



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**25 OCTOBER 2017**

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**Wednesday, 25 October 2017**

**The Assembly met at 10 am.**

*(Quorum formed.)*

**MADAM SPEAKER** (Ms Burch) took the chair and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Red Hill—development**

**MS LAWDER** (Brindabella) (10.04): I move:

That this Assembly:

(1) notes that:

- (a) the Federal Golf Club have flagged their intention to develop retirement living on a section of their existing lease;
- (b) the Federal Golf Club has attempted to redevelop the site on numerous occasions since 1998;
- (c) the Red Hill Open Space area, and the Red Hill Nature Reserve, contain the Federal Golf Club lease as well as a number of large open space blocks in Garran, Hughes and Deakin and some privately owned commercial crown leases in Deakin;
- (d) the Federal Golf Club lies within a bushfire prone area and the land has been assessed as being at high risk to life and property due to bushfires;
- (e) prior to a development application being lodged, the ACT Government established and ran a consultation phase which consisted of three private invitation only meetings;
- (f) a number of community groups have been involved in the Government-run Federal Golf Club Community Panel including:
  - (i) Conservation Council ACT Region;
  - (ii) Deakin Residents Association;
  - (iii) Friends of the Grassland ACT;
  - (iv) Garran and Hughes Residents Action Group;
  - (v) Hughes Residents Association;
  - (vi) Council on the Ageing; and
  - (vii) Red Hill Regenerators;

- (g) no overall planning and direction exists for the whole of the Red Hill Open Space area and developments are assessed on each development's individual merits and not on the benefits to the community as a whole;
  - (h) while there is no overarching plan to development in the area, other development applications including at Hughes and Deakin are in the pipeline;
  - (i) the Panel has been disbanded by the Government after only three meetings, and a number of issues remain unresolved according to the Community Panel;
  - (j) neither the Panel, nor the wider community, have seen any final report summarising the issues and/or actions, and the community concerns raised through the panel process about the serious potential impact that will likely accompany piecemeal development at Red Hill, including the current large Federal Golf Club development proposal, have been summarily dismissed by the Environment, Planning and Sustainable Development Directorate; and
  - (k) while Panel members lobbied for a master plan for the area, in his presentation of a draft panel report at the meeting, the Deputy Director-General of the Environment, Planning and Sustainable Development Directorate stated that the master planning process "was established to respond to improving the economic and social drivers for the [commercial] centres" and was not the appropriate vehicle for the Red Hill Open Space area; and
- (2) calls on the ACT Government to:
- (a) refer the overall planning of the Red Hill Open Space area and environs to the Standing Committee on Planning and Urban Renewal to:
    - (i) investigate the current planning approach to the area and review how a holistic and integrated strategy for development of Red Hill Open Space area would be of benefit to community;
    - (ii) make recommendations to any changes to the planning direction of the Red Hill Open Space area;
    - (iii) consider whether a masterplan or similar approach for the Red Hill Open Space area is appropriate;
    - (iv) take into account all implications of development within the Red Hill Open Space area, including road access and public transport options and opportunities;
    - (v) review the appropriateness of retaining existing green spaces in Hughes, Deakin and Garran;
    - (vi) consider how best to protect the Red Hill Nature Reserve;
    - (vii) consult widely with the community in a public forum to ensure that all relevant matters are considered; and

(viii) report back to the Assembly by June 2018; and

- (b) suspend all development activity in the Red Hill environs until the Committee report and government response have been received and publicly available.

I am pleased to bring to the attention of the Assembly today the community concerns around a proposal at the Federal Golf Club. The Canberra Liberals hope that the ACT government will ensure that any development that is undertaken at the Federal Golf Club is of sound quality and respects the current built nature and the current environmental concerns around the area. Today I would like to talk on a couple of issues: why the Federal Golf Club is important from a planning perspective; what the current planning concerns and issues are; the involvement of community groups, including the Canberra Community Clubs group and the community panel process; how development applications are usually handled; why I have brought forward this motion today; and what I am calling on the government to do and why.

It is probably important to address the context of this by providing some background. Since 1998 the Federal Golf Club has been exploring ways that the golf club can diversify and ensure continued cash flow into the years ahead. In 1999 Territory Plan variation 94, which would have allowed development at the golf club, was disallowed by the Assembly as it was inconsistent with the Territory Plan because of the impact on formal and informal open space areas.

In 2007 the then planning minister, Mr Barr, promised to consider the proposal again as there were considerable financial concerns surrounding the Federal Golf Club and their ability to navigate their way through the prolonged drought. However, in 2011 Minister Barr rejected the proposal, stating that he had:

... formed this view after careful consideration of the advice and opinions of a range of government agencies, environmental and community groups.

In December 2014 the Federal Golf Club proposed a seniors living development on their Red Hill land. Most of us probably know the Federal Golf Club is positioned on the southern side of Red Hill. It is bounded by the suburbs of Garran and Hughes. It could be an important area for suburban infill, but it is in a bushfire zone.

Over the past 19 years the community and the Federal Golf Club have had their differences with regard to future development. This is not a secret. Concerns raised by community members have been many and varied. They include the fact that section 66 is a highly sensitive and significant area, located on the slopes of Red Hill, that the Red Hill area contains remnants of the significantly endangered red gum and yellow box woodland, that the proposed development could have a detrimental impact on recreational activities in the area and an impact on local amenities, including lack of road access.

While the Federal Golf Club have been calling to be allowed to develop their current lease so that they can further drought-proof their golf course, upgrade their clubhouse, which is a bit rusty and outdated, and provide financial security into the future, that

does not mean that community concerns are not equally important so that we can have certainty for all parties going forward. We do not want to have another 20-year period where every five years local community groups and the golf club are at loggerheads with each other over yet another proposal.

Many people have questioned the government's involvement in the current development proposal. It is no secret that because ClubsACT backed the Canberra Liberals at the last election this government has now refused to deal with ClubsACT. Mr Barr has publicly said he will not meet with ClubsACT. Mr Ramsay has publicly said he will not meet with ClubsACT. Instead, the government will only deal with the CFMEU-backed, Tradies-run Canberra Community Clubs.

In July 2017 the Federal Golf Club left ClubsACT and went to the CFMEU-backed Canberra Community Clubs group, and at that time Scott Elias, the general manager of the Federal Golf Club, said publicly:

The government will talk to them. As far as I'm aware the government won't talk to ClubsACT. It basically comes down to what's in the best interests of the club to get that development through ... We want to get it through this time and we will do everything we can.

Three weeks after the announcement of the defection of the Federal Golf Club to the CFMEU-backed Community Clubs group the government set up the one-off community panel for consultation on the proposal. This panel discussion was by invitation only, with even MLAs to attend only a very small part of those meetings.

Members of the panel included the Federal Golf Club, the developer, Mbark, the National Capital Authority, the ACT Government Architect, heritage representatives, the Conservation Council of the ACT, the Friends of Grasslands, the Red Hill Regenerators, three local residents groups, the Inner South Canberra Community Council, the Council on the Ageing and the Canberra Business Chamber.

This quite hastily put together, one-off community panel—when I say “one-off”, Mr Barr was quoted as saying this was a one-off panel—locks people and MLAs out. It makes it seem like the outcome of the community panel—and I am referring to emails I have received from community groups here—is a fait accompli, that the consultation was a sham and that the government have already decided to back this development application.

In a briefing that I had from the directorate earlier this week I was told that all the community groups were happy, they thought it was the best proposal that had been put forward and they had received comments such as “as good as they have seen”. The directorate, however, did not finish the sentences. The community groups provided me with their version of what was said at that panel meeting that, incidentally, I was locked out of. I was invited. I RSVPed. And when I turned up on the night I was unable to get in the locked door. It was quite unfortunate. It was quite unfortunate from many points, not least of which was that I could have perhaps gone to another event or, even better, stayed at home with my family instead of driving half

an hour to get there, spending half an hour knocking on the door and another half an hour to drive home. It was a complete waste of time.

Not one of the community councils that I have spoken to are happy with the outcome of the panel. Some of the comments I have received from community group members include:

There is a strong view by many of the community group members of the community panel that the direction of the panel being taken by EPSDD has degenerated to a point where the whole process is a farce that is blatantly supporting the FGC proposal.

This is another quote:

EPSDD has consistently protected FGC—

the Federal Golf Club—

and its developer from requests for meaningful information to be supplied on the ridiculous premise that all will be revealed later in the DA.

Community groups are confused by the intent of the panel. They thought they would have the opportunity to put forward their views and have feedback provided. They thought they would be able to ask questions and get answers. They thought they would be able to ask for data and have that data provided. This is not what has taken place. Some of those representatives of the community groups are here in the gallery today.

It does not take into account that what we need in this Red Hill open space is a holistic approach to planning in the area, not looking at the Federal Golf Club proposal in isolation, then looking at another proposal in Kent Street, Hughes, or Deakin. What we need to think of is a holistic approach that takes into account, for example, the significant environmental concerns of the area, not just one development application at a time. This piecemeal approach that is being taken to planning in the area could cause significant damage to the area. There are still concerns around access to the Federal Golf Club, in terms of car access and public transport, the need to upgrade Gowrie Drive and the increase in traffic flow and further congestion.

DAs are usually handled in a particular way. In this case it has been quite different because of this one-off panel that has been created by the government. There were only three meetings of this panel. Community representatives were willing and expecting to continue to meet when it was unceremoniously called to a halt by the government representative, who said that there was no need for further meetings, they had collected all of the residents' concerns and they would now be addressed in the development application.

Usually in an impact track development application an applicant lodges a development application, ACTPLA refers the DA to the entity and issues public notifications, ACTPLA requests further information if required, ACTPLA assesses

the DA against the Territory Plan, the environmental impact statement and relevant codes and ACTPLA makes its decision. This case has been very different.

What we need to see here is stability, to end years of protracted debate in the community. Many of the community panel members, perhaps the majority, asked about a master plan process for the Red Hill open space area. Whilst in the strictest sense of the definition of a master plan that may not be the best approach or the approach that the government will take, it does not mean that the concept of a more integrated and holistic plan should not take place for this area. We need a holistic approach to developing the Red Hill open space area that takes into account the implication of all or any development in the area, reviews and looks at the existing green space in the area and protects it, if that is what is required. Residents certainly believe that protection of the green space in their area is vital.

We need to consider the best way to protect the Red Hill nature reserve and, most importantly—and this is something that I have spoken about in this Assembly time and again in relation to planning matters—we need an open consultation process with the community, not one that truncates when the government feel they have collected enough information to enable them to move forward. We need something that is transparent and genuinely enables residents to feel that their views and their concerns have been heard.

The government, I am sure, will say that master plans are for group centres and key transport areas only. But it is the concept of a master plan that we are asking for here—whether you want to call it something different to a master plan—the concept of an integrated approach that looks at the entire area, not one DA at a time.

The motion that I have moved today can provide a path forward to give some certainty and transparency to the Red Hill community and for the Federal Golf Club. It is a forward-looking plan for all the Red Hill open space area, a long-term approach with a vision. That is why my motion today is calling on the ACT government to refer the overall planning of the Red Hill open space to the planning and urban renewal committee and to suspend all or any development activity in the Red Hill open space area until the committee report and the government response have been received and made available publicly.

In conclusion, I hope that the ACT government will ensure that any development that may be undertaken at the Federal Golf Club or, indeed, anywhere in that Red Hill open space area is of sound quality, respects the environmental impact of the area, takes into account other built structures in the area and, very, very importantly, consults openly and transparently with community members and ensures that their concerns are heard. I commend the 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) (10.18): The government will not be supporting Ms Lawder's motion as it stands. I have circulated an amendment in my name and I move that amendment now:

Omit paragraphs (1) and (2), substitute:

“(1) notes that:

- (a) the Federal Golf Club has publicly announced a proposal to redevelop part of the existing site for retirement housing;
- (b) the current proposal is still in a formative stage and the proponent has not lodged a development application, a request to vary the Territory Plan or a request to vary their existing lease;
- (c) the Environment, Planning and Sustainable Development Directorate convened a community panel to facilitate early engagement between the proponent and the community on issues raised by the proposal;
- (d) the community panel was chaired by a Deputy Director-General from the Directorate;
- (e) the community panel was always described as being conducted over three meetings and had the purpose of allowing voices to be heard, questions to be asked, and robust answers to those questions provided;
- (f) the Directorate endeavoured to ensure that all the right voices were heard by specifically inviting known stakeholder groups to participate, including resident groups, environmental groups and non-government organisations, such as the Council on Ageing;
- (g) in the course of the community panel meetings, several community association representatives praised the proponents for the level of openness they were displaying in sharing information about their proposal, while a number of environmental groups identified the proposal as being the ‘best’ that has been developed over the years;
- (h) in finalising the community panel process, the panel chair asked panel members to help populate a list of questions that could be reported in a panel report;
- (i) a draft of the panel report was provided to members of the panel on 20 October 2017 for their consideration and review, with finalisation of the report to occur following the receipt of comments from panel members; and
- (j) panel members have also been given the opportunity to append a statement to the main report to ensure that their views are reported in their own words, accurately and in full;

(2) further notes that:

- (a) the community panel process does not replace the need for formal statutory consultation at any further stage of the Territory Plan Variation, lease variation or development assessment process;

- (b) the *Planning and Development Act 2007* was recently amended to require mandatory referrals of any Territory Plan Variation to the Planning and Urban Renewal Committee for a decision on whether an inquiry will be held;
  - (c) the Federal Golf Club site that is the subject of the proposal is already zoned 'Urban Area' under the National Capital Plan;
  - (d) only the fringe areas of the Federal Golf Club lease are within bushfire prone areas and the specific area proposed for development is well away from the bushfire prone areas; and
  - (e) all developments are assessed on their merits with consideration of a wide range of factors, including the cumulative impacts of this proposal and other publicly announced proposals in the area; and
- (3) calls on the ACT Government to:
- (a) finalise and publicly release the community panel report by 16 November 2017;
  - (b) if the proponent proceeds to lodge a request for a Territory Plan Variation, lease variation or development application, assess these under the *Planning and Development Act 2007*, including the mandatory referral to the Planning and Urban Renewal Committee for all Territory Plan Variations;
  - (c) ensure that any Territory Plan Variation for Section 66, Kent Street Deakin, the Federal Golf Course and other sites adjacent to Red Hill Nature Reserve (whether in General Codes or Precinct Codes) carefully considers impacts on Red Hill Nature Reserve and surrounding residential areas to:
    - (i) protect Red Hill Nature Reserve from the impact of the proposed developments; and
    - (ii) assess and, where necessary, manage cumulative transport and amenity impacts of the proposed developments;

while still enabling opportunities for urban infill, housing affordability, social housing and ageing in place; and
  - (d) take steps to further promote development of proposals in close consultation with the community, using transparent and accountable mechanisms for issues to be raised, recorded and responded to.”.

Speaking to Ms Lawder's motion and to my amendment, some of the comments in Ms Lawder's motion and, indeed, in her speech simply contain some inaccuracies that I would like to clarify. In response to the motion put forward, I would like to clarify the circumstances surrounding the proposed development at the Federal Golf Club and the community panel process.

The future development proposal for the site is still in a very formative stage. The proponent has not lodged a development application, nor has the proponent requested to vary the Territory Plan to vary the golf club lease. It is in its early days. The Environment, Planning and Sustainable Development Directorate offered to convene a community panel to facilitate community engagement about the proposal. This offer was willingly accepted by the proponent and a number of key stakeholder groups in the Red Hill area.

All too often I hear complaints that the community and stakeholder groups only have the opportunity to comment on development proposals at the formal statutory application stage. By this time many key decisions have been made. The intent of the community panel has been to provide key stakeholder groups with an opportunity to inform the development proposal rather than just respond to it.

The community panel process does not replace the formal consultation processes in any subsequent development applications, nor does it bind the panel participants or limit their opportunity to lodge public submissions on future development applications. In establishing the community panel, the directorates endeavour to bring all the right voices together by specifically inviting known stakeholder groups, including community councils, resident groups, environmental groups and non-government organisations such as the Council on the Ageing. Through the course of the panel process other organisations expressed interest and were welcomed to the panel. This included the Woden Valley Community Council.

Madam Speaker, the meetings were initiated by invitation. This was to ensure that key stakeholders' voices could be heard. However, the meetings were not closed. Observers did attend and were welcomed. The meeting notes have been progressively placed on the ACT government have your say website, once agreed by panel members.

The terms of reference, which were agreed by the panel, are also publicly available on the ACT government have your say website. This includes a commitment to a three-month panel period starting on 3 August 2017, with the three-month period equating to three meetings. This allowed sufficient time to ensure that all of the right voices were heard, that all the right questions were asked and that those questions were answered and the answers were robust.

The panel discussions were comprehensive and reflected a broad range of interests. It became evident that many panel members had more to say than the meeting times would allow. Accordingly, panel members were invited to lodge further comments after each meeting. These additional comments have been attached to the respective meeting notes and are also publicly available on the ACT government website.

I turn now to some key factual issues in Ms Lawder's motion. In relation to the motion's item (1)(c), there is no formally designated area called the "Red Hill open space area". The Federal Golf Club lease is not zoned open space or any similar term. It is included in the parks and recreational PRZ2 restricted access recreation zone under the Territory Plan. More importantly, the Federal Golf Club lease is zoned

urban area under the National Capital Plan. As you are aware, Madam Speaker, the Territory Plan cannot be inconsistent with the National Capital Plan.

In relation to the motion's paragraph (1)(d), I would like to clarify that only the fringe areas of the Federal Golf Club lease are within bushfire prone areas. The area proposed for development is not considered to be bushfire prone. The panel was advised at its third meeting that the ACT Emergency Services Agency has been separately consulted by the proponent in relation to fire and safety considerations for future development on the site.

In regard to motion item (1)(e), I would like to reiterate that the directorate convened the community panel as a pre-consultation process to ensure early sharing of information and identification of issues. In relation to motion item (1)(g), the ACT planning strategy promotes residential urban renewal and infill that will increase housing choice in established suburbs to meet the needs of ageing residents to remain within their community. This strategy is to be due to be reviewed and it is through this review process that the broader planning considerations are best considered.

In relation to motion item (1)(h), all development proposals are assessed on their planning merits, in accordance with the Planning and Development Act 2007. The community panel recommendations, together with the statutory Territory Plan variation process, provide ample opportunity for the full range of stakeholder interests, development options and potential impacts, including cumulative impacts, to be considered in relation to the Federal Golf Club site and surrounding areas. Madam Speaker, the development proposals in Hughes and Deakin will each be considered both on their merits as individual developments and as part of the broader planning strategy for Canberra to ensure that the cumulative impacts of these developments are considered.

In relation to motion item (1)(i), the panel process has been conducted in accordance with the agreed terms of reference. The panel was always intended to be conducted over three months, equating to three meetings. The panel has achieved its purpose and has collected a long list of issues for the club to consider. The panel outcomes will be published as a panel report once it has been reviewed by panel members. In regard to motion item (1)(j), I can confirm that panel members were given a preliminary draft report at the third meeting and were asked to help populate specific content. The draft report has been revised and was circulated to panel members on 20 October this year.

Motion item (1)(k) has been reported out of context. The deputy director-general was responding to comments made by panel members who oppose development on the site. He was citing the specific purpose of a master plan under the ACT planning system and indicated that it was unlikely to suit their stated purpose of preventing development on the Federal Golf Club. The deputy director-general stands by that comment.

In relation to motion item (2)(a), any future Territory Plan variation in relation to this proposal would be subject to referral to the Standing Committee on Planning and Urban Renewal. A specific inquiry is not necessary. As stated previously, the ACT planning strategy is due to be reviewed. It is through this review process that

broader planning considerations will be considered. The items raised in the panel discussions will inform future planning considerations.

Lastly, in regard to motion item (2)(b), I note that, based on the projects of concern raised by the community, this would prohibit development in an area bounded by Carruthers Street, Kent Street, Adelaide Avenue, Hopetoun Circuit and Gowrie Drive to the Federal Golf Club. It amounts to a moratorium on development and I consider this to be an inappropriate response to open and informative processes.

