)—see section 72A.

28

Clause 6

Proposed new dictionary definition of *image*

Page 10, line 3—

omit

29

Clause 6

Proposed new dictionary definition of *private parts*

Page 10, line 6—

omit