I reiterate that the community panel recommendations, together with the statutory Territory Plan variation processes, provide ample opportunity for the full range of stakeholder interests, development options and potential impacts—including cumulative impacts—to be considered in relation to the Federal Golf Club site and surrounding areas. I am very confident that the process used to inform the community about proposed changes to the Federal Golf Club strongly reflects the ACT government's commitment to community engagement. The community panel processes should not be cast aside due to a myopic view on how consultation and development can occur.

Innovation is an essential component of development, as reflected in my statement of planning intent. This means that across government new methods of engaging with the community are needed and the community panel process provides the opportunity for stakeholder and community input at the earliest stages of development proposals. Not all community panels will reach consensus, but that is no reason to reject them out of hand. The Federal Golf Club community panel has raised important planning considerations and it has asked the hard questions up-front. It has been publicly documented and I am satisfied that the panel has achieved one of its purposes.

I have a comment on Ms Lawder's comments in speaking to her motion this morning in regard to ClubsACT and its members and the government meeting with those members. I certainly met with the Vikings Group last week in relation to a meeting for Tuggeranong business owners. It is not that we have rejected meetings with them. In respect of Ms Lawder's comments about development applications, I note that Ms Lawder put out a media release this morning citing that the Labor government pushed through the golf club's controversial development plans.

I will state again, Madam Speaker, that there is no development application that has been lodged. So it is quite difficult for the government to push forward plans that have not been lodged. In relation to her comments about the community panel and being locked out of it, my understanding from our deputy director-general is that it was due to a staffing error. The club apologised to Ms Lawder and so did my deputy director-general. There was no intention to lock her out of the meeting at all.

In regard to the last point in Ms Lawder's press release, calling on the government to suspend all development until these integrity issues are resolved, there is no development application in process. So we cannot call on the government to suspend a development that is not in process. I seek agreement to my amendment to the motion.

**MS LAWDER** (Brindabella) (10.30): Madam Speaker, I wish to speak to the amendment. It is interesting that Mr Gentleman has talked about a myopic view in his speech to his amendment. I noted just yesterday an article in RiotACT from a former national capital development commissioner who spoke last night to the Deakin Residents Association. I will quote a couple of items in this particular article because I think they are very telling and very relevant to the discussion that we are having today about planning matters generally here in the ACT. Yesterday's article states:

A former National Capital Development Commissioner will tonight issue a wake-up call to the ACT's community councils and residents groups in a hard-hitting speech that accuses the Barr Government of corrupting due process and being incompetent.

This is from the former the NCDC commissioner, Madam Speaker. I will repeat that last bit:

... accuses the Barr Government of corrupting due process and being incompetent.

Last night the former NCDC commissioner said:

This is a situation that doesn't occur in the States—

The states of Australia—

where such matters—

planning matters—

are the responsibility of local councils in which their planning committees debate and make decisions on both the setting of planning regulations and the approval of development applications at public meetings.

A bit further on the article states that the Environment, Planning and Sustainable Development Directorate is not doing its job properly. That is what this article says:

It doesn't carry out necessary investigations into the community needs to be served, the likelihood of adverse environmental impacts, the compounding effects of multiple development approvals in residential and suburban shopping areas and provision of public transport and public parking availability.

That is what he was going to say last night. It sounds very similar to some of the items in the motion before us today. He said:

It doesn't carry out the necessary investigations into the community needs to be served ...

The former commissioner went to say:

... the directorate's planning section is chronically understaffed and can only process development applications, which it manages poorly.

He says that it “manages poorly”. He continues:

It is unable to draw up master plans for the revival of the Woden Town Centre, nor for Civic, nor for Belconnen ...

This is what he was going to say last night. The article reports that the former commissioner at the meeting last night was going to:

... point to the machinations of the LDA, the use of commercial in confidence arrangements to hide information and the alleged gaming of land release programs to maximise profits as examples of it not following due process.

There is much more I could read, Madam Speaker, but I think it illustrates some of the points I was trying to make today. This points to many of the comments that I have received from community members, who have said, for example, “The direction the panel was being taken by EPSDD has degenerated to a point where the whole process is a farce that is blatantly supporting the FGC proposal.” That is from a member of the community.

The proponent’s assertion that they could not afford any delays at the panel meant that the department was trying to push this through as quickly as possible in the view of some community members and groups. For example, while I was not there at the meeting I was told that the deputy director-general said, “This one will go on for four or five meetings if we are working well.”

Community members were surprised that their meetings were truncated at three. They thought they were working well and they were still awaiting responses from the department and the government on data and information that they had requested and that they had not yet received. They had every expectation that the panel would continue, not be stopped in what they believed was a way of pushing forward the proposal without due consideration of the community’s view.

It is not to say that if the process had continued and they had been provided with the answers they may well have supported a lot of the proposal in the end. But they feel like they were led down the garden path and left there at the bottom of the garden with no way back. They were not given the information to find their way back. They were not given the information on where they were going in the first place. They were just left there, left hanging. It was not what they expected of this process of community consultation and a community panel.

People have said to me that they feel this process pointed towards a *fait accompli* that the proposal would be approved. They felt they were being used to try to achieve that goal. When that was not going to happen necessarily, the process was truncated. “Thanks so much; see you later; off you go,” if you can get out through the locked door, of course.

Madam Speaker, we will not be supporting Mr Gentleman’s amendment. I do not believe that there is trust in the community to let the general process go forward. They have lost the trust of community members. We will not be supporting Mr Gentleman’s amendment.

Amendment negatived.

**MS LE COUTEUR** (Murrumbidgee) (10.37): I move:

Omit paragraph (2), substitute:

“(2) calls on the ACT Government to:

- (a) not proceed with separate Territory Plan Variations for residential development proposals for Section 66, Kent Street Deakin, the Federal Golf Course and other sites immediately adjacent to Red Hill Nature Reserve; and
- (b) only proceed with a joint Territory Plan Variation for the sites after completion of an integrated plan for Red Hill Nature Reserve and surrounding residential areas that:
  - (i) includes a detailed environmental plan to protect Red Hill Nature Reserve from the impact of the proposed developments;
  - (ii) addresses the joint transport and amenity impacts of the proposed developments;
  - (iii) includes a detailed investigation of the old Deakin tip site and rules out development in any areas that may be contaminated and unsafe; and
  - (iv) limits development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority community support.”.

Members will note that I am only moving to replace the second paragraph, the “calls on the government”. I am in substantive agreement with Ms Lawder that there is a significant problem in the environs of Red Hill and that we are trying to do something that will work for the community, ensure that our natural environment is protected, ensure that the traffic and amenity issues are properly considered, be a holistic look at developments in that area and ensure that the community impact of the many potential developments are considered instead of the current process, which seems to be one by one by one.

We basically appear to be talking about at least two developments at this time. There has been some discussion of the current plan for the federal golf course—I believe it is their eighth try. Last century I lived in Garran—that is how long it has been going on for. The current intention is for 125 homes with a new golf club, swimming pool and gym in the middle of the golf course. That includes plans to upgrade the Gowrie Drive access roads, and that is one of the most problematic parts of the whole plan.

There is also a proposal for the old Telstra site on Kent Street, on the border between Deakin and Hughes, for 550 residential units. Both plans about the Red Hill nature reserve. Both plans have been touted before. They both require Territory Plan

variations. They both have so far not achieved a level of community support where the government and the proponents have thought there is any point in going a lot further. There are also a large number of urban open space blocks of land in Garran, Hughes and Deakin, all of which about the Red Hill nature reserve. I point out that we are joined by four local residents for this debate—thank you very much. Residents are concerned that if everything is done on a piecemeal basis, who knows what plans there are for this space?

Ms Lawder made a number of comments about the community panel process and she has quoted from similar emails to those I have had. It was really weird; Ms Lawder and I were both invited in our roles as members of the planning committee to attend this. It seemed quite bizarre because we were to attend at the end and hear just a summary and we were not given a chance to talk to or hear what other people said. I could only see that our role was to stand up and say, “Yes, the community has been in the same room as the developers and thus that qualifies as consultation.” I think probably a photograph would have done as much good as the role we were asked to play.

It actually got even worse. While we were meant to be invited to all of the panels, I am not aware that I got an invitation to the second. The third I was only invited to after I was part of an email chain which included people discussing the invitation and ACTPLA. I guess ACTPLA belatedly realised, “Oh, we haven’t bothered inviting the MLAs.” The community representatives were told to keep it in confidence, in good faith, which made it impossible, of course, for them to adequately represent the communities they are part of.

I obviously support the efforts of ACTPLA to better involve the community. I am not trying to be negative about the process; I am just saying that it was not adequate to do what it is trying to do. It is so bad that the six community group members of the panel—the Conservation Council, the Deakin Residents Association, the Friends of Grasslands, the Garran and Hughes Residents Action Group, the Hughes residents association, and the Red Hill Regenerators—were so concerned that they wrote a document including their views, which I understand was sent to the ACT government and all Murrumbidgee and Kurrajong MLAs.

A lot of what I have said is informed by that document. It states:

The Red Hill area is now faced with two very large residential developments which will have a wide range of environmental and social impacts on the open space area. There is every possibility that further damaging developments and activities will be proposed in the future. This is a recipe for disaster in this sensitive and significant landscape. If these proposals are dealt with on a case by case basis it will be planning by development rather than development through planning. For this situation to be avoided an overarching planning and management framework needs to be developed and implemented.

My amendment is an attempt to develop and implement that management framework, given the lack of support from ACTPLA to make it happen and given that it has not happened in the 30 years of this saga.

The Red Hill nature reserve is very important environmentally. It contains nationally significant remnant endangered yellow box and red gum grassy woodland. This comprises over 200 native plant species, a number of which are threatened and rare, as are a number of animal species which are supported by the woodland. It is also of national significance; it has been included in a nomination for inclusion on the National Heritage List. It is a critical part of the multifunction urban open space system. It has visual, cultural and ecological significance. It is being impacted adversely by a number of things: dumping of gravel, building spoil, dumping of trees and other vegetation, installation and maintenance of telecommunications infrastructure, creation and widening of fire trails, gas pipeline construction, planting of exotic and non-indigenous native species, maintenance of power lines and cables, removal of vegetation for flood prevention and fire suppression, and water supply infrastructure.

There has been significant piecemeal activity over this area which has resulted in significant damage to this area. This damage should stop. We understand that the Telstra site has the additional issue of two adjacent legacy rubbish tips containing toxic waste. Remember, it is next to the Telstra site. Telstra, as a telecommunications organisation, would have had PCBs as part of their waste, and there is every reason to believe that there is asbestos in this waste. It just seems crazy to consider developing on that.

As well as Red Hill being a very valuable nature reserve, it is part of the local amenity for the people who live in the suburb of Red Hill and the people who live in Deakin, Hughes and Garran. It is a significant part of their local amenity. The roads that will be affected by any development there are roads they go along on a daily basis. Kent Street is already dangerous and overcrowded. It will lead to more congestion on that road and in nearby suburbs.

As has been noted, the golf club is in a bushfire-prone area. Some of this land has been assessed as high bushfire risk. Providing safe access to this site will have a major impact on Red Hill. I assume that there has been discussion that the access would be through the nature reserve and not through urban areas.

Interestingly, the *Canberra Times* reported that the golf club has asked the government to waive or discount the lease variation charge that the proposal would otherwise attract. The *Canberra Times* reported that the proposal would bring in an \$18 million windfall for the club. This leads to considerable issues as to who should get the benefit of any lease variation and how this should be shared with the community as a whole, rather than a few hundred people who may be members of the Federal Golf Club.

The other important thing is that it is unlikely to be the last development on the golf club land. In my first term in the Assembly I had the privilege—possibly—as did Mr Coe, of considering a second Territory Plan variation for the golf club in Holt. They had already put residential in the middle of their golf course that got them some money and out of trouble for a period of time. However, it was not enough to solve all the problems, and they were back for a second go.

There is no reason to think that this will not happen at the Federal Golf Club if there is not finally some integrated planning done for not only the Federal Golf Club but, I would contend, all the golf clubs in Canberra. This is an ongoing problem. The issue is long-term, holistic planning. Despite what Mr Gentleman said in his speech, this does not seem to be what ACTPLA is currently doing.

On 20 September I asked Minister Gentleman about the two proposals:

Minister, what will you do to ensure the joint impacts are considered, not just separate impacts?

Mr Gentleman said:

The important thing here is that our Planning Directorate works with the engineers within the traffic section to ensure that the traffic engineers have input into the planning system, to make sure that the impact on our roads across the ACT and the impact on traffic in the ACT is regulated along with any approvals in Planning.

He did not say the cumulative impacts would be considered. You would have thought it was the job of a competent planning authority to look holistically at these issues. What ACTPLA is doing is simply not good enough.

I will move on to my calls on the government. The first call is not to proceed with separate Territory Plan variations for residential developments for section 66 Kent Street, the federal golf course and other sites immediately adjacent to Red Hill nature reserve. Importantly, please note that I am talking only about Territory Plan variations. Any development that only requires a development application—in other words, anything that is already consistent with the Territory Plan, such as normal extensions and knockdown rebuilds—would not be affected by this.

We should only proceed with a joint Territory Plan variation for these sites after the completion of an integrated plan for Red Hill nature reserve and surrounding residential areas that, firstly, includes a detailed environmental plan to protect Red Hill nature reserve from the impact of proposed developments. That is clearly essential. It is a nature reserve; if there is any point in having nature reserves we have to look at the impact of developments on them.

Secondly, the integrated plan should address the joint transport and amenity impacts of the proposed developments. The important point there is the word “joint”. There is no point in looking one by one at developments and everyone saying, “Oh, it’s only going to add an extra couple of cars. It doesn’t make any difference.” After you have enough extra couple of cars, it does make a difference.

Thirdly, the plan should include a detailed investigation of the old Deakin tip site and rule out development in any areas that may be contaminated and unsafe. That is clearly common sense—we do not develop on top of contaminated sites. Lastly, the plan should limit development to proposals that have been developed in close consultation with the community and have a reasonable likelihood of majority

community support. This is one of the keys to development in Canberra and everywhere else. There is no point in proposing developments where the community is actively opposed to them.

There is also no point in just doing lots of little things. If we go with the process I am talking about, I am asking ACTPLA to look at the whole area as an integrated plan. Let the community say, “Yes, clearly things have been talked about here for years. There will be some changes. Looking at the whole area, what is the best way to do this going forward?” There needs to be open consultation which includes the impact on the nature reserve, the local amenity and also the impacts and needs of a growing Canberra. The bottom line is that we need a holistic approach. If we do this well and ACTPLA works as a professional planning authority, there will be community approval because the community will be consulted. (*Time expired.*)

**MR COE** (Yerrabi—Leader of the Opposition) (10.52): I wish to address in particular some of the integrity issues that obviously surround this action by the government. It is no secret that there has been talk about development on this site for decades. And for decades—or at least the last 16 years—the ACT Labor government has been somewhat reluctant to do much about it. Yet in the last few months everything seems to have changed.

The environment is still there. The neighbouring houses are still there. The golf course is still there. There is only one variable at play here, and that is the allegiance of club groups that the Federal Golf Club now belongs to and, importantly, the follow-up action by the minister. At best this is controversial. At worst it is corruption. I would dearly love to know what assurances the Labor government, and in particular Minister Gentleman, gave to the Federal Golf Club in the event that they were to change their allegiance. In my opinion that is what it could appear to come down to.

It would be fascinating to know whether Mr Gentleman said, “If you change your allegiance away from the anti-government club group to the pro-government club group, we will see what we can do.” It would be fascinating to know whether Minister Gentleman has been involved in any such negotiations. It seems that, as soon as that happened, the government rolled out the red carpet for this lease variation and possible Territory Plan variation.

The red carpet has been rolled out in a way that we have not seen before. We asked Minister Gentleman questions about this—about other times there has been a similar process put up for another development in Canberra—and he was unable to give a single example of ACTPLA pulling out all the stops to try to get this development up. The government are now tirelessly advocating for this development to get up, despite the fact that, for 16 years, they have been critical of this very proposal. What has changed to make the government change its tune? Of course, it is the change of allegiances—the change of membership in the Federal Golf Club to another club group.

In many ways, I do not actually begrudge the Federal Golf Club for making that move, especially if they were given an assurance by the minister that they would help them along the journey if they were to do that switch. It is quite a transactional approach: if

they change their club allegiance, the government will look favourably on their proposed development application. Perhaps they are doing what is best for their members by making that switch, given the potential promise or potential commitment that Mr Gentleman might have given.

It goes to the integrity of the government that this is how you get decisions made in Canberra. This is how you get a job done. It is by, in effect, joining Labor's fellow travellers. Things are not done on their merits—they are not done on the planning quality; they are not done on the environmental impact—they are done on whether you are a fellow traveller of the Labor movement.

Last year we heard a lot about sovereign risk—the government trying to concoct some argument about light rail. The sovereign risk in the ACT is linked to the dodgy deals that this government does in its pet projects for fellow travellers. We see it time and again. It is a shame that the Federal Golf Club has been embroiled in this integrity issue. Quite frankly, I do not think they necessarily went in with their eyes wide open about what they were potentially getting themselves into in terms of the mess that is Labor property deals. They may well have gone in with their eyes wide open in terms of a transactional approach, in trying to get a good outcome, but I very much doubt that they realised the links that could so easily be drawn to the many other scandals that have plagued this government in recent years with regard to property deals.

We of course know about the issues with the casino and the Glebe Park block. We know about the issues of the lakeside businesses and land. We know about the issues with the rural leases and the Dickson CFMEU land swap. We know about the issues with the Woden Tradies and their car park rort. We know about all these. Unfortunately, this Federal Golf Club deal could very well join that list. It should not be that the way to get development applications up, the way to get Territory Plan variations made, is to join the Labor cause. But, unfortunately, that is what it seems to have come to in the ACT. That is corruption. That is what it has come to in the ACT.

**Mr Gentleman:** On a point of order, Madam Assistant Speaker: Mr Coe has used the word “corruption” against me and the government a number of times during his speech. I ask that he withdraw that statement.

**Mr Wall:** On the point of order, Madam Assistant Speaker.

**MADAM ASSISTANT SPEAKER** (Ms Cody): Mr Wall.

**Mr Wall:** I believe Mr Coe has been very careful to name not one individual or member of this place in those corruption allegations but more specifically the government as a whole.

**MADAM ASSISTANT SPEAKER:** Mr Coe has not necessarily named any one person, an individual, in particular. However, I remind members in this place that we do have parliamentary standing orders that we must adhere to. If there are substantive matters to be raised then maybe there needs to be a separate motion. If there is actual information that needs to be taken to authorities then that also needs to be considered.

**MR COE:** Thank you, Madam Assistant Speaker. We will certainly take on board that advice as to whether a substantive motion is required on this matter. I have been very careful to point out that I believe the government is corrupt. Minister Gentleman did stand up and say that I had accused him of corruption. I did no such thing.

But I do have real concerns about the government at large. It is all too common a story in the ACT and with Labor governments around the country that have been in for too long. The complacency kicks in, the nepotism and cronyism is at full speed and the corruption follows. Unfortunately, that is quite possibly what has happened here with regard to this proposed development in or adjacent to Red Hill. I too call on the Assembly not to proceed with the government's course of action. I think their course of action is wrong. It is not best practice and is by no means something that we should establish as a precedent in the ACT.

**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) (11.02): I want to put on the record, firstly, in response to Mr Coe's spurious allegations, that I have had no conversations with the Federal Golf Club in regard to any associations they have with any groups at all. It is spurious to invent such an allegation as Mr Coe has. Mr Coe slurs both the community clubs and community groups with that allegation. He should be ashamed of himself. He should publicly withdraw that allegation against those community groups and clubs.

In regard to the amendment itself, I said pretty clearly in my speech on my amendment what we need to achieve in a planning sense. Planning should be separate to the Assembly process, as an independent planning authority. Any intervention by the Assembly does implicate the independence of that planning authority for the future.

**MS LAWDER** (Brindabella) (11.04): I have a table that came through in a freedom of information request about this area. The table says, "I found this briefing from 2013 and updated it." That was in 2015. If we go back many years, we see that in 1999 variation 94 was disallowed in the Assembly because of leasing issues, inconsistency with the principles of the Territory Plan and impacts on formal and informal open space area. In 2007 the government supported a process for a draft variation on the basis that the golf club had experienced financial difficulties relating to the maintenance of the golf club due to prolonged drought and the cost of water. The proposal did not differ greatly from previous proposals in the disallowed variation 94.

It goes on with various events over the years. In 2011 Minister Barr wrote to the NCA advising about diplomatic uses: "While that would be lower density than the residential redevelopment proposed by the Federal Golf Club, the issues still remain to be resolved. Access to the site is via an adjoining nature reserve. Bushfire issues, and the need for two points of emergency services access." There is quite detailed information on the applications over the years for residential development in the area. But the issues remain the same. I repeat: the issues remain the same.

We have seen the proposal that has been talked about through the community panel. As Mr Coe has said, there is some sympathy for the Federal Golf Club. It is not to say that their development is a bad proposal. No-one here is saying that. We are concerned about a holistic approach that looks at the environmental impacts; ensures that we maintain the environmental values; and makes sure that, if this particular proposal gets approved, the next one will ensure that we retain those environmental aspects, the amenity and the vehicular access and address the public transport concerns. It is not about one proposal; it is about looking at the area as a whole.

I will read a bit more from yesterday's RiotACT article by the former NCDC commissioner. It is illustrative of the issues that are besetting the planning environment at the moment. Mr Powell says:

What is needed is a planning organisation with a core of professional staff ... so as to be in a state of constant engagement with the local community, business and trade interests.

The community does not have the ultimate say; there are other interests at stake. Everyone must be consulted, everyone must have their views considered, and a very delicate path must be navigated to ensure that we have all of these considerations. Mr Powell, in this article, believes the directorate has in recent times adopted an inappropriate attitude of blindly adopting zoning changes determined by the LDA, which is likely to carry over to both the new Suburban Land Agency and the City Renewal Authority.

With respect to residents and community groups disagreeing with the government, residents and community groups are entitled to disagree with and to oppose the actions of government. It is called democracy. It was Mr Stanhope, former Chief Minister of the ACT, who made that point in an article referring to the Chief Minister's refusal to deal with the clubs industry body, ClubsACT. In this article Mr Stanhope said:

Mr Barr has shut the group out after it bankrolled a campaign against Labor at the last election.

Mr Stanhope continued:

Mr Barr's Trump-like response to Clubs ACT daring to oppose the government over the decision to give the casino poker machines does seem, at best, a tad petulant.

The fact that the Federal Golf Club have had to leave ClubsACT to get extra support from the government, in their view, reeks of a lack of integrity. This is about more than just planning at Red Hill; this is about government integrity at all levels of planning in the ACT.

We have heard this government refusing to meet with anyone that disagrees with them. No-one from the government went to the Master Builders Association's annual dinner, which was shining a spotlight on mental health for tradesmen. We have heard about their refusing to meet with ClubsACT and the greyhound industry. Mr Stanhope said:

Residents and community organisations are entitled to disagree with and oppose the actions of government. It's called democracy.

This is something that appears sadly lacking in this government. You either agree with them or you are on the outer. You are in the tent or you have no hope whatsoever. That is what is happening with this government.

This brings us back to the motion and the amendment that we have been talking about today. The planning minister is so disinterested in this process that he has left the chamber. He is not even here to see the end of the discussion on a planning matter. He is not that interested.

I find myself in an interesting and somewhat uncomfortable position—a position I am not often in—and that is of agreeing with the Greens. I am sure Ms Le Couteur would agree with me that this is not something that happens very often. I am agreeing with the Greens today because there has been a lack of transparency and openness in the discussion with community groups. There has been a process which they believe is driven towards a particular outcome. They feel it has been a sham consultation. They believe it has had dodgy elements in terms of the consultation. It is pointing towards a predetermined outcome.

The reason we have this motion today is that community groups do not believe that it was genuine consultation; they do not believe that their views are being taken into account. They believe that what will happen is what was always going to happen. We will see in due course what happens with this particular proposal and with other proposals in the area. Residents who have been there for some time understand the importance of that area. I am sure all the people here in the chamber today have undertaken recreational activities in the Red Hill open space area. It is a fantastic area and has not only recreational but also key environmental value.

All sides of the chamber talk about urban renewal and the need for density; that is, the importance of greater density in some of our suburbs. The government certainly is not against development. We are not against development either. But there has to be a balance. The community groups do not believe that their views have been adequately taken into account. That is why I brought this motion today. That is why we will be supporting Ms Le Couteur's amendment.

We believe in consultation with the community. We believe that the community's views are important. We should not be undertaking these sham consultations with groups, trying to shut out a democratic process, with a government that is trying to shut out particular groups. That is not the way that we should be undertaking the governance of the ACT.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Taxation—rates on units**

**MR COE** (Yerrabi—Leader of the Opposition) (11.14): I move:

That this Assembly does not support the Government's recent changes to the methodology for calculating general rates paid by units.

My motion today calls on the government to reverse the unfair changes to the methodology for calculating general rates on units. This revenue-raising tactic has had an overwhelmingly negative impact on unit owners and has placed many in financial distress. Instead of alleviating cost-of-living pressures, this Labor-Greens government seems determined to raise the cost of living to new heights.

The government has been heavy handed in its management of rates and land taxes. Many properties have been hit with rates and land tax increases in excess of 50 per cent. It is irresponsible for the government to promote this as a positive policy outcome, to somehow say it is fair to slug people more. The justifications for these changes do not stack up and the Labor government will not own up and fix the problem that they have created. It has been put forward by both Labor and the Greens that the reason for these changes is that the owners are not paying a fully proportional share of rates and revenue. What we have not been told is the equivalent figures for other dwelling types. What are the equivalent figures for small houses or for three-bedroom houses or four-bedroom houses or for large houses?

A significant proportion of rates is already raised through a fixed charge. With levies, this can total \$1,089. If a fully proportional share of rate revenue is a policy aim of this government, why not do away with the valuation-based charge and only have a fixed charge per residence? That would be the way to do it if you actually want to have a standard fee across Canberra. We of course are not advocating that, but it seems that the government are being somewhat inconsistent in their arguments.

The Treasurer has attempted to deflect criticism by claiming that more than 46,000 units in the ACT will remain in the lowest marginal rating category; that is, below \$150,000. This has been refuted by a number of industry advocates. Only a handful of small dual occupancies and apartments would be exclusively in that category. Once the AUV for each entire strata property exceeds that \$150,000 threshold, all units share in paying higher AUV marginal rates.

This year we are seeing massive increases on the back of the government's changes. Some are seeing the valuation-based charge increase to 0.6 per cent from 0.296 per cent. This is sending the rates for a particular property through the roof. The higher rate now applies to all the 280 units in one particular complex, meaning that the government is gaining tens of thousands of dollars more revenue in this year alone from one particular building.

The changes also appear to be in contravention of recommendations the government agreed to in the ACT taxation review which was chaired by former Labor Treasurer Ted Quinlan. Recommendation 4 of the review was that, to the extent possible, the

government would ensure that there are no disincentives for households and businesses to locate within territory borders, as opposed to the surrounding region.

If we look to the surrounding New South Wales councils, they are increasing their rates by 1.5 per cent in 2017-18. Meanwhile, the ACT government's changes will see increases perhaps as much as 30 per cent for some units. This is over and above the foreshadowed average rate increase of almost 15 per cent between now and 2019. Of course, we have had compounding rates since 2012. The rises will continue to compound year after year, as they have already done. It is no wonder that so many people are choosing to live across the border. When you put this on top of the cheaper land that exists outside the ACT, unfortunately it makes the ACT quite unattractive compared to these other jurisdictions when it comes to the cost of living.

As I have already outlined, every residence in the ACT pays the same fixed charge, from modest homes through to the largest. What determines the difference in rates is the valuation-based charge, which is of course the sliding scale applied to the AUV. It is this scale that the government has now rigged in its favour and against residents. These changes run counter to recommendations the government endorsed in the ACT taxation review. These changes undermine the ACT's planning strategies, foremost of which is to create a more compact, efficient city by focusing on urban intensification in town centres, around group centres and along major public transport routes.

When you look at government services provided to unit owners, I think there probably is a case for lower rates, not higher rates. It is unfair, I believe, that units, which occupy a fraction of the land of single dwellings, seem to be treated by this government as if they are exactly the same. The general rates of unit owners in one suburb have increased by \$730 this year alone, which is on top of a surge in land tax of \$1,375.

If you were renting out a property in this suburb you would have an increase of \$2,100 that would simply have to be passed on to renters. That is why, in effect, the increases we are seeing to rates and the increases to land tax are in effect rent taxes. In this particular suburb where there has been an increase of \$2,100 for unit owners we are going to see an increase of around \$40 per week in rent simply to cover the additional money. The one-off rebate of \$100 has done little to soften the blow for Canberrans when they receive and then pay their rates notices. I have been contacted by constituents who feel insulted that \$100 is supposed to offset the doubling of the rates and land taxes that they have paid in recent years.

In recent years the government has channelled people into units. The government has entered into arrangements with developers, allowing them to build more units in return for selling part of their stock as affordable housing. Many vulnerable Canberrans who have taken advantage of those schemes are now being put under further financial pressures due to the rates and land tax increases that we are experiencing in the ACT. Many people have been struggling for years and now they are struggling even more.

The opposition, of course, has to ask the question: what will be the impact of these changes on the rental market both in terms of supply and in terms of the amount that people are actually paying? The changes are obviously going to make owning a unit in Canberra substantially less attractive. The only feasible option for landlords is to pass on the significant increases to their tenants, who will in turn suffer financially.

It is still more bad luck for any investor who has had trouble finding a tenant because they will be slugged with paying land tax whether the property is occupied or not. On top of all this, the discount for early payment of rates has dropped to one per cent. At the same time, unit owners are facing double-digit increases for their rates and land tax bills. Unfortunately, this is something that the ACT Labor-Greens government calls fair.

In closing, I would like to reiterate that the government has not provided any real justification for the changes to the methodology for calculating general rates paid on units. Units do not require the same level of services as single dwellings, and this is a point the government has made repeatedly when trying to encourage people to move into units. Therefore it simply does not make sense that the significant increases in rates do not correlate with any additional benefits provided to unit owners by the government.

In short, the new calculation methodology is unfair and is causing vulnerable Canberrans real financial hardship. It is quite possibly going to see rents go up even more and perhaps the supply of properties go down. We are going to see a real impact as a result of this government's policy. This Assembly today has an opportunity to send a message to the government that we, as representatives of our community, simply do not support the government's approach to increasing rates across the board but particularly with regard to units and apartments.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.24): I move the amendment circulated in my name:

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

"(1) notes:

- (a) the ACT Government announced changes to the methodology for calculating general rates on units in the 2016 Budget, before the last Territory election;
- (b) the Assembly has legislated this change through the passage of the *Revenue Legislation Amendment Act 2017 (No 2)* in May 2017;
- (c) the general rates calculations for multi-unit dwellings are now based on the total Average Unimproved Value (AUV) of the land rather than the AUV of the individual unit, with this change being phased in over the next two years;

- (d) the purpose of this change is to bring more equity into the tax system, as previously unit holders have paid significantly lower rates than owners of freestanding homes with equivalent market values;
  - (e) under the previous methodology, this included examples such as someone with a \$500 000 unit in the City paying \$400 a year less in rates than the owner of a freestanding home worth the same amount in Charnwood;
  - (f) even after the change in rates calculation methodology for units, over 90 percent of unit holders pay rates as if they were in the lowest two marginal rating categories; and
  - (g) average rates on units across the ACT remain over \$900 less per year than for freestanding homes;
- (2) further notes:
- (a) the ACT Government is committed to making the Territory's budget fairer and ensuring that residents contribute equitably to funding the high quality services Canberrans expect and deserve;
  - (b) the Government is monitoring the impact of the changes as these roll out, particularly on the cost of living for Canberrans and property owners who are on low or fixed incomes; and
  - (c) responsible governance requires making hard decisions that are in the community's long-term interest; and
- (3) urges the Government to continue taking steps to ensure a fair and sustainable revenue base for the Territory into the future.”.

I have moved the amendment today to outline why the government is undertaking the changes to the rates calculation for the methodology of units. I do so in the context of this debate being had in this place on three or four occasions already, noting that it was announced in the 2016 budget, before the last territory election, that we would be updating the way rates were calculated for unit titled properties. The rationale for that was to achieve better equity between the contribution made by owners of units and those with freestanding homes. We then of course brought forward legislation to give effect to this change, which was considered by the Assembly this year. That this matter is even on the notice paper and has been allowed to come forward for debate might reflect that we are considering the same matter again inside a 12-month period.

As members of this place would no doubt be aware, general rates not only cover municipal services in the territory such as roads and rubbish collection but, because of our unique single level of government, also contribute to our state-level responsibilities, including education, health, public transport and a range of other state government services that the ACT government provides to Canberrans. In this context it is important then that everyone in the community contributes fairly. Changes to the rates calculation methodology for units have better aligned what property owners pay in rates on freestanding homes with equivalent market values.

Previously unit holders generally paid significantly less. For example, as my amendments to Mr Coe's motion note, under the old method someone with a half a million dollar unit in the city paid \$400 a year less in rates than someone with a freestanding home worth the same amount in an outer suburb of Canberra; for example, in a suburb like Charnwood. The government does not consider that that is fair or equitable, which is why we brought forward the changes. There are many great advantages to owning an apartment in the inner city but paying far cheaper rates than a family in a freestanding home worth the same amount in Tuggeranong or Belconnen should not be one of them.

The general rates and land tax calculations for multi-unit dwellings are now based on the total average unimproved value of the land rather than the AUV of the individual unit. For some property owners this change in methodology has resulted in a change in their rates liability and that is why the government has provided a rebate to assist with the transition. And it is important to note that, even after the methodology change, over 90 per cent of unit holders pay rates as if they were in the lowest two marginal rating categories. By way of comparison the average rates on units across the city is \$1,352, compared with \$2,295 on average for freestanding homes. That is a difference of more than \$900 a year.

We understand and acknowledge that as a result of tax reform some Canberrans are paying more than they were previously. Other Canberrans are reaping thousands and thousands of dollars in stamp duty savings, and that is reflected in the mobility within our city. It may have escaped the attention of Mr Coe and indeed of other members of this place that 67,000 Canberrans lived in a different address in 2016 than they did in 2015. In the last year, 18.6 per cent of the population moved. Half of Canberra live in a different address than they did five years ago. There is a high amount of mobility in this city. People do move house and they do benefit from significant stamp duty reductions.

If this is not enough evidence to demonstrate the effectiveness of tax reform in improving mobility—and, yes, of course renting is a component—is Mr Coe seriously arguing that no-one has moved house and bought a house in the ACT in the last five years? He is kidding himself. In the end, ultimately, if our policy was so unpopular the government would not have been re-elected at the last two elections on this tax reform policy. If it is so unpopular, if so many people are upset by it, the Labor Party would not be sitting on this side of the chamber. The Labor Party would not still be in government. If Mr Coe wants to run a third election campaign opposing tax reform, good luck to him. It has been so successful for the Liberal Party in the last two elections; if he wants to re-run 2012 and 2016, bring it on.

This tax reform is important. If Mr Coe's dire warnings of no-one moving to Canberra were true, why is this the fastest growing state or territory in this nation? Why is our population growing so strongly if this government's policies are so unattractive to so many people? In Mr Coe's world view, no-one would be living in Canberra. This is where the facts and the evidence are so clear. Those opposite can continue this campaign of negativity. I welcome it. Great. Keep on opposing this reform. It worked so successfully for you in 2012 and 2016.

If we need a further example of just how out of touch this opposition party is with sensible tax reform, we need only look at the work of the Productivity Commission, the report commissioned by their own federal colleague Scott Morrison, that once again recommended that state and territory governments should phase out stamp duties and replace them with broad-based land taxes—exactly what this government is doing. Once again we have demonstrated that we are implementing good public policy. We are cutting stamp duty. Someone purchasing a half a million dollar property in the ACT is now saving \$7,700 on what they would have paid under Mr Coe’s preferred tax model.

Again, if he wants to go to the next election arguing that he will put stamp duty back up, that he will jack it back up on every single property in this city, good. Let him go forward with that policy. I know Mr Hanson did not in 2016. He shied away from jacking stamp duty up. Having opposed tax reform for the first five years, when given the opportunity to say, “No, I will reverse it,” he did not. Mr Coe similarly will squib that issue when it comes to the 2020 election. He will not go to the 2020 election promising to reintroduce an insurance tax, promising to make payroll tax higher, and he will not, I will confidently predict, suggest that stamp duty should be increased. Once again we have a university debating motion from Mr Coe, revisiting an issue that this Assembly dealt with in legislation earlier this year.

I commend my amendment to the Assembly. I wish to assure all Assembly members that the government’s commitment to tax reform continues, because it is the right thing to do for this community. It provides secure and stable revenues to provide the health, education, municipal and community services that this growing community needs, to invest in the infrastructure that the fastest growing state or territory needs, and I am very happy for that policy contrast to continue.

We won the 2012 and 2016 elections on this policy, and we will continue this reform agenda. Mr Coe can oppose it, and again I say bring it on. Go to 2020, like you did in 2016 and 2012 so unsuccessfully, arguing to undo this reform or reverse it. There is the challenge for you. If you think stamp duties are the way forward, if you think that reinstating a tax on insurance is the best public policy approach, go for it. We took our tax policy to the 2012 and 2016 elections and were re-elected twice. We will continue that approach. Mr Coe can continue to oppose our tax reforms. His colleagues can continue their path of economic lunacy. They can continue to oppose sensible public policy as recommended by their own federal Treasurer through his Productivity Commission report. If they want to do that, bring it on.

**MS LE COUTEUR** (Murrumbidgee) (11.35): This motion is very similar to the motion from Mr Coe on rates that we debated in September and, as in September, we will not be supporting it. We will instead be supporting Mr Barr’s amendment. As I said back in September, the ACT Greens support the government raising revenue, because there are lots of things that the community wants the government to do. The community wants a public health system. They want a public transport system. They want a public education system. They want parks. They want playgrounds. They want footpaths. They want roads.

These things need to be paid for, and this means that some taxation is required. It is very easy for Mr Coe to be against rate rises, but in practice that means he is supporting something else. Possibly he is supporting stamp duty. Possibly he is supporting cuts to the health system, the education system, playgrounds or public health. I do not know, and Mr Coe has not specified.

The Greens are not going to support cuts to services that the community value very highly. This means that we do support adequate government revenue. A key point that we need to think about in relation to this is how to raise revenue with equity and efficiency. The ACT Greens support the ACT government's taxation reform program on efficiency grounds. We are not alone on this. As Mr Barr pointed out, the Productivity Commission has recently stated in the last day or two that it thinks that all states and territories should follow the ACT's lead and move away from stamp duty towards a more rates system. This is supported by most economists and business groups.

I am not going to talk about that at length, because I think we are in furious agreement. What I am going to talk about more is the other part of the issue: ensuring that our taxation system is equitable and fair. While the taxation reform system has been and is widely supported as an economic efficiency reform, social justice and fairness are just as important. As I said in September, the Greens are focused on ensuring that the reforms do not have unintended consequences for vulnerable people in our community. This is where we think that more work is needed.

I will speak about equity and fairness in three parts. First I will talk about units, because clearly that was the focus of Mr Coe's motion. Secondly, I want to raise a possible solution that could reduce some of the difficulties in our whole rates system. Thirdly, I want to talk about some issues of fairness of the whole rates system.

Looking specifically at the rating system for units, the reason it has been changed, as Mr Barr stated, is to improve the equity of the rating system. I direct the attention of members to the Charnwood example in Mr Barr's amendment. A pensioner in a \$500,000 house in Charnwood should not be paying \$400 a year more in rates than a pensioner in a \$500,000 unit in the city. It is reasonable to assume that they are both in a similar financial situation. The pensioner in the unit will have body corporate fees but will have lower maintenance costs. For example, when they get to an age when mowing is too hard, the pensioner in Charnwood may need to pay for someone to get it done. The same goes whether we are talking about pensioners or non-pensioner home owners.

We have heard an argument that people in units use fewer services than people in houses. That might be true, but it is only to a very tiny extent. Over the past few years I have moved from a house in Downer to a multistorey unit, and now I am in a townhouse in Woden. I am not aware that I have used anything less in the way of government services. Therefore, I do support the change in the rating system to improve fairness between units and houses.

The second point I would like to make is also illustrated by the Charnwood example in Mr Barr's amendment—that is, are we using the fairest, most equitable rating system? In the ACT we charge rates on the basis of the unimproved capital value of the land. This means that the worst and the best house in the street pay the same rates and, if relevant, land tax. In many cases that is clearly unfair. Why should someone, possibly an age pensioner, with a small house that they have not been able to maintain pay the same rates as someone with a house that is on the same street but is very likely three times as big and in much better condition? Arguably it would be much fairer to charge rates on the basis of improved capital value. Looking at the ALP amendment example, this would mean that both ratepayers pay the same because the capital value of their home is the same, so we would not have any need to have a separate system for units and houses.

In Victoria councils can charge rates on the basis of improved capital value, and many of them do so. In the past it would have been very challenging to do this, as of course it is harder to estimate the improved capital value than the unimproved capital value. However, it appears to me that the advent of satellite imagery and online house valuation services over recent years means that it should be a lot easier to work out the improved capital values that could be used as the basis of an improved rating system in the ACT. So I think that from an equity point of view basing rates on improved capital values is something that the ACT government should consider.

I will now look at concessions and deferments. The idea of moving from stamp duty to rates was something that was first floated in the Henry tax review and then, in the ACT context, was looked at in the Quinlan tax review. Both of them did this basically on the basis of economic efficiency. They paid very little attention to how the changes, which clearly would be beneficial for the average, would impact on disadvantaged families and individuals. The Quinlan review stated that the ACT government must:

Address the impacts on low income households from the substitution of the tax through the concessions system, with a possible expansion of the current rebate scheme.

The government has a system of concessions and rebates to address some of the inequities in rates. The most common rebate granted by the ACT government is the pensioner rebate scheme for rates, with 18,007 recipients receiving a total of \$10,856,220 in the 2016-17 year. This rebate scheme was recently changed, with a grandfathered, uncapped scheme now being capped for new entrants to bring it closer to the most commonly used scheme. The change was done at the same time as expanding concessions on utilities so that low-income renters are better supported. This is a change that the Greens support. But it has had the impact, as the funds devoted to it were not expanded considerably, that some people are receiving a lower concession rebate.

This year many changes in rebates and concessions are happening at once, and also to the rating system with the changes to units. Some people this year are getting more assistance and some are getting less. In the background, rates are going up faster for some categories of properties—notably units—than others. So we are in a period of

transition and we need to be very careful that going forward we transit in a way where we look carefully at the equity impacts of rates, concessions and rebates changes.

If rates are rising more quickly than social security payments and lower quintile incomes, we probably need to make regular adjustments to rebate and deferment amounts and eligibility criteria to ensure that they remain equitable. Whilst the age-based deferment scheme can provide assistance to some in this predicament, it is only available to people who own property in the 80th percentile of the average unimproved value, which means that the unimproved capital value of their property must be more than \$416,000. My understanding is that this was originally introduced to help older people who did not qualify for the standard pensioner deferment and who had lived for many years in a suburb which had become expensive. As such, their rates had gone up much faster than those of people in other suburbs.

I cannot see how this makes sense. If you live in an average or below-average value house you may well have more need to defer your rates than someone in a more expensive house, quite possibly because your income could be way less than that of a person in a more expensive house. In particular, you are much less likely to be able to sell your house to downsize and still be able to stay in Canberra, because if you are already living in a cheaper house then there are not likely to be many cheaper options that you can downsize to.

For these reasons I propose that the current age rates deferral scheme be widened to include all older home owners who meet appropriate income criteria. These income criteria might need to be adjusted. As I have said in this chamber before, and I am sure I will be saying in this chamber again, the Greens support the taxation system being economically efficient as well as fair and equitable. Economics and social justice are both important and it is essential that we do both at once.

**MR COE** (Yerrabi—Leader of the Opposition) (11.47): We have heard an interesting argument from those opposite, which is not too far off a poll tax, the way they are talking. Interestingly, Ms Le Couteur is now in effect arguing against a compact city, arguing against density and arguing for suburbia. I, as is well known, do not have an issue with suburbia, but for years the Greens and the government's argument has been that single-dwelling blocks are not sustainable and we need to have densification because apartment blocks have a lighter footprint on the environment than do private residences in RZ1-type areas.

Now what we are hearing from Ms Le Couteur is that in actual fact the environmental footprint, the urban services footprint and indeed the land footprint is the same if you live in an apartment as if you live in a single-dwelling home. That is the argument that is being put forward by Mr Barr and Ms Le Couteur.

We on this side have got no problem with suburbia, but we also acknowledge that people in an apartment do take up less land than people in a single-dwelling home. People in an apartment do require fewer services. They do require, in effect, less footpath per block or per capita. They do require less by way of road construction and various other forms of infrastructure. That has always been the rationale for why densification would limit sprawling cities. Yet today what Ms Le Couteur is arguing

is that, regardless of whether you take up less land, regardless of whether you take up fewer services and require less infrastructure, you should in effect pay the same. It is certainly in contradiction to everything that we have heard from the Greens and the Labor Party in the past.

Quite frankly, the Labor Party and the Greens are delusional if they think that the rates and land tax increases they have brought in are not having a huge detrimental impact on thousands of Canberra households. It is having a massive impact on those who simply cannot afford it. It is all very well for people who are affluent or people who have reserves to say, "I'm happy to pay a little bit more," but the truth is that there are thousands of Canberra households that cannot pay more. They simply are not in a position to pay the extra \$300 or \$400 or \$500 in rates this year alone.

It is an extremely arrogant argument that is being put forward by Labor and the Greens: that everyone is willing to pay more and everyone has the capacity to pay more. That is the argument, because the government have capped concessions and they are driving up the costs of living in Canberra through rates, land tax and numerous other fees and charges. It is a very arrogant view that simply rejects the struggles of tens of thousands of Canberrans who are the working poor in our city. It is a travesty that those on the other side of the chamber, including the Greens, who claim to be the champions of social justice, are willing to leave tens of thousands of Canberra households behind.

It is all very well for Mr Barr to say, "Well, Canberra's growing." Well, quite frankly, Queanbeyan is growing at a faster rate than we are. What does that say? What does it say that the competitive city a few kilometres away is attracting more people, relative to its size, than Canberra is? Somehow the Chief Minister has glossed over that fact. Queanbeyan, on the back of land prices and the cost of living, particularly with regard to rates and land taxes, is considerably more attractive than the ACT. That is a shame. We should be trying to make Canberra more attractive. If people want to live in Canberra they should be able to live in Canberra, but instead this government is driving them away, driving them across the border, and it is doing it with the full support of the Greens.

There are issues with the entire ratings regime in the ACT but particularly with regard to the latest change for apartment and unit owners. It is simply unfair and it is absolutely in contradiction to the government's stated policy that they want densification. It is absolutely in contravention of that notion. I am not at all surprised to hear that the Greens and Labor, who like to walk both sides of the street, are once again doubling down on this bad policy. Unfortunately it is the tens of thousands of Canberrans who simply cannot afford it who are being left to pay the price for this government.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 12		Noes 9	
Mr Barr	Mr Gentleman	Mr Coe	Ms Lee
Ms Berry	Ms Le Couteur	Mrs Dunne	Mr Parton
Ms Burch	Ms Orr	Mr Hanson	Mr Wall
Ms Cheyne	Mr Ramsay	Mrs Jones	
Ms Cody	Mr Rattenbury	Mrs Kikkert	
Ms Fitzharris	Ms Stephen-Smith	Ms Lawder	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## **Government—achievements**

**MS CODY** (Murrumbidgee) (11.57): I move:

That this Assembly:

(1) notes:

- (a) since the Government's re-election in October 2016, it has delivered the vital services Canberrans voted for, including:
  - (i) investing in better public education by funding new schools to accommodate more students, and expanding facilities at existing schools;
  - (ii) constructing an integrated transport system across Canberra that will prevent the congestion affecting other cities, incorporate active and diverse travel options, while also building healthy lifestyles; and
  - (iii) providing essential and affordable local healthcare where people need it and investing in a health system that prepares for the future;
- (b) also notes that we have delivered on our commitment to improve community amenities across Canberra by:
  - (i) investing in upgrades to Canberra's local arts centres and libraries;
  - (ii) improving public recreational spaces, including playgrounds, sporting ovals and dog parks; and
  - (iii) undertaking refurbishment of local shopping centres allowing for improved access, parking and aesthetic; and
- (c) further notes that:
  - (i) the delivery of these commitments has been done whilst balancing the ACT Budget;

- (ii) the Budget position remains strong and provides a firm basis to deliver the Government's policy platform;
  - (iii) the ACT will be home to 425 000 residents by 2020 and the Government is preparing for this population growth by investing in the infrastructure and services needed into the future; and
  - (iv) the Government is building a progressive and welcoming city that leaves no one behind; and
- (2) acknowledges that the ACT Government will:
- (a) continue to deliver on its commitments to the ACT community and invest in the services our community expects and deserves;
  - (b) prepare for the future by shaping and building our city to ensure Canberra remains one of the most liveable cities in the world; and
  - (c) continue to implement policies in a manner consistent with a balanced Budget.

It gives me great pleasure to rise today to highlight the achievements of this government in the year since the 2016 ACT election. Twelve months is not such a long period of time, but what this government has delivered is remarkable. Summarising all this is no small task. I am sure my colleagues will talk about how their electorates have seen improved amenities and services since this government was elected to a historic seventh term. Whether it be upgrades to local libraries or schools or building new transport infrastructure to ease congestion into the future, rolling out green waste bins or introducing free off-peak bus rides for seniors, this is a government with a vision, a government that leads and that builds.

My electorate of Murrumbidgee has witnessed firsthand some of what this government has committed. Dog owners like myself, bookworms, community groups and public transport junkies are some of the people that have benefited from these commitments. With Canberra's population projected to increase significantly over the next 20 years to over 500,000 people, it is a good thing that we have a hardworking Labor government at the helm laying the foundations to ensure that our city and our community are prepared for population growth into the future.

The dog lovers amongst us can rejoice at the prospect of a new fully fenced dog park which is being built in Weston Creek. This will cater for both small dogs and large dogs like my Ben and Charlie. For members of community groups or for those who love a good read, the revitalisation of Woden Library, Canberra's busiest library, will deliver improved meeting room facilities and make learning and reading a more enjoyable and enriching experiences. We are also making our city greener by delivering on our commitment to trial the rollout of green bins and collection services in Chapman, Duffy, Fisher, Holder, Rivett, Stirling, Waramanga, Weston and Kambah. And we have come a long way in creating a vibrant and integrated travel network with diverse options to lift physical participation.

With a city-wide focus on building active travel, the ACT government is finding innovative ways to encourage activity through transport integration such as bike riding and walking, because this ACT Labor government recognises that a comprehensive, diverse and fully integrated transport plan is key to improving lifestyle and keeping Canberra the healthiest city in Australia. Earlier this year I had the great pleasure of launching the park and pedal scheme at the National Arboretum site. This allows commuters to combine their drive with an enjoyable cycle to Woden, Civic or Belconnen for work or for pleasure.

Speaking of cycling, last week my colleague Mr Steel and I launched bike stops in Canberra. Bike stops are where local businesses provide a range of facilities for bike riders or cyclists, both locals and visitors. Some of the types of facilities offered by each business might include access to toilets, showers and change rooms, bag storage, water refill, tyre pumps and even some facilities. For example, Pushys in Fyshwick are offering hair dryers. Of course, I am very keen on having access to a hair dryer after cycling. No-one likes helmet hair.

If you have been along Athllon Drive recently, you will have noticed that the new park and ride facility in Wanniasa is coming along at a great rate of knots. Pick-up amongst users is great. Park and ride is just another way that this government is making our city healthier and offering cost-saving commuting options for Canberrans looking to save money and get fit at the same time.

Let us not forget that this government is continuing to invest in connecting Murrumbidgee with the rest of Canberra through building the transport infrastructure of the future. The new green rapid line, with a bus every 15 minutes, connects thousands of Murrumbidgee commuters each day to their jobs in the parliamentary triangle or in Civic.

We have also committed to building stage 2 of light rail to Woden. This project makes a strong contribution to ensuring that Canberra is one of the most livable and connected cities through smart public transport. Stage 2 of light rail will allow those in Canberra's south easier access to major educational institutions, retail and entertainment precincts and employment hubs on an integrated public transport network. As a city-shaping project, light rail helps to promote the ACT nationally and internationally as a great place to visit, live, invest and study.

In planning for our city's growth, reducing congestion requires an efficient, integrated and reliable public transport system. Upgrades to our existing bus network, expanding our park and ride facilities and investing in light rail are all part of this government's plans to make the Canberra we love even better. We are also a city of young families and new suburbs. That is why we are focusing on building core education infrastructure for the future. By investing in new schools, expanding existing school infrastructure and developing the teaching workforce needed for the future, we are ensuring that Canberra is ready for the projected population growth.

I remind you, Madam Speaker, that all of these achievements have taken place while this government is returning the budget to a strong and sustainable position and

ensuring a strong basis to continue to deliver on its election commitments. That is a government I am happy to be part of.

**MR COE** (Yerrabi—Leader of the Opposition) (12.05): The opposition are not at all surprised that we would have this self-congratulatory motion put forward by the government. There are, I believe, many points in this motion that are contentious and many that I think simply have been spun to not reflect the real state of play here in the territory. In particular, in respect of public education, the member stated in her motion:

... investing in better public education by funding new schools to accommodate more students, and expanding facilities at existing schools ...

The ACT government already invests more than all the states in public schools. However, on a per student basis we really are not getting the return on that investment that I think many parents would want. Increased funding alone does not correlate to increased educational performance. That is quite simply the case here in the territory, where there is an incredible amount of money that is going into education but unfortunately the trends in international mathematics, science studies and the program for international student assessment all indicate lower academic achievements.

There is considerable work that has to be done here. It is not simply about spending money. It is about spending money wisely and making sure that we are equipping our teachers to do what they do best. The Auditor-General's report *Performance information in ACT public schools* revealed that ACT public schools performed below similar schools in other jurisdiction, despite expenditure on a per student basis for public schools being the highest in the nation. That is according to the Auditor-General's report of May 2017.

TIMSS results also showed the ACT was down in three out of four areas when the tests were last conducted in 2011. In actual fact, the result that has just been achieved is a lower academic result than in 1995. Further to this, there are still many questions about the capacity of our schools, especially in some districts. We have still 73 demountable classrooms across Canberra's public schools, making up 130 classrooms. Yet the government still have not shed any light on how they are actually going to address the issues in eastern Gungahlin, particularly in and around Franklin and Harrison, with regard to school capacity, particularly at a primary school level.

We also see in the motion that the government is bragging about:

... constructing an integrated transport system across Canberra that will prevent the congestion affecting other cities, incorporate active and diverse travel options, while also building healthy lifestyles ...

Unfortunately, the people who trade in Mitchell may not necessarily agree with that one, and I think for good reason. We are seeing considerable delays right across Canberra with regard to roadworks. But even with this integrated transport model, whilst we did hear last week about some of the proposed changes to the rapid routes,

what we still have not seen is how they are actually going to integrate light rail with the bus system. What are actually going to be the local services that feed into the tram system? What are actually going to be the local buses running in Ngunnawal, Amaroo, Casey, Taylor, Forde, Bonner, Palmerston, Crace, Nicholls et cetera? How are these suburbs actually going to be integrated with light rail?

It is a very important body of work that has not yet been published. That is the integration that is required. What we heard last week was about new rapid routes. I think rapid bus travel is certainly part of Canberra's future, as it has been part of our past. But that is actually not an integrated transport model. These rapid routes are largely independent routes that do not actually integrate with light rail, with one or two exceptions that go through Dickson. So the real challenge is going to be how the local services in the inner north, in Gungahlin and also in eastern Belconnen actually do integrate with light rail, because that, I think, is going to make or break light rail.

Of course, it is happening now. We all have an interest in it being as good as it possibly can be. But to date we do not know how it is going to work for people in Lyneham, people in Downer, people in Watson, people in Hackett and people in Kaleen and Giralang and all the other Belconnen suburbs. If those transfers are not perfect, if there are not safe transfers from bus to tram, it is going to cause problems. There are real issues. It is all very well for the government to talk about constructing an integrated transport system, but to date we have not seen what the genuine integration of light rail is going to be.

The motion also states that the government is:

... providing essential and affordable local healthcare where people need it and investing in a health system that prepares for the future ...

That is what the motion states, anyway. However, unfortunately, so much of our health infrastructure is literally almost crumbling and, if not crumbling, being taken down because it is not safe.

AECOM's *ACT Health infrastructure asset condition report and minor works priorities* revealed four extreme risks and 143 infrastructure risks at the Canberra Hospital. One of these identified risks was the main electrical switchboard at the Canberra Hospital that caught fire in April this year, causing a partial shutdown because the government failed to undertake urgent electrical repairs. I am pleased that they are finally on to this, but I think we are all fortunate that the fire did not have catastrophic consequences. In some circumstances I could imagine that such a fire would cause them.

We also see that the government is bragging about improving public recreational spaces, including playgrounds, sporting ovals and dog parks. Unfortunately, given increasing rates, fees, taxes and charges that Canberrans are paying, I do not think we actually are getting comparable increases in local services, especially local urban services. In fact, we saw a story about Higgins residents joining forces to sign a petition urging the government to provide basic improvements to the local playground.

The petition also referred to neglected paths, no lighting, lack of rubbish bins, a broken bubbler and a lack of bus shelters.

This is the story, unfortunately, right across Canberra. Canberra for years had this reputation for having first-class urban services. I do not think you could necessarily say the same today. Whilst the people working in TCCS are doing a great job, and we take our hats off to them, unfortunately they are stretched. They simply do not have the capacity that I am sure that they would like.

In regard to these urban services, we have a very serious issue relating to dog attacks in the ACT. Reference to this is timely, given the tragic events of today in the inner north. We have already flagged that there are serious questions to ask about that particular issue. It is also worth noting that in 2016 there were 155 people that presented to an ACT public hospital emergency department as a result of dog attacks; 155! That is a staggering number. The year before, in 2014, it was 84. This is a huge number of people. We do have to make sure that the urban services are delivered properly. That means empowering the people who are capable and able to do this to actually do it.

There are numerous other things that the government has claimed in this motion with regard to balancing the budget and other financial claims. Of course, this year, the 2017-18 budget, residential rates are up 12 per cent, commercial rates are up five per cent, land taxes are up 18 per cent, motor vehicle registrations are up six per cent and parking fines are up a whopping 38 per cent. This is all compounding as well. This is not just one year in isolation. This is one year on the back of years of solid increases, especially with regard to residential and commercial rates and also land tax. So that increase of 12 per cent is very much a deal-breaker for so many Canberrans. Not only that; it is a budget-breaker as well.

Unfortunately, the ACT government still spends more than it receives. I note that the government has this grand plan to return to surplus. In actual fact, they have claimed that they are even in surplus now. But when you include all the incomings and all the outgoings, the deficit for 2017-18 is \$485 million. That is the bottom line in the territory operating statement in budget paper No 3, pages 377 and 378. That is the actual bottom line for the territory in terms of incomings and outgoings. It is far from the balanced budget that the government might claim.

The ACT will be home to 425,000 residents by 2020. We are told that the government is preparing for this population growth by investing in the infrastructure and services needed into the future. As I said, earlier this year the Auditor-General found in her report with regard to maintenance of selected road infrastructure assets that roads in the territory were in an appalling state. The report said:

Ageing road assets and budget limitations have resulted in a backlog of road pavement repairs. Reducing this backlog will likely take years and is best guided by a long-term strategy.

The strategy needs to be developed. Unfortunately, this strategy has been too long in the coming.

The government also claim that they are building a progressive and welcoming city that leaves no-one behind. Unfortunately, we have a vindictive government that takes pleasure in leaving some people behind. It is a vindictive government that takes pleasure in leaving people who support the greyhound industry behind. It is a vindictive government that takes pleasure in leaving people in the clubs industry behind. It is a vindictive government that takes pleasure in leaving tens of thousands of people in a vulnerable position because of the ever-increasing costs of living in the ACT, especially with regard to rates and land tax.

Let us not forget that the government are willing to do special deals for themselves. We know that there was a townhouse complex in Braddon that paid \$240,000 in lease variation charges. Meanwhile, the Labor Club did not pay a cent for their 36 apartments on the same street. The special deals do not stop there. We know about the \$300 million sweetheart agreement that Icon Water has with ActewAGL, which is of course a tremendous gift to the other partners of ActewAGL. We know about the CFMEU headquarters and all the other rorts and rip-offs that have happened here in the ACT.

So whilst Canberra is a great place and we all love this city, it is not to say that we cannot make it even better. Unfortunately, I do not think the government's actions over the last year have contributed to Canberra becoming a better place.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.18): I thank Ms Cody for bringing forward this motion. I took the opportunity yesterday in the chamber to outline a series of significant commitments the government has delivered on in the year following the 2016 territory election. The commitments we took to the election focused on health, education, transport and better services for the community. Over the past year we have been making the Canberra we love even better by building better schools, constructing an integrated transport system across the city, providing essential health care where and when people need it, and supporting our community with even better services.

Right across the Canberra community we have been getting on with the job we were elected to do. It was very clear in the 2016 election the commitments that we took to the people of Canberra and what this government would deliver if re-elected, and we are getting on with that: delivering significant school upgrades, particularly in the fastest growing parts of the city; providing more rapid bus routes across Canberra; and undertaking more municipal services in the weeding, mowing, cleaning of our suburbs. We are investing in community services and in the renewal of our city's public housing stock. We continue our steady progress towards being powered 100 per cent by renewable energy by 2020.

The ACT government continues its focus on economic development, and in that context today's announcement by *Lonely Planet* of Canberra being in the top 10—in fact, number three—of must-see destination cities to visit in 2018 will be a significant boost to our already rapidly expanding tourism and hospitality industry. It is long overdue recognition for Canberra, and we are delighted. After more than a decade of

work in the tourism portfolio, in partnership with the local tourism industry, we have seen record levels of investment into the territory tourism economy. The ACT government has played its part through the investment in new tourism infrastructure and new attractions and in supporting our tourism industry, including better transport connections to Canberra. It is great to see that independent recognition from an organisation like *Lonely Planet*. I think this will be a very significant step forward towards our city's tourism 2020 goals that we are already on track to achieve.

I want to spend a moment now focusing on my own electorate of Kurrajong, where the government's progressive agenda is being delivered. We have established the City Renewal Authority to create a city centre we can all be proud of, a city centre befitting Australia's capital city, and, indeed, a city that is going to have a significant increase in both national and international visitors through 2018. Through government investment in Haig Park, in better public transport, in city centre upkeep and maintenance, and through the preservation and enhancement of heritage buildings within the city precinct, we are seeing significant private sector engagement with the government's renewal agenda for Canberra.

We are helping people get around the inner city through opening a new public transport interchange in Dickson, introducing the new green rapid bus service through the inner south to the city, and numerous upgrades to walking and cycling infrastructure in the inner south and the inner north of the city. We are improving public amenity through providing bike racks in Braddon. The first stage of the West Basin parks and boardwalk will be open early in 2018, and new nature play spaces will be delivered in Barton and O'Connor that bring the bush to our inner city suburbs. Kurrajong, the heart of Canberra, is one example of the government's positive and progressive agenda. We will continue to shape our city as we grow, meeting the election commitments that we took to the 2016 election.

I note that there has been some commentary in recent times in relation to election commitments and whether the government should have a secret agenda broader than the election commitments that we took forward. The government's values are very clear: this is a progressive government that will continue to implement the policies that we have taken to successive elections. The government is focused on transport improvements, health and education improvements, and investing in municipal and community services. The ACT government is unique in this country in that it provides both municipal and state level services.

We will continue to reform our taxation system in order to provide the stable revenue base needed to meet the annual, monthly, weekly and daily service needs of Canberrans as well as to invest in the infrastructure Australia's fastest growing state or territory requires. That infrastructure investment is at all-time record levels and is rolling out right across the city in town centres, group centres, local shopping centres and the CBD. It is part of a transformative program for Canberra, an agenda that we have been progressively implementing over a number of years.

Today it has been internationally recognised just how much Canberra has changed. I give an assurance to everyone in this place that the government will stay the course on reform. We will continue to support the diversification of the territory's economy.

We will continue to implement policies that are socially inclusive. We will be Australia's most LGBTIQ friendly city. We will be at the forefront of social policy implementation, whether that is the rollout of the NDIS or the new carer strategy being developed.

We will continue to invest in public and community housing and transform our city's ageing public housing stock. We will continue to invest in new and better transport infrastructure. We will continue to invest in digital technology and service provision change, because we know this city can lead this nation and in many areas we can be international leaders. This is continuing to be recognised nationally and internationally, by the Productivity Commission recently on tax reform and by *Lonely Planet* recently on our tourism and hospitality sector.

We will engage productively in national debates on things like marriage equality and we will continue to be at the forefront of inclusion. Canberra is home to the happiest, healthiest, longest living Australians. We have the highest education levels in the country and there is no wonder that this is the best city in the world to live in. Ms Cody's motion today reflects that and it reflects the good work of this government. That contrasts with the carping negativity of those opposite, who can barely bring themselves to say one positive thing about this city. It explains a lot about why they are in opposition. There is so much that is positive happening in Canberra, and today is another example of that, through *Lonely Planet's* recognition of our city.

That recognition is a tribute to the hard work of thousands of people in our tourism and hospitality sectors finally getting the recognition they deserve. It has been a great honour and a wonderful partnership to work with that industry as tourism minister now for 11 years. When I took over that portfolio in 2006 we set about a process of change and reform to change Canberra's image. Today we have gone a long way to achieving that. Of course, there is still more to do; there always is, in any area of government. No job is ever complete. No project is ever perfectly implemented. There is always the time and the opportunity to do more and to do better.

But today let us celebrate a fantastic achievement for our city. Let us celebrate all the great successes—the achievements of Canberrans locally, nationally and internationally. It is a wonderful opportunity today to do so. I thank Ms Cody for bringing this motion forward. I know we will continue to have carping negativity from those opposite, but we will stay the course. We will implement the policies we took to the last election and the 2012 election, and we will continue to be relentlessly positive about Canberra and our city's future. It is a city of brilliant possibilities, and we are implementing the policies that will allow Canberra to continue to grow, to continue to prosper and to continue to be the best city in the world to live in. I thank Ms Cody for her 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 12.28 to 2.30 pm.**

## Visitors

**MADAM SPEAKER:** Before I call the Leader of the Opposition, can I let members know that in the gallery we have the Speaker of the WA Legislative Assembly, the Hon Peter Watson, and the Sergeant-at-Arms, Isla Macphail. Welcome to the ACT.

## Questions without notice

### Land—Dickson land swap

**MR COE:** I have a question for the Chief Minister and Minister for Economic Development. Chief Minister, when did the LDA start negotiating with the CFMEU or the Tradies over the Dickson land deals?

**MR BARR:** The government put out an expression of interest to the marketplace some years ago. I will need to check the exact date that that expression of interest was put forward, but it was an open process inviting expressions of interest from all interested parties.

*Mr Coe interjecting—*

**MADAM SPEAKER:** It is question time, Chief Minister.

**MR BARR:** Indeed, yes. On a day like today when the carping, negative Leader of the Opposition has nothing new to talk about he will rake over the coals, show once again his pathological hatred of the union movement. Just mention the CFMEU and his head nearly explodes.

In relation to the process, the government through a Dickson master planning process undertook an extensive period of consultation. There was a Territory Plan variation. New supermarkets are coming to Dickson, and that is a very clear government priority.

**MR COE:** Was section 72 involved in that expression of interest or tender, or was it treated as an unsolicited proposal by the ACT government?

**MR BARR:** The government's approach to the market related to the sale of a government carpark between the current Woolworths site in Dickson and the Tradies club.

**MS LEE:** Chief Minister, were the deals approved by cabinet or you, as the relevant minister, or by the LDA?

**MR BARR:** The LDA, of course, ran the commercial real estate activities of the government. Ultimately, of course, cabinet endorsed a process of an expression of interest for the site and also undertook a similar process associated with the release of another government-owned block for the purposes of the new supermarket.

## Canberra—tourism

**MR STEEL:** My question is to the Chief Minister: what was today's exciting announcement by *Lonely Planet* regarding Canberra?

**MR BARR:** I thank Mr Steel for the question. In case—

**Mr Wall:** So if the murder rate goes up we go to number one?

**MR BARR:** Well, there we go. At the first opportunity to talk our city up, where do the miserable lot who sit opposite go? They go on a Detroit bashing exercise.

*Opposition members interjecting—*

**MADAM SPEAKER:** Stop the clock, please. Members, that is better. Chief Minister.

**MR BARR:** This is very exciting news for Canberra's tourism industry that we have received the highest award ever for an Australian city in the *Lonely Planet* top 10 cities in the world to visit for 2018. This will be a great launching pad for the next phase in Canberra's tourism development. The tourism industry is heading towards a \$2.5 billion annual contribution to the territory's economy, employing more than 16,000 Canberrans. To put that in perspective, the commonwealth public service is about 60,000 Canberrans; the ACT government employs around 20,000 Canberrans; and the tourism industry employs 16,000, and that is only going to grow.

This recognition is as a result of a decade of transformative work. Canberra has fundamentally changed from the small, insular country town that it was in the 1960s and 70s, and there is no way that the Canberra of that era would have received this sort of international recognition. Canberra has changed for the better. We are the happiest, healthiest, longest-living, best educated and wealthiest Australians. This city is the best place in the world to live, and it has been recognised now as one of the best places in the world to visit. The only people to date who are negative are the Canberra Liberals. (*Time expired.*)

**MR STEEL:** Chief Minister, what does this announcement mean for Canberra?

**MR BARR:** It means our city is getting the recognition that it deserves. It has been incredibly encouraging across the dozens of media interviews that have been undertaken today by me and various spokespeople for Visit Canberra—the very positive reaction across the nation and internationally to this recognition.

*Opposition members interjecting—*

**MR BARR:** Yes, there are cynics and critics. Some of them reside in this city and sit on the other side of the chamber. Some people who purport to represent this city have been utilising the last few minutes to talk this city down. That is very disappointing. But, as we have observed before, there is nothing more miserable than the Canberra Liberals. We will be relentlessly positive about this city, its transformation, its tourism

sector and the incredibly hard work that has been rewarded in our tourism and hospitality industry. We are repositioning Canberra nationally and internationally, implementing progressive policies that are being recognised around the country and around the world. This recognition today will be a fantastic boost to Canberra's tourism industry. I encourage everyone, even the miserable cynics on the other side, to get behind our city just once in your life. Get behind Canberra.

*Opposition members interjecting—*

**MADAM SPEAKER:** The entertainment level is a bit high. Can we all restrain ourselves on the opposition benches just a tad?

**Mr Hanson:** I seek your guidance, Madam Speaker. If a minister, in this case the Chief Minister, in responding to questions is going to essentially taunt the opposition with comments like “miserable cynics” and so on, I think there is a level of parliamentary behaviour that is expected in an answer as well.

**MADAM SPEAKER:** There is no point of order. Mr Hanson, resume your seat.

**MS ORR:** Chief Minister, what can visitors to Canberra expect in 2018?

**MR BARR:** A significant program of world class events. The Cartier exhibition at the National Gallery is a world exclusive. It is the biggest collection ever seen in Australia. *Hyper Real*, which is now underway at the gallery, will continue over the summer period. *Songlines* at the National Museum is the first exhibition of its kind. A very significant event next year at the Australian War Memorial is the 100-year commemorations of the end of the First World War. There is no doubt that the dawn service on Anzac Day here in Canberra next year will be a very significant event.

There is more and better sporting and cultural content than ever before. There is the Big Bash League. There is Canberra's first cricket test match at Manuka Oval. There is a range of events to celebrate our region's fantastic coffee, food and wine. There is the truffle festival and farm gate sales. There is a very successful comedy festival. Canberra's LGBTIQ Pride event, the SpringOUT festival, will be even bigger in 2018.

Visitors to Canberra will enjoy a wonderful series of events through 2018, as will Canberrans who participate in their hundreds of thousands in the city's great events like Floriade, Enlighten and the National Multicultural Festival. It is no wonder that this city is the best place in Australia to live and the best place in the world to live. It is fantastic to see that recognition today.

### **Land—Dickson land swap**

**MR WALL:** My question is to the Minister for Economic Development. Minister, in question time yesterday, 24 October, your colleague Mr Gentleman said this in relation to an outstanding payment from the CFMEU for a car park as part of the land swap with the LDA, and I quote, “it is a matter for economic development to deal with and they are dealing with that.” Minister, when is the CFMEU due to pay the \$3.2 million owing to the territory for the car park next to the Dickson Tradies club?

**MR BARR:** When it takes possession of the car park.

**MR WALL:** Minister, will the CFMEU be able to stay rent free in the building that the ACT government owns after the 42-month grace period has expired?

**MR BARR:** No.

**MR PARTON:** Is the CFMEU allowed to sublease part of the building?

**MR BARR:** I will need to check the terms of their arrangements in relation to that matter.

### **Environment—nature strip guidelines**

**MS LE COUTEUR:** My question is to the Minister for Transport and City Services and relates to guidelines about what can be planted on residential nature strips. In July 2016, draft guidelines were released with a tentative final release date of 1 July 2017. Can you update the Assembly on the time lines for the final verge gardening guidelines and what, if any, changes have been made as a result of ACAT deliberations on public unleased territory land?

**MS FITZHARRIS:** I thank Ms Le Couteur for the question and note too that there has been a delay in producing the final nature strip guidelines. That is because of some considerations by ACAT. I cannot recall them immediately on the floor of the chamber but I will take that question on notice and provide a follow up to Ms Le Couteur.

**MS LE COUTEUR:** What was the community feedback on the consultation, both from the online survey and other workshops?

**MS FITZHARRIS:** I recall that it was very mixed, as we often find in this particular portfolio. For the many people who wish to have the opportunity to further develop their nature strips, there are also people who quite vehemently did not want to see nature strips developed.

My understanding of the work that TCCS has done in the meantime has been to find the right balance between allowing people to use nature strips productively, particularly for vegetable growing—and, in particular suburbs of Canberra, that is something that people are very keen to do, and there is a general view that that could be a useful, productive way for people to produce their own food on a nature strip—and of course community safety, the protection of assets which lie underneath the ground and also on public land within the nature strip, which is the balance that TCCS has been trying to find.

I have asked them to find the right balance so that we can allow a little more to happen on nature strips while maintaining community safety and the amenity of each suburb as well. I expect to see those in the next month or so.

**Trade unions—CFMEU**

**MR PARTON:** My question is for the Chief Minister: it is reported that 84 CFMEU personnel are currently in court facing 896 alleged contraventions following over \$10 million in penalties awarded against the union. Federal judges have called the CFMEU the most recidivist corporate offender in Australian history. Former Labor PM Bob Hawke has stated, “It just is appalling. I wouldn’t tolerate it.” Another former Labor Prime Minister, Kevin Rudd, said Labor should sever ties with the CFMEU given the evidence of corruption, bullying and law-breaking, stating he cannot abide a structure that gives trade union-based factions majority control of the party either on policy or on personnel. Chief Minister, will you heed the calls of your federal leaders and sever your government’s ties with the CFMEU?

**MR BARR:** The inference in the extensive preamble to Mr Parton’s question relates to matters for the Labor Party. The government does not have formal ties with the CFMEU.

**Mr Hanson:** What’s the MOU?

**MR BARR:** The MOU is with UnionsACT.

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson!

**Mr Parton:** Thank you, Madam Speaker—

*Mr Hanson interjecting—*

**MADAM SPEAKER:** Mr Hanson, you have a colleague on the floor who is seeking to ask a supplementary. Mr Parton, wait for the call. You have it now.

**MR PARTON:** Chief Minister, what control does the CFMEU have in your government’s policy or personnel?

**MR BARR:** It has, like any stakeholder organisation, the right to express a view on public policy. The government does not necessarily have to agree with that view.

*Opposition members interjecting—*

**MR BARR:** Noting the catcalls from across the chamber, I think it is an important opportunity to be very clear in relation to the rights and responsibilities of stakeholder organisations. All stakeholder organisations have both rights and responsibilities in public policy debate. Those rights and responsibilities apply equally across the political divide.

What I need to be very clear about is that the government’s policy is determined by the government, by members in this place implementing the platform that we took to

the people of Canberra at the 2016 election, a platform informed by a democratic process within our political party. It is no different on the other side of politics, except you have got some more shady donors who hide in the dark or who seek to influence public policy by way of the most significant donations in the history of the territory, including those seeking to influence policy on CTP, which is very clear from the \$90,000 donation of one individual to the Liberal Party in the last election.

**MR WALL:** Chief Minister, why is your government about to legislate to force the people of the ACT to enter an agreement with the worst recidivist corporate offender in Australia's history, the CFMEU?

**MR BARR:** The government is sticking up for the rights of working people. That is something that you lot will never understand. You will never understand because you are conservative, anti-union individuals who see no role for organised labour—

*Mrs Dunne interjecting—*

**MADAM SPEAKER:** Mrs Dunne, please!

**MR BARR:** in our society. That is the fundamental point of difference. You see no role for organised labour in our society. We will agree to disagree on that and we will bring forward legislation that protects the rights of workers in this territory. This democratic institution will vote on them and if this institution supports those laws, they will become the laws of the Australian Capital Territory.

We will be proud to have made a difference in the lives of working people in this city. You lot are pursuing an ideological agenda against organised labour. That explains why it is that you remain in opposition in this city.

**Mr Gentleman:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Point of order, Mr Gentleman.

**Mr Gentleman:** Madam Speaker, you have asked the opposition to calm down during question time a number of times today. You have directed your comments to particular members of the opposition. They continue to interject so loudly that we cannot hear the answer.

**MADAM SPEAKER:** Mr Gentleman, I was going to wait until—

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Coe, I do not appreciate that. It has been particularly loud. Perhaps you have company in the chamber and that is what is driving you. But very soon I will be starting to issue warnings because it is getting a little out of control. Let's go to another question without notice. Ms Orr.

**Government—housing and homelessness summit**

**MS ORR:** My question is to the Minister for Housing and Suburban Development. Minister, can you update the Assembly on the outcomes of the ACT housing and homelessness summit held last week in Canberra?

**MS BERRY:** The housing and homelessness summit that was held last Tuesday, 17 October, came at the end of a seven-week consultation period where the government received over 6,000 interactions from individuals around building a new housing strategy in the ACT. I was personally very pleased with how the summit went. It was a lot different from any kinds of summits that I have attended.

The feedback so far from participants was that they enjoyed the interactive elements and the process that was conducted during the summit. Many of those who attended had already been part of the consultation leading up to the summit and were happy that their input in the lead-up was being considered and discussed during the summit with a whole bunch of different stakeholders. A lot of the items and information will be collated and there have been a number of new and innovative ideas that have been shared and discussed already.

One of the most valuable aspects of the summit was the opportunity for networking across all community sectors and the realisation that everybody had something to contribute to help improve housing outcomes for some of the most disadvantaged members of our community. In fact, one of the opportunities highlighted to me was the chance for people to have conversations with people who were actually building homes, developers who might be interested in building an affordable housing product—having conversations that they would never had the chance to have had they not been brought together in a different environment and had the chance to have a conversation about building a new housing strategy for the ACT. I want to thank the Canberra community for being part of the conversation so far.

**MS ORR:** Minister, what is the significance of the diversity of voices that were heard at the summit?

**MS BERRY:** As I said, it was a great opportunity to explore and further investigate some of the suggestions that had already been raised in the conversations leading up to the summit. The government wants proposals that come forward to be highly collaborative, co-design approaches, and that is certainly what I saw coming out of the summit. By raising awareness of the issues and encouraging ownership of some of the issues within the community and the opportunities for improvement, a true collaboration between government, business and the community sector continued to be the priority and the conversation that I was part of and heard during the summit last week.

The participants at the summit were representative of some 125 different organisations that had participated in the community consultation so far. The summit was a great example of Canberra being a socially inclusive community and of the government's desire to work with and for all Canberrans.

**MS CODY:** How will the announcements you made at the summit contribute to addressing housing and homelessness challenges facing the ACT?

**MS BERRY:** As I said all the way leading up the summit, I wanted this to be a genuine conversation with the community and to engage many different voices who might not ordinarily have the chance of having a conversation about building a housing strategy for the ACT. It was never the government's intention to make a big, shiny announcement without having that genuine conversation in the first place.

The \$1 million innovation fund I announced on the day will seed some of the new affordable housing initiatives and support new partnerships among community housing, community housing services, real estate, design and within the constructions sectors. The government committed to improving and expanding the way it releases land for affordable and public and community housing.

For the remainder of 2017-18, 530 sites will be released for affordable home purchase and public and community housing, a combined increase of 240 sites on what the previous affordable housing policy would have yielded.

There is also the establishment of the affordable home purchase database. This will ensure that these blocks go where they are most needed and that the release of affordable land is fair and equitable. That is why future affordable housing home purchases will be made available only to households who pre-register on the new ACT government database.

### **Government—land acquisition arrangements**

**MS LAWDER:** My question is to the Treasurer. Administrative Arrangements 2017 (No 1) and section 63 of the City Renewal Authority and Suburban Land Agency Act 2017 legislatively require you to make directions on acquisition thresholds for the City Renewal Authority and the Suburban Land Agency. Treasurer, why has there been a significant delay in issuing directions on acquisition thresholds for the two authorities since they were established on 1 July 2017?

**MR BARR:** There has not been.

**MS LAWDER:** Treasurer, what governance arrangements are in place for acquisitions, given that there are no thresholds issued?

**MR BARR:** There have not been any acquisitions.

**MR COE:** Treasurer, why has the issuing and implementing of acquisition threshold directions not been a priority, given the ongoing issues with your government's land acquisitions and the Auditor-General's inquiry?

**MR BARR:** I refer the member to my previous answers.

**Casino Canberra—development proposal**

**MR HANSON:** My question is to the Chief Minister. In question time yesterday you admitted to being confused about a brief you signed on 7 November 2015 regarding the Aquis casino redevelopment. Chief Minister, what further advice have you received from your directorate about the briefing and the rights of Aquis in relation to the land surrounding Glebe Park since you signed the briefing on 7 November 2015?

**MR BARR:** Aquis has no rights in relation to that block. It was an error in the brief.

**MR HANSON:** Chief Minister, why did you not seek clarification prior to signing the briefing on 7 November 2015?

**MR BARR:** Because, as I said, I assumed that, as the section number was the same, the block referred to the adjacent block—

*Mrs Dunne interjecting—*

**MADAM SPEAKER:** Mrs Dunne, can you let the Chief Minister answer the question without an interruption, please.

**MR BARR:** But, in the end, Aquis have no rights in relation to that block; none whatsoever.

**MS LAWDER:** Did you receive written advice that Aquis have no rights? Who provided that advice and when?

**MR BARR:** No rights were ever given.

**Casino Canberra—development proposal**

**MS LEE:** My question is to the Chief Minister. You are popular today, Chief Minister. In August 2016 you said you were “not aware of any proposals” by Aquis regarding the development of the Glebe Park site. It has since come to light that Aquis briefed you and senior public servants on 21 May 2015 about their plans to expand the casino, which included the acquisition of land at Glebe Park. Chief Minister, why did you say you were not aware of any proposals relating to Glebe Park after you were specifically briefed by Aquis about their expansion plans well over a year prior to that?

**MR BARR:** As I think is very clear, there are two blocks in Glebe Park. Aquis has rights over one of them, as did the previous casino owner. Aquis has no rights over the other block. But they do have rights over the block that is adjacent, at the back of the convention centre. They purchased those rights when they purchased the casino from the previous owner. But in the end the government is continuing a process of assessing the unsolicited proposal from the casino. This place will consider legislation in due course.

**Mrs Dunne:** On a point of order, on relevance, the question was: why did you say that you were unaware of proposals relating to Glebe Park when you were specifically briefed about their expansion? The question was not about Aquis's rights to one block or another or whether or not there is an unsolicited proposal out there. The question was simply: why did you say that you were not aware of the proposals?

**MADAM SPEAKER:** Chief Minister, you might be able to provide clarity for Mrs Dunne.

**MR BARR:** If one were to go and look at the block and section maps, there is a narrow section immediately behind the convention centre that could or could not be argued to be part of Glebe Park and then there is Glebe Park, as we understand it, that stretches around to the Canberra Centre. The casino has rights over a narrow section. The area, when I was being asked the question, relates to a different block of land that they have no rights over.

**MS LEE:** Chief Minister, will you provide the Assembly with the dates and minutes of meetings between government officials and Aquis about their land development and gaming machine proposals?

**MR BARR:** To the extent that that information can be quickly compiled, I will do so in the fullness of time.

**MR COE:** Chief Minister, will you provide to the Assembly any written advice that you have received in recent weeks regarding the confusion about the block and section that you signed off on in the brief?

**MR BARR:** I do not believe any written advice exists, Madam Speaker.

**Mr Coe:** Who told you it was a mistake, then?

**MR BARR:** I have ascertained, because there was no decision ever taken to grant any rights. So in the absence of the granting of any rights, I can presume, given that no rights have been granted—

**Mr Coe:** There are no documents that exist to say, "By the way, the brief was wrong"?

**MR BARR:** that any rights were granted. There are no documents that exist to that effect. I will check the record as to whether that particular error in terms of the block and section has been formally corrected. I will check that with the agency.

But, in the end, Mr Coe's grand conspiracy is that rights were granted. They never were. There are no rights over that block. End of case. There will be a consideration of an unsolicited proposal by the casino. You lot have completely reversed your position in relation to the casino, investment in Canberra and, indeed, economic development.

**Mr Hanson:** What is your position on the casino?

**MR BARR:** Yes, the government has changed its position. You guys have just gone and flipped and taken the exact opposite. In 2013 you were asking questions in this place about why the casino did not have poker machines and how unfair that was. That had been the Liberal Party policy position up until you were bought off by ClubsACT.

### **Taxation—impact of reform**

**MRS JONES:** Madam Speaker, my question is for the Treasurer: I refer to an article by former Chief Minister Jon Stanhope in the *City News* of 19 October. He stated that any analysis of data on the cost of living and trends in household disposable income will show just how much stress households in the bottom income quintiles are suffering. Treasurer, what contributions are ACT government policies making to the income stress suffered by households in the bottom income quartile?

**MR BARR:** The government recently reformed our concessions program in order to deliver more concessions and benefits to that bottom income quintile. That income quintile is not in homeownership predominantly and are overwhelmingly in the public housing system or in private rental. The housing needs of the majority of those in the bottom quintile are met by public housing. The government, in changing our concessions scheme to deliver a greater level of concession to those in the rental market, particularly the private rental market, has, in fact, assisted those most disadvantaged.

We continue to provide additional supports and concessions right across the suite of ACT government service provision. Of course, there is an interaction between state and territory governments and the commonwealth government in relation to income support for the lowest income quartile in our community. It is, of course, always pleasing to see when there are increases to, for example, pensions and welfare payments. It would seem that the colleagues of those opposite are being particularly tough on welfare recipients and pensioners in their budgetary policy, including some of the most extraordinary interventions in relation to income management and questions of drug testing as well.

**MRS JONES:** What analysis does ACT Treasury do on the impact of government tax policies on lower income households and, in particular, those trying to own homes?

**MR BARR:** I refer the member, firstly, to the concessions review undertaken last year, and also to the ACT taxation review and the five-yearly update in relation to the taxation review that goes to the heart of her question. But also be very clear: in any context, any rational assessment of public policy positions, both in the territory and nationally, shows that, if you want to ensure that low income people are supported in our community, you must have progressive governments in office.

**MR COE:** Chief Minister and Treasurer, will you table all the Treasury analysis of the distributional impacts of the taxation measures that you have introduced as Treasurer?

**MR BARR:** Those documents are available. I release them as part of the budget papers each year: cost of living statements as well as the taxation review, the five-yearly update and the concessions review. The ACT government does not have access to every piece of information regarding income in the territory, as that is held nationally. But there are a number of documents that are publicly available. If Mr Coe or his office could get off their lazy backsides they would find it publicly available.

### **Centenary Hospital for Women and Children—efficiency dividend**

**MRS DUNNE:** My question is to the Minister for Health and Wellbeing. Minister, has the Centenary Hospital for Women and Children been asked to find an efficiency dividend or any form of cost saving? If so, how much?

**MS FITZHARRIS:** I thank Mrs Dunne for the question. Certainly not to my knowledge and certainly not at my request.

**MRS DUNNE:** Does this mean that you have not been briefed on this matter? To what extent would finding an efficiency dividend or other form of cost saving stretch the already stretched women's and children's hospital, particularly the maternity section?

**MS FITZHARRIS:** I would certainly expect to be briefed by my department if that were the case. But as I indicated, they have not—

**Mrs Dunne:** You so infrequently are.

**MS FITZHARRIS:** The Centenary Hospital for Women and Children is indeed a busy place, as Mrs Dunne has said. I thank her office for forwarding me the information that she referenced during yesterday's Question Time. I will provide further advice. It has certainly not been at my direction.

**MRS JONES:** Minister, with regard to the efficiency dividend or any other form of such that may be requested or may have been requested, does the method of housing women in the same room that they give birth in have anything to do with the busyness of that place at the moment?

**MS FITZHARRIS:** I have already answered the assumption made in Mrs Jones's supplementary, so I have no further comment to make on the question.

### **Transport—integrated network**

**MS CODY:** My question is to the Minister for Transport and City Services. Minister, how is the ACT government preparing the Transport Canberra bus network for the introduction of light rail and an integrated public transport system from late 2018?

**MS FITZHARRIS:** I thank Ms Cody very much for the question. Indeed, 2018 is a very big year for public transport in Canberra. As well as delivering the first stage of Canberra's light rail network, the Barr Labor government is delivering on our election

commitment to expand the rapid bus network two years ahead of schedule, with nine rapid routes ready to connect Canberra's commuters from next year.

I was very pleased to announce the early delivery of our rapid bus network at the official opening of the new Dickson interchange last week. In just over a year it will be a very busy place in the heart of one of Canberra's locations of urban renewal as people travelling to and from work or study, or are out with their family and friends, hop onto a bus or the light rail just across the road. The interchange already provides a hub for bus users and travel centred on Dickson and will be fully functional as a transfer station for both bus and light rail travel when the Dickson light rail stop is operational late next year.

As we know, the first stage of light rail will free up a million bus kilometres of travel and we are putting those to work to deliver a faster and easier bus network that will reduce congestion and protect our liveability as our city continues to grow. We are delivering a complete redesign of our bus network to deliver a faster and easier, seven-day-a-week service for everyone in Canberra. Our upgraded network will revolutionise the way people use public transport in Canberra, help to take cars off the road and increase public transport patronage across the city.

The new integrated transport network will operate seven days a week across nine rapid routes. Rapid buses will connect town centres, suburbs and the city, forming the backbone of Canberra's future integrated transport network. Rapids will run at least every 15 minutes along core transport corridors from 7 am to 7 pm, Monday to Friday.

Some of the key features of the expanded rapid network include all nine rapid services being up and running in 2018. More Tuggeranong and Belconnen commuters will receive rapid services two years ahead of schedule. For Tuggeranong, in addition to the recent expansion of the blue rapid to Lanyon, a new rapid will operate from Lanyon to the city via Erindale. (*Time expired.*)

**MS CODY:** Minister, what improvements and new services will be implemented as part of an integrated public transport system for Canberra?

**MS FITZHARRIS:** The new rapids will offer more frequent and direct services between town centres and suburbs, integrated with the light rail route under construction and, of course, in planning with the Civic to Woden route. It will allow a seamless transition to connecting services, with nine rapid routes in total. Routes will be straighter and faster between key locations. Importantly, we will deliver what Canberrans have asked for: a better public transport network that runs seven days a week.

One of the major improvements to the 2018 network will be increased frequency and better connections so that Canberrans will be able to just turn up at a bus stop and go where they need to. The new rapid network means that more than half of all Canberra residents will be within 750 metres of a rapid bus service, an increase from 26 per cent last year alone.

Higher frequency and better connections also mean that passengers will see reduced waiting times when transferring between services. The fare system will ensure that people can transfer between services as well as between light rail and bus without paying any additional fares.

With nine rapid routes in total, the routes will be straighter and faster between town centres. The network will also be simpler and easier to understand. The current network is complicated, with over 90 routes travelling across the city, and route numbering that can be difficult for users to understand. This includes having different route numbers on weekends. Under the new network the bus you catch on the weekend will not have a different route number and it will not go a different way to get you to the same destination. Customers will be able to make the same journeys seven days a week.

Increased frequency, better connections and simpler routes are also a great benefit to visitors to Canberra, and we expect to see, of course, many more of those after today's announcement by *Lonely Planet*. They mean that visitors can more easily use the bus network to move around our city and be confident in choosing routes to visit national institutions and attractions.

**MS CHEYNE:** Minister, how will Canberrans be able to have their say on these changes to the integrated public transport system, given that they will impact the way they move around the city?

**MS FITZHARRIS:** Canberrans have already had significant input into the redesign of our transport network. Indeed, last year the ACT government undertook an extensive consultation with Canberrans and asked them about their top priorities to encourage greater transport use. Our decision to accelerate the implementation of the rapid bus network follows the key findings of this survey and, indeed, as the opposition has noted, the overwhelming response by the Canberra community to public transport at last year's election.

More than 6,000 Canberrans responded during our consultation period, and their priorities for public transport have informed our redesign. The survey identified the top three priorities to encourage greater public transport use across Canberra: faster trip time and more direct routes, more frequent and reliable services, and increased services at peak and off-peak times. We have resigned the core rapid network based precisely on that feedback.

Now we would also like to hear from Canberrans about how they would like to connect to it, including through local buses, park and rides, active travel routes and more. We look forward to opening consultation this week, and we encourage all Canberrans—those who currently use the network but particularly those who do not—to have their say. Staff from Transport Canberra will also be out and about across the city speaking with current and potential users about how the network can best serve them. Canberrans will also be able to provide feedback through the your say website.

Following this round of consultation we will be back to speak with the community in early 2018 about the details of the proposed completed network. The final network will then be refined and delivered before the commencement of stage 1 of the light rails services later in 2018.

### **Animals—dog attack**

**MRS KIKKERT:** My question is to the Minister for Transport and City Services. Minister, it is reported that the dog that attacked and killed a person today has been reported as dangerous before. What do you know about past reports about this dog?

**MS FITZHARRIS:** I thank Mrs Kikkert for the question. Before I go to the detail of the question, I would like to give, as I know we all share in this place, my deepest condolences to the family and friends of the woman who has been killed overnight, and wish the gentleman recovering in hospital now a speedy recovery.

I know that there are many questions about this incident but I also know that ACT Policing need to conduct an investigation. I have offered the opposition a briefing on that tomorrow, and I believe that they will be in a position to take that up. What has been reported in the *Canberra Times*, if that is the reference that Mrs Kikkert makes, is that previously Domestic Animal Services did attend that household. I am advised that it was on one previous occasion. What I said to the media was that this dog was clearly a dangerous dog, because a woman has died. What I do not know is if any authorities had enough information prior to events yesterday to declare that dog dangerous.

**MRS KIKKERT:** What orders or controls were placed on this dog?

**MS FITZHARRIS:** None to my knowledge. As I say, ACT Policing need to conduct an investigation. They need to have all the facts on the table.

**MR COE:** Minister, is it true, as reported—and I quote—“A dog that killed a woman in a Canberra home overnight had bitten another person in the months leading up to the attack”?

**MS FITZHARRIS:** As I indicated, Domestic Animal Services—I understand at the request of ACT Policing—attended the same residence as the incident overnight. I understand that, at that time, there was an injury to another person at that location and also an injury to the dog. I note that, from my brief reading of that article, not all the information mentioned in the *Canberra Times* article has been provided to the government.

I understand there are questions. Mr Coe has been offered a briefing tomorrow. It would be prudent of all of us to allow ACT Policing to undertake their important work to gather the facts so that they can make a report to the coroner. Mr Coe has been offered a briefing tomorrow. I understand he will be very pleased to take that up. Currently known facts that can be shared will be provided in that briefing tomorrow.

### **ACT Emergency Services Agency—equipment**

**MS CHEYNE:** My question is to the Minister for Police and Emergency Services. Could the minister please update the Assembly on progress to install automatic external defibrillators, or AEDs, in front-line vehicles across the Emergency Services Agency?

**MR GENTLEMAN:** I thank Ms Cheyne for her question and her interest in safety across our community. Automatic external defibrillators, or AEDs, are being rolled out to ACT Rural Fire Service and State Emergency Service vehicles as part of a joint ACT government and federal government initiative under the natural disaster resilience program. This boost means that all ACT emergency services vehicles will be fitted with AEDs, providing life-saving equipment to our professional staff and volunteer services.

Once the rollout has been completed, all ESA front-line emergency vehicles across the four services will be fitted with AEDs. Over time, this could result in the saving of many lives, with the assistance of emergency service staff and volunteers. The recent rollout has included 68 AEDs being installed in Rural Fire Service vehicles and 23 in State Emergency Service vehicles, seeing a total of 91 additional AEDs available for use by our emergency responders.

I was recently able to inspect the installations and updates to the current fleet at the ESA headquarters. I also recently attended the international Restart a Heart Day event at the ESA training centre. Both events were a great opportunity to remind Canberrans to find out more about AEDs and CPR procedures. The inclusion of AEDs on all front-line vehicles is just one of the improvements the ACT government has made to the resources available to the Emergency Services Agency to assist them in protecting and saving the lives of Canberrans.

**MS CHEYNE:** Could the minister advise what training is provided to ESA's staff and volunteers in the use of AEDs?

**MR GENTLEMAN:** I thank Ms Cheyne for her supplementary. All ESA staff and volunteers undertake training to a high standard. This training is aimed at keeping our emergency services personnel safe and providing effective and immediate assistance to the community in any circumstances. AEDs are designed to be user friendly, and training in their use is covered in all basic first aid courses. All ESA frontline responders receive training in first aid and CPR, which includes the use of AEDs and the ability to direct others to use them.

One of the benefits of AEDs is that they can be operated by anyone, including members of the public with limited first aid training, if the situation demands it. ESA members are provided training in incident management, so in cases where it is necessary to instruct or assist members of the general public, they can do so in a professional and efficient manner.

**MR STEEL:** Can the minister inform the Assembly how these additional devices add to ESA's existing stock of AEDs?

**MR GENTLEMAN:** I thank Mr Steel for his question. The upgrade adds to the existing stock of AEDs already installed on ACT Ambulance and ACT Fire & Rescue vehicles. The extension of AEDs to all State Emergency Service and ACT Rural Fire Service vehicles will mean that an AED is equipment in every frontline emergency service agency vehicle. These upgrades are part of the ACT government's continuous review of the equipment and resources available to our emergency services. They represent our commitment to ensuring that Canberrans continue to live in safety and with the peace of mind to know their emergency services are well equipped and trained.

I take this opportunity to remind Canberrans to take a look at the ESA website and download the emergency app: it could save your life or the life of a loved one.

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

### **Supplementary answer to question without notice Casino Canberra—development proposal**

**MR BARR:** I can advise members that the date of the expression of interest for block 20, section 34 was 15 September 2012.

### **Government—achievements**

Debate resumed.

**MS LE COUTEUR** (Murrumbidgee) (3.23): The Greens support Ms Cody's motion. While we would prefer that the motion called on the government to go further, do more and be better, it is important to sometimes reflect on those achievements that we have in fact achieved.

It is the done thing to think of all politics as being self-aggrandising and back-patting, but the truth of the matter is that sometimes we lose sight of all the things we have achieved while we are focusing on the things that we need to do and the problems we need to solve.

The Greens are particularly bad at this. We are too busy thinking about saving the world and we seldom take the time to congratulate community activists and our members on all the changes their hard work has secured over the years. We are a young party. We are 25 years old this year. But we have achieved a lot in that time, inside and outside the government, inside and outside parliament. We have become the body politic for activists and radicals and the voice for the voiceless, the homeless, the refugees, animals and nature.

Some people like to think the Greens do not achieve anything or stand for anyone, so I would like to go through some of the things that the ACT Greens have achieved this year.

In addition to working with our colleagues in ACT Labor in providing world-class healthcare, education, transport and city services and all the other essential business of government that Ms Cody has spoken about, the ACT Greens have been instrumental in a number of major reforms and initiatives to improve the lives of Canberrans and protect our environment.

In the gaming and racing space, we have worked with the government to phase out the harmful greyhound racing industry. We are working with community and advocates to introduce EFTPOS limits on poker machines and improved transparency for social impact assessments; ensure that bet limits and mandatory precommitments form part of the Canberra Casino legislation; and advance the conversation around reducing gambling harm in the community.

In the drug law reform space, we have fought very hard to get pill testing up and running in Canberra before Spilt Milk. We are very disappointed that it has not happened. It is not entirely clear why this did not happen. We are very disappointed right now but we are hopeful that in the future the ACT will be leading Australia in minimising the harm from illicit drug use.

When it comes to putting the community first, it has always been the ACT Greens that has been the party that listens to the community. That was the focus of our campaigns for years and years and in this Assembly it is one of our key focuses.

As part of the parliamentary agreement there is an inquiry, which will be reporting shortly, into an independent integrity commissioner for the ACT. It is due to report back this month. We have made sure that community voices were heard as part of the public housing renewal projects in Weston Creek, and are very pleased that the outcomes of that seem to have had a much greater level of community acceptance than at the beginning. We have introduced a world-leading participatory budget trial for the ACT city services budget, starting in 2019. There is also the deliberative democracy trial with CTP.

Under my colleague Mr Rattenbury's ministerial responsibilities for justice and mental health, with the creation of a dedicated Minister for Mental Health being an ACT Green election commitment and an ACT first, we have committed to setting up the ACT's first office for mental health and drug and alcohol court as part of the parliamentary agreement; continued to work on justice reinvestment, Yarrabi Bamirr, and the restorative justice programs; and improved educational outcomes for people in our corrections systems with the expansion of the AMC's industry program, with the bakery being launched a couple of days ago.

We have responded to community concerns by calling upon the federal government to immediately remove all refugees from the Manus Island and Nauru detention centres and resettle them here in refugee welcome zones, including the ACT. We are leading

the way on reforming the ACT's sexual assault and privacy laws, starting with a petition, a discussion paper and legislation which formed part of the legislation which was eventually adopted in a wonderful spirit of tripartisan cooperation on criminalising the non-consensual sharing of intimate images. We intend to continue this with a look at the ACT's consent laws.

I personally have been very concerned with planning matters. As we talked about this morning, it is very important for the Greens to see that the community's voice is respectfully heard in all planning debates. That and the environmental issues and, of course, good planning outcomes, were the focus of the debate this morning. I am very pleased that the Liberal Party and the Greens were able to come to an agreement which will lead to a significantly better outcome for the community.

Where we have been looking at better outcomes for the community, in Curtin the proposed development was stopped and there is currently a community panel process, which I am hopeful will have a better outcome than the Federal Golf Course one did. On the basis of the feedback I have had from community members, I think that is possible. Certainly it is an area that we will keep working on. There has also been a commitment from the government to review their approach to calculating the lease variation charge after hearing concerns from both the industry and the community sector that, without some compromise, affordable housing could be held back in the ACT.

Speaking of affordable housing, I was very pleased to be able to attend the housing and homelessness summit the government ran last week. This was a parliamentary agreement item, and I look forward to considerable progress being made in this space following the summit. At the summit Minister Berry announced the Housing Innovation Fund, another part of the parliamentary agreement, which will be funding, hopefully, Homeshare, HomeGround and a potential Nightingale project, although I note that the Nightingale project should not require government funding, mainly government planning support.

Earlier this year my motion calling on the government to investigate a vacancy tax was passed by the Assembly and I believe will be implemented. Earlier still, we secured agreement from the government for both the City Renewal Authority and the Suburban Land Agency to have targets for affordable public and community housing and environmental sustainability requirements.

One thing that is important for the Greens is to move past the siloing of policy areas when it comes to urban design and have government and all of the Assembly recognise the interconnectivity of urban planning, housing, building design, climate change and the environment. It is one city. We need to make it sustainable.

The Greens are also the only party in the Assembly talking about population growth and the need to think of different ways for measuring the performance of our community, not just economics. We need to look at gross national happiness in the way that Bhutan does. We are not just here for the money.

We have been laughed at and accused of being radicals for talking of an alternative economy but if we are serious about tackling inequality and climate change we need to be serious about these conversations. This is particularly so when it comes to population growth. There are finite resources, both locally and globally. We talked about that a few sitting periods ago with Mr Steel's motion but it is still here. We need to think about how as a local and a global community we have to look at reducing population growth to a level that the world can sustain and how we can equitably spread resources to everyone without destroying our one and only planet.

On that, locally, the ACT finally has a big win on something the Greens have been pushing for a long time—since the 2004 election: we are going to have a container deposit scheme. Also in this space we have secured funding for community climate action through the new zero net emissions projects and are improving Canberra's active transport network with \$30 million extra expenditure on walking and cycling infrastructure as part of the parliamentary agreement.

The parliamentary agreement also has money for improved auditing of building certifiers and better work as far as building quality and energy efficiency regulations go. Energy efficiency regulations are something that we really need to do better work on than we have at present.

One of the nicer things this year is that my motion for demonstration housing precincts was passed by the Assembly. I am very hopeful that we will start doing some world-leading showcase housing, particularly medium-density housing, in Canberra in a way that Canberra did in the past.

Ms Lawder this morning talked about the halcyon days of the NCDC. While I do not think anyone here would like to see them back, one of the things we can remember that they did do was try to experiment with different things to see whether they would or would not work. We need to do more demonstration and showcase projects in the way that Canberra used to do and still can, as we positively committed to as a result of the motion earlier this year.

So, in short, we have achieved a lot this year. It feels like more, having stood here and read it out, than I thought. I thank Ms Cody for this chance to remind us all of the fact that, while there is still an awful lot to be done, some of it has been done and we are going at least partially in the right direction.

**MR STEEL** (Murrumbidgee) (3.35): I thank Ms Cody for bringing this motion forward. The ACT Labor government went to the last election with a positive plan to invest in our schools, hospitals, transport infrastructure and neighbourhoods. At the one-year mark it is nice to be able to reflect on the first year of government in the new term and what we have already delivered, particularly in my electorate in Woden, Weston Creek, Molonglo Valley and Kambah, all the while returning our budget to surplus and maintaining our world-leading credit rating.

Our commitment to strong fiscal management means we can invest in the infrastructure our growing city needs and deliver policies and programs that work to foster inclusion and support the most vulnerable in our community.

Our investments and our priorities reflect our community's progressive values. We are investing in education with upgrades to schools, particularly in Weston Creek and Woden, and planning a new school in the Molonglo Valley and investing in our 10-year health plan, as well as investing in the Canberra Hospital, planning our new nurse-led walk-in centre for the south side and building an integrated public transport system fit for our growing city with light rail stage 2 and new rapid bus services, all the while investing in the regeneration of our group centres.

I want to briefly take us through the record of delivery for the south side in my electorate over the past year. I am incredibly proud of what we have already delivered in Kambah. The government started and completed a \$300,000 investment in stage 1 of the upgrades to Kambah Village. It has made an incredible difference to the use and amenity of the square and courtyard and to the pride of the local community as well. In the budget the government funded \$2 million needed for the final stage of the upgrades, which will make more significant improvements to the village.

In Kambah we are rolling out green bins for plant matter, as well as in the suburbs of Weston Creek. We have improved Kambah's transport connections by establishing a new park and ride and a new bus stop on Athllon Drive so that people can catch the rapid services, including the new purple rapid which was announced last week for 2018. We have started upgrades to Anketell Street in Tuggeranong through our investment of \$3 million in the budget.

Moving north to the Woden Valley, the government has made significant progress on one of the central city building projects of this term of government, the early stages of light rail stage 2, which will take Capital Metro from the city to Woden town centre. The government engaged in extensive consultation on the potential route alignment and stop locations, with online feedback, written submissions, public meetings and visits to local community groups. The government has already invested millions of dollars in developing the business case and creating detailed modelling for stage 2 of the project, a project which will be transformative for Woden in the wake of years of commonwealth cuts and relocations since 2013.

I am very committed to regeneration of Woden town centre. Earlier this year we hosted a Woden renewal round table with businesses and community groups that has fed into the proposed Territory Plan variation. We have introduced new green rapid buses that take passengers from Woden town centre through the employment hubs of Barton and Manuka to the city every 15 minutes. The government has invested in the construction and operation of a large-scale bus depot in Phillip through the budget as well.

We are revitalising Woden Library by expanding activity and group spaces available for bookings to the public and community groups and freeing up space previously used by the ACT Heritage Library. Works have commenced on the \$6.2 million investment in the redevelopment of Phillip Oval.

We are also investing in our 10-year health plan and our hospital at Woden. It is a significant investment: \$236 million to start work on building the new surgical procedures, interventional radiology and emergency centre at the Canberra Hospital.

We are a Labor government and we invest in the education of young Canberrans, particularly in providing great learning environments at our public schools. The Woden School and Curtin primary will both be beneficiaries of investments to refurbish learning and teaching areas. My old primary school, Torrens primary, has benefited from courtyard upgrades launched by Minister Yvette Berry. The Malkara School will soon have a new front office and administration area, as well as general upgrades to facilitate and provide for greater future capacity. The ACT government is investing in Melrose high to improve its heating and cooling systems. That is in addition to the \$6.6 million that we were able to deliver the Melrose football precinct with earlier this year.

In Weston Creek, \$300,000 upgrades to Cooleman Court are now underway. Likewise, work has progressed on a new dog park for Weston Creek in the suburb of Duffy. The government has also commenced early planning processes for a new nurse-led walk-in centre in the Weston Creek region, which will support the health of our south side community for years to come. Mount Stromlo High School and the community and students are benefiting from roofing upgrades and better insulation at the school's premises.

In the newest part of my electorate, in the Molonglo Valley, almost \$1 million in funding is underway for early planning work for major new roads, including a new east-west arterial road to the Tuggeranong Parkway, an extension to Bindubi Street and upgrades of John Gorton Drive to William Hovell Drive.

Transport connections in the Molonglo Valley are being improved through the Cotter Road duplication, which is due to finish early next year, and the establishment of the 182 bus service, the western line, which travels from Woden through the Molonglo Valley and to the city. That is set to become an orange rapid next year. Molonglo residents have already welcomed this announcement with me on the weekend and are looking forward to future connections from Molonglo to Belconnen, which were also announced last week.

In education, the ACT government has invested half a million dollars towards the early planning stages for a new school to provide for students in the Molonglo Valley, and particularly Denman Prospect.

More broadly, the territory's first park and pedal station was launched this year on the edge of the Lindsay Pryor National Arboretum, which will now allow residents from the south side to drive to the stop and then ride the rest of the journey into the city.

This is a long list of achievements in just a short time. It reflects how committed the government is to delivering for the south side: commitments that ACT Labor promised and those opposite often fought against, such as light rail, nurse-led walk-in centres and green bins; that the Liberals did not commit to fund at all, in the case of shopping centre upgrades, new schools and new roads in Molonglo, or did not commit to fund enough to actually deliver the projects properly, such as school upgrades, where they committed less, the Cotter Road duplication, where they committed less, and their piecemeal health plan.

We are getting on with the job of delivering our significant suite of policies. I look forward to delivering on the rest of our commitments over the term for Murrumbidgee and for Canberra. I commend Ms Cody's motion to the Assembly.

**MS ORR** (Yerrabi) (3.43): On 15 October 2017 the Ninth Legislative Assembly for the Australian Capital Territory turned one. It means that in the ACT we have just completed 12 months of having elected representatives dedicated to the area of Yerrabi. And in that sense it is well worth looking back on what has been achieved for the people of Gungahlin and north-eastern Belconnen over the first year of this expanded Assembly.

We are getting on with investing in Yerrabi schools. I have already spoken at length in this place about the ACT budget delivering \$85 million in upgrading and expanding classrooms. Public school enrolments in the north of Canberra have grown by 53 per cent over the past five years. The bulk of that has occurred in my electorate of Yerrabi. The investment the ACT government is making in schools in Yerrabi will go a long way towards providing a world-class public education to the school children entering the second fastest growing region in the country.

We are investing in biodiversity. The ACT budget announced the expansion of the predator-proof fence around Mulligans Flat. The joint venture taking place behind these fences is reintroducing animals that have not been seen on the mainland in over 50 years, while also protecting the largest and most intact area of yellow box and red gum grassy woodland in Australia. All of this is taking place on the doorsteps of the suburbs of Forde and Throsby.

We are improving our transport system for the people of Yerrabi. Many of you would have been excited to see the recent laying of the first tracks of the Gungahlin to Civic light rail. This government is actively investing in public transport infrastructure to support an integrated transport solution that will take cars off the road, allowing a faster and safer commute for those who must or choose to drive.

We are planning for a more user-friendly Gungahlin town centre. The light rail terminal will be accompanied by a new shareway along Hibberson Street, allowing greater pedestrian access to businesses and the activation of existing public spaces.

We are working with the community to shape their local areas. In Yerrabi I have been fortunate to be afforded a great deal of freedom to pilot an engagement program in delivering on an ACT Labor election commitment to develop a community park for the wonderful people of Giralang. As part of this process we asked the community what they would like in their park, rather than asking whether they liked what we were proposing.

My team has been out doorknocking and surveying local residents, and the feedback is currently being used by University of Canberra landscape architect students to develop concepts for the design of the park. This will all come together at the end of this year when the Giralang community will be invited to a town hall-type meeting to

tell us if the concepts we have identified through this process reflect what the community wants from its park.

There has already been so much achieved for the people of Yerrabi and I am excited by the prospect of what else we can deliver for the community in the three years remaining in this term.

**MS CHEYNE** (Ginninderra) (3.46): I also stand today to celebrate everything that this ACT government has achieved in its first year. It was with great pride that I was sworn into this Assembly a year ago next week. I have spoken often about the profound sense of home I have found in Belconnen and I was extremely humbled to be elected to serve my electorate of Ginninderra.

One year on and I can unequivocally say that the people of Ginninderra have shown me that they are creative, intelligent and resourceful members of the Canberra community. I have been lucky to have already met so many people in my electorate from all walks of life to discuss how we can continue to make Ginninderra a wonderful place to live.

It has been with great pleasure that I have seen many of the government's election commitments for Ginninderra already implemented or underway in the first year of this term. Projects across the spectrum of education, infrastructure, health, recreation and the arts are boosting the local economy and injecting new life into the region.

This year we allocated funds for the third stage of Belconnen High School's modernisation. Stages 1 and 2 delivered a major refurbishment of student learning and teaching spaces as well as a new school administration area. A further \$5.9 million was committed in this year's budget to refurbish technology areas, replace the roof of a building and upgrade outdoor learning and teaching environments. This further investment will help the school meet future enrolment needs in the Belconnen area and will also improve the school's environmental sustainability. Lake Ginninderra College, Aranda primary and Melba-Copland are also sharing in the \$85 million for school classroom and facility upgrades that are happening across Canberra.

This government has a long-term vision for an integrated transport network that allows Canberrans, including children and the elderly, to move easily across the city and engage in active travel wherever possible. Active travel across the Belconnen town centre will get much easier, with money committed for the Belco bikeway this year. A separated bike path will be constructed which will help connect the major landmarks in the town centre but also the town centre to the neighbouring suburbs and, importantly, the University of Canberra.

The Belco bikeway is complemented by the new Belconnen learn to ride centre at Lake Ginninderra. The learn to ride centre opened mid-year and replicates real riding conditions, complete with replica roads, paths and pedestrians. Young riders can hone their cycling skills and learn to negotiate real-life distractions and obstacles. The centre helps Canberra kids get ready to use active travel to and from school, and eventually it will connect with the Belco bikeway too, I hope. Active travel will also get easier around Page, with the suburb sharing \$1.5 million with Hughes, as you

know, for better footpaths, crossings and traffic islands as part of the age-friendly suburbs program.

The government has also announced, as we have heard, improvements to the bus network to better connect the Belconnen and Gungahlin town centres. As both town centres undergo significant growth, the government has acted to meet the demand for better inter-centre travel. The new black rapid bus route travels between Gungahlin and Belconnen every 15 minutes or better Monday to Friday. As well as providing quicker travel times, riders are also benefiting from two months free travel.

We have also continued to deliver on our commitment to build better health facilities in the region. The construction of the new UC public hospital has progressed significantly during this year, with around 300 workers on site every day. The \$212 million hospital will provide world-class health care, with the first dedicated subacute and mental health rehabilitation services in the ACT. In this year's budget we committed \$16 million to operationalise the hospital in preparation for its opening in 2018.

In its first year the government has also shown its support for the creative arts in Ginninderra. We are conscious of the importance of art in promoting a creative and happy community and have made significant commitments to fund art spaces around the electorate. The Link at Ginninderry was officially opened in April this year and has created in itself new opportunities for the arts in west Belconnen. The Link is a new, architecturally designed space alongside the Strathnairn Arts Facility where artists can make and exhibit their work.

We also acted on our commitment to fund stage 2 of the Belconnen Arts Centre. \$15 million in this year's budget is funding a multi-use town hall and performance space, improvements to workshop spaces, new dance studios and an expanded exhibition space in the Arts Centre. The Belconnen Arts Centre is an arts hub in my electorate, akin to a town hall, and this development comes off the back of an active campaign by many people, including the volunteers, the staff and the board at the Belconnen Arts Centre as well as the broader community who campaigned in a huge community backing. I am watching stage 2 of the development unfold with great anticipation.

My electorate has also benefitted over the past year with upgrades to recreation facilities and, like Ms Cody, as a dog owner I know firsthand the importance of dog parks as a resource for dog owners, especially in high-density areas such as the Belconnen town centre. The parks not only give our canine friends a chance to stretch their legs, they also give owners an opportunity to relax and meet others in the community.

The Belconnen dog park got an upgrade this year with two water stations, plenty of new shade trees and resurfacing of bare ground areas as well as a new seat in the smaller dog park which I of course have been making use of. The improvements beautified the dog park and made it a more comfortable place to pass the time while our dogs run around.

The government's efforts in Ginninderra have extended to other initiatives too. We have started planning for the expansion of Bindubi Street and planning upgrades to William Hovell Drive. Local community organisations have also been supported, with the Ginninderra Catchment Group sharing in \$125,000 worth of grants to enhance their frogwatch data portal. The government has also made planning changes to promote economic growth in the region.

A Territory Plan variation to provide greater flexibility for UC in the development of its campus was approved this year. This forward-looking move will enable billions of dollars of investment in the area, delivering jobs and development for Belconnen.

As you can no doubt tell, Mr Assistant Speaker, a significant amount of change is underway in Belconnen, particularly in the town centre. With this in mind, I have put out the call for a Belconnen showcase, an opportunity for local business, development, government and other interested parties to meet and discuss the future of the town centre. The showcase has the potential to provide a full picture of what is happening in the town centre, to encourage all members of the community to ask questions and get up to speed about the changes underway and to reinforce and reinvigorate activity in the town centre. I look forward to continuing to work with government to bring the showcase to fruition.

I am extremely proud of what this government has achieved in only the first year of our term. I have reeled off a long list of projects today, and I know I am barely scratching the surface. Every electorate in Canberra has similar stories to tell, as we have heard, not to mention the major projects such as light rail and the West Basin development which will improve the city for everyone's enjoyment.

All I can say, to finish, Mr Assistant Speaker, is that if this is what we can do in just one year, I look forward to the next three years with very high expectations and a great willingness, like you and other members of this place, to continue delivering for our community.

**MS CODY** (Murrumbidgee) (3.53), in reply: I would like to echo the words of all my colleagues and Ms Le Couteur here today on the wonderful things and the positive achievements this government has been able to deliver in the first year of government. It is a shame that the only speaker from those opposite spent most of his time talking about negative things and all the terrible stuff that they have never, ever shown support for.

I note Mr Coe raised education and funding for teachers. I know that this government spends a lot of time ensuring that teachers are well protected in their workplace and are given the support and the encouragement they need to provide people like me, as a product of the ACT public education system, the chance to be whatever they would like to be. I am very proud to stand here today in support of all the initiatives that this government has delivered, not only in this term but in previous terms, to support our educational officers, teachers, support staff and all those working in our schools.

I would also like to talk about not only what we have achieved—everyone else has certainly raised a lot of the great, wonderful things we have achieved in our first year—but also things we are working on and working towards.

The public health system in the ACT is a fabulous health system. Unfortunately, recently I had to spend a fair bit of time at Canberra Hospital helping friends and family out. Whilst there you note the wonderful commitment that this government has provided to developing and building on the infrastructure, the processes and the procedures and all the staffing that goes into running the Canberra Hospital, and the wonderful opportunities people in the ACT have to access such a great hospital. The commitment to a nurse-led walk-in centre in Weston Creek is a wonderful commitment by the government and I am looking forward to the continued work to deliver that.

I note that Mr Steel raised the redevelopment of Phillip Oval. Although it is only about halfway completed, it is going to make such a difference for the Woden area. I know that my local AFL team, and his local AFL team, the Woden Blues are looking forward to getting back out there next season and running on the wonderful ground when it is completed.

In closing today I would like to thank the people of Canberra, particularly the people in my electorate of Murrumbidgee, for the opportunity to be here in this place and being able to deliver on all the good achievements of this ACT Barr government and I look forward to the coming three-plus years in which we remain in government to continue to deliver on these wonderful projects and improve and make the Canberra we love even better.

Question resolved in the affirmative.

## Juvenile justice—data collection

**MRS KIKKERT** (Ginninderra) (3.57), by leave: On behalf of Mr Coe, I move:

That this Assembly:

(1) notes that:

- (a) currently the ACT Government does not collate data of juvenile offenders who have gone on to be incarcerated in the Alexander Maconochie Centre (AMC);
- (b) recidivism is one key indicator of the effectiveness of juvenile justice interventions;
- (c) the Government's *Blueprint for Youth Justice in the ACT 2012–22* lists amongst its goals that “youth ... re-offending is reduced” and includes the following indicator for successful reintegration into the community: “number and rate of young people who re-offend, *both as young and adult offenders*”;

- (d) as noted by the Australian Government's Australian Institute of Criminology (AIC), large numbers of juvenile offenders progress to the adult corrections system;
  - (e) tracking recidivism only within the youth justice system as opposed to across both jurisdictions therefore fails to create an accurate and complete picture;
  - (f) consequently the AIC report *Measuring juvenile recidivism in Australia* states that "measuring juvenile recidivism requires access to data on offenders in both the juvenile and adult justice systems" and that "tracking juveniles into the adult criminal justice system is crucial to enabling jurisdictions to produce accurate and meaningful measures of recidivism" and to reduce this recidivism; and
  - (g) yet according to a question on notice from 4 August 2017, the ACT Government is unable to provide reliable data on the number of sentenced young people in the ACT who go on to serve a custodial sentence at the AMC; and
- (2) calls on the ACT Government to:
- (a) recognise the important contribution to accurate and meaningful data collection provided by tracking the progression of juvenile offenders into adult corrections within the Territory;
  - (b) establish policies and mechanisms that will allow for the robust collection and sharing of this data (including the usual indicators of male/female, Indigenous/non-Indigenous, and other relevant indicators); and
  - (c) commence implementation of this data collection by the beginning of the 2018-19 reporting year.

I am pleased to move this motion today and to address this very important topic relating to young people in this territory. In the past, children who broke laws were treated no differently from adults, with even very young children imprisoned and punished alongside grown-up offenders. Those were definitely not the good old days. Thankfully it is now widely acknowledged both in Australia and internationally that juveniles should be subject to a system that is separate to the adult system, one that recognises their inexperience and their immaturity.

Having a distinct justice system for young people is based in large part upon what we know separates juvenile offenders from adult offenders. As all of the parents in this space will no doubt attest, kids are not just smaller versions of grown-ups. As the government's *Blueprint for Youth Justice* makes clear:

Children and young people are biologically different from adults. This is particularly true for the brain and how it functions.

Growing children have not yet developed full competence in decision-making, and they tend to consider risk from social and emotional perspectives, being heavily influenced by their peers.

The central purpose of a juvenile justice system therefore is to help young people grow out of crime, as they continue to develop cognitively and socially, hopefully adopting law abiding lifestyles as adults. To give them the best chance at this, jurisdictions around the world do things like prohibit the naming of young offenders or the recording of their convictions. The goal is to avoid stigmatising them as criminals, which could entrench them in the criminal justice system.

Because they are young and lack maturity in judgement, we seek to make it easy for them to put any offending well and truly in their past and move forward into responsible law-abiding adulthood. I strongly suspect that a number of us in this chamber today have personally benefited from this wise approach to youthful indiscretion.

As Kelly Richards, a research analyst with the Commonwealth government's Australian Institute of Criminology, or AIC, has observed, because young people are "neither fully developed nor entrenched within the criminal justice system" interventions can have an enormous impact on them. This is good when the interventions are effective but—to quote Richards again—"conversely, the potential exists for a great deal of harm to be done to juveniles if ineffective or unsuitable interventions are applied to juvenile justice authorities".

It therefore becomes extremely important to be able to assess the suitability of what happens in our youth justice system. To quote from the government's *Blueprint for Youth Justice*:

Programs, initiatives and services are grounded in evidence and are regularly evaluated to ensure effectiveness and efficiency.

Though it is not the only way to measure this, recidivism is widely acknowledged to be one of the key indicators of the effectiveness of juvenile justice interventions. This is a point that has likewise been endorsed by the *Blueprint for Youth Justice*, which has as one of its stated goals that the number and rate of young people who reoffend will be reduced.

The way we track how many young people reoffend, however, is also important. As noted by the AIC, all the studies into youth recidivism in various Australian jurisdictions have exclusively looked at incidences where youth have reoffended whilst still classified as young people. The results of this research has suggested that the probability of reconviction was small: approximately 30 per cent. The same report notes that this information has strongly influenced juvenile justice policy. It also shows up in a 2002 report prepared by the AIC for the ACT government.

More recent research, however, has taken a much broader view and tracked repeat offending not just within the youth justice system but also well into adulthood. The results of one study carried out in New South Wales have "challenged the long-held belief that most juveniles do not reappear in court after their first criminal conviction". In fact, it found that 68 per cent of those appearing in the children's court reappeared in a criminal court within eight years, either as youth or as adults.

Another study carried out in Queensland found that most young offenders there re-entered the criminal justice system during their adult years. Seventy-nine per cent of the offender cohort progressed to the adult corrections system and served either a community corrections order or custodial order, with nearly half of the cohort serving at least one prison term.

Based on statistics such as these, the AIC now acknowledges that “measuring juvenile recidivism requires access to data on offenders in both the juvenile and adult justice systems”. Failure to include both sources results in incomplete and therefore inaccurate data. In fact, the AIC has stated that “tracking juveniles into the adult criminal justice system is crucial to enabling jurisdictions to produce accurate and meaningful measures of recidivism”.

For these reasons, I encourage this Assembly to call upon the government to begin tracking the progression of juvenile offenders into adult corrections within the territory. The Minister for Disability, Children and Youth has confirmed, in answer to a question that I raised, that the government is currently unable to provide this data, with the information that is available being unreliable as a result of being self-identified and unverified.

I understand the government’s position that reporting on the movement of young people into interstate adult correction system is currently unviable. Doing so within the territory should certainly be doable, however. We are a small jurisdiction, with only one youth detention centre and only one adult prison. The two directorates that oversee both youth justice and adult corrections should face minimal trouble in tracking movement from one to the other over time.

I understand that, because people are transient and move interstate, this data will still not be perfectly complete. But, as the AIC has indicated, it will certainly provide us a clearer assessment of the effectiveness of the territory’s current juvenile justice interventions.

It also has the added benefit of providing a more accurate picture of how those interventions are working for different subgroups amongst youth offenders. For example, the Queensland study already mentioned above found that three risk factors—being Indigenous, being male, and being in the care and protection system—greatly contributed to the likelihood that a young person in the youth justice system would eventually progress to adult corrections, with the probability of entering the adult system closely approaching 100 per cent for those subject to multiple risk factors.

I sincerely hope that we are doing a much better job than that here in the ACT with our interventions. But the only way to know is to collect and then analyse the data. Young people are valuable. I honestly hope that every member of this Assembly agrees with that statement. I believe in second chances. I believe in the reality of rehabilitation. I believe that young people who have got themselves into trouble deserve our best efforts to go forward, put those troubles behind them and rise to great heights.

This is an aspiration that has already been enshrined in the *Blueprint for Youth Justice*. One of the goals in that guiding document is that children and young people will be “given every possible chance to be successfully integrated into the community upon leaving detention”. And how are we to measure this? According to the blueprint, it will be by measuring “the number and rate of young people who reoffend, both as young and adult offenders”.

In the ACT we do not know the number or rate of young people who reoffend as adults. This means that we cannot accurately determine if we are reaching this lofty goal or not. We must start collating this data and make it available so that we can know. I commend this motion to the Assembly.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.10): I move:

Omit paragraph (2), substitute:

“(2) further notes that:

- (a) the AIC report referenced at (1)(f) details the challenges in establishing a comprehensive recidivism indicator for youth justice that reflects outcomes beyond the youth justice system;
- (b) the sharing of identifiable information about young detainees and former detainees for the purposes of data matching is not allowable by law;
- (c) the sharing by the Justice and Community Services Directorate of identifiable information about adult offenders for data matching is also not allowable by law;
- (d) people who served youth justice sentences in the ACT may reoffend as adults interstate, and sharing information across jurisdictions raises additional governance and infrastructure challenges;
- (e) the importance of the appropriate sharing of information has been raised by the Moss Review, with work already underway by government;
- (f) ACT Corrective Services is implementing a new data system (CORIS) which could potentially capture relevant youth justice data, with appropriate privacy considerations; and
- (g) the ACT Government recently established a Youth Justice Taskforce to take stock of the considerable success achieved over the first five years of the *Blueprint for Youth Justice 2012-22*, and provide advice on next steps to continue to improve outcomes for young people in the ACT youth justice system; and

(3) calls upon the ACT Government to:

- (a) continue the work already underway in regard to the sharing of de-identified data to develop a better understanding of the number of young people exiting Bimberi who are subsequently incarcerated in the Alexander Maconochie Centre;
- (b) explore the privacy, human rights, legislative and other implications of sharing data of young people and adult detainees for this purpose;
- (c) ensure that the Youth Justice Taskforce considers this issue as part of its work; and
- (d) ensure that the existing processes designed to enhance information sharing across the justice system are well coordinated.”.

In moving the amendment I thank Mr Coe and, of course, Mrs Kikkert for bringing this motion forward. I could not agree more than we should be aiming to reduce recidivism among young offenders. Of course, we should also be aiming to intervene early to prevent young people from becoming engaged with the youth justice system in the first place, something our award-winning 10-year blueprint for youth justice in the ACT has been remarkably successful in delivering over its first five years. I will speak more about this shortly.

It is clearly important that we monitor the effectiveness of youth justice services and the outcomes these services achieve for young people. In an ideal world we would have a picture of the outcomes for all young people who have been engaged in youth justice that provides meaningful information to inform improvements to the system into the future. This is a far more complex aspiration than the collection of recidivism data for young people who have experienced a sentence in detention at Bimberi Youth Justice Centre who go on to serve a sentence at the Alexander Maconochie Centre, or AMC. Nevertheless, measuring and reducing recidivism is important. That is why recidivism rates have been a strategic indicator for youth justice in the ACT for many years.

Results in this year’s Community Services Directorate annual report demonstrate low levels of recidivism for both young people who have served a custodial sentence and those who have been subject to community based orders. The 2016-17 recidivism rate for sentenced young people in custody within the youth justice system was 16.7 per cent, with recidivism for young people on community based orders being 15.8 per cent results. Both results are showing a downward trend over time and have significantly outperformed the 2016-17 targets.

This is a positive result and reflects the youth justice system’s focus on active case management, targeted intervention and prevention programs. While we should acknowledge and celebrate the success we have achieved to date, we should also, of course, always seek opportunities to improve, which is exactly what we are doing. As members are aware, the blueprint for youth justice was implemented in 2012 to guide the strategic direction for youth justice. This whole-of-government, whole-of-community plan has allowed the ACT government to monitor the

effectiveness of the ACT youth justice system. The progress of the blueprint's implementation has been reported to the Assembly regularly since it commenced.

This government is committed to reducing the number of young people involved with the youth justice system, and it has been successful in meeting this aim since the introduction of the blueprint. The blueprint has a focus on early intervention, prevention and diversion, with custody as a measure of last resort. The success of the blueprint in preventing young people from offending and entering the youth justice system is demonstrated by the decrease in offence rates over time and the decrease in the number of young people who experience a period of detention. For example, since 2011-12, there has been a greater than 30 per cent decrease in the number of young people detained in Bimberi. There has also been a greater than 30 per cent decrease in young people on community based supervision orders.

I am pleased to note that these decreases in overall supervision rates have been matched by similar decreases in supervision rates for Aboriginal and Torres Strait Islander young people. Since 2011-12 the ACT has also experienced a steady and sustained decline in the number of young people being apprehended by ACT Policing. That means the blueprint, with its early intervention approach, has resulted in a safer community for all Canberrans.

As members would be aware, we have reached the halfway point for the blueprint, and earlier this year I directed the Community Services Directorate to establish a new task force to take stock of how far we have come and to set directions for the second five years of the strategy. I have asked the task force to focus particularly on three areas: the continued over-representation of Aboriginal and Torres Strait Islander young people in the youth justice system; the experience of young people with disabilities; and how we can better support young people in their transition from detention back into the community.

The blueprint task force will meet for the third time this Friday and has already identified some key focus areas for the second five years of the strategy. Over the coming months the task force will lead a series of think tanks to work with the community on these issues. One area of focus is through-care for the youth justice system, that is, how we support young people who are incarcerated to prepare for release and support them post release from Bimberi.

The Public Advocate and the Children and Young People Commissioner, Ms Jodie Griffiths-Cook, facilitated a through-care and youth justice roundtable discussion on 10 October, and input from this roundtable will inform the task force in its work. I am pleased we have such strong engagement from community partners across the system in undertaking this important work.

The youth justice system is one we actually know quite a lot about. Recidivism rates currently measure the return of young people to the youth justice system after receiving a final court order and are an indicator of outcomes for young people, in particular, where the interventions have been successful in assisting young people to exit the youth justice system. Recidivism rates are, however, just one measure of rehabilitation.

Research highlights a decrease in seriousness and delay in onset of offending as other critical measures for determining effectiveness of justice systems. Working with young people who have received a custodial sentence to reduce their offending behaviours requires considerable effort. Young people receive custodial sentences only as a measure of last resort. It is important to note that once a young person has received a custodial sentence, they frequently have entrenched behavioural difficulties and limited supports in the community. Supporting young people in their efforts to rehabilitate, to change the behaviours that led to offending and to put them on a more positive pathway is an objective we all share, but it is amongst the hardest jobs in government. Once again, I commend the commitment of the youth workers, teachers and other staff who work with young people in Bimberi.

We know the quality of programs and services provided to young people in Bimberi can maximise the chance of disrupting the trajectory of lifelong offending. I am pleased to be able to report that Bimberi has some of the most comprehensive and established services provided by government and also by our community partners. I remind the Assembly of the services and supports available to young people in Bimberi, including: the extensive work of staff from the Murrumbidgee Education and Training Centre, including a school transition officer; specialist health and mental health staff from ACT Health; Aboriginal and Torres Strait Islander staff from Gugan Gulwan and Winnunga Nimmityjah; the Canberra Raiders and staff from PCYC; drug and alcohol specialists from Ted Noffs Foundation and ACT Health drug and alcohol service; Relationships Australia, Aboriginal and Torres Strait Islander counselling; Australian of the Year finalist Alan Tongue, who delivers a variety of programs; and the shine for kids program.

To directly address the motion and my amendment, as I have indicated, there is already an extensive and robust collection of data on youth justice matters. This data has been reported regularly in the Legislative Assembly through the blueprint progress report. Data is also reported nationally by the Australian Institute of Health and Welfare and in the annual report on government services. The motion goes to the collection of data for young people who later receive a sentence of detention as an adult in the AMC.

I am happy to stand today and agree in principle with this motion that data about adult offending outcomes for young people on release from Bimberi would add to the data that is already collected and reported about young people exiting youth justice. However, my amendment notes that many young people who have been in Bimberi, as Mrs Kikkert acknowledged, move to other jurisdictions, and it needs to be understood that any sampling from the sentencing of former ACT-sentenced youth detainees to AMC would not be a complete picture.

It is also important to understand that such a data collection engages with the privacy requirements in a very direct way. The need to understand the outcomes of the system must be balanced with the privacy of the young person, particularly those young people who go on to be law-abiding citizens. As Mrs Kikkert noted, these young people have served their sentences and have the right to privacy. Their personal information should not be provided to others unnecessarily.

That is why the sharing of identifiable information about young detainees for the purpose of data matching is not allowable by law. As my amendment notes, the Justice and Community Safety Directorate is also not able to share information with the Community Services Directorate about adult offenders for this purpose. In this context, it is important to note that the AMC can seek youth justice information about individual prisoners from the Community Services Directorate which can be important in supporting individual detainees.

The ACT government recognises the importance of monitoring data over time and agrees that understanding the trajectories of young people exiting Bimberi Youth Justice Centre is useful. In fact, it is imperative. That is why the Community Services Directorate is working with the Justice and Community Safety Directorate to establish a process to share de-identified information that will provide data on the numbers of young people exiting Bimberi who go on to be sentenced in the AMC.

Data linkage work of this nature is technical and resource intensive and, therefore, may take some time. We need to ensure that appropriate privacy protections are in place for young people, including the inability to re-identify information. Appropriate data linkage policies and governance arrangements also need to be established to achieve a secure and reliable data source.

As I have just mentioned, some young people who leave Bimberi move interstate and they may receive custodial sentences in other jurisdictions. Sharing this information across jurisdictions will require significant governance and infrastructure, agreement between jurisdictions, and a technical solution to physically match data across multiple client management systems. The scale of this level of information sharing could only occur through the appropriate COAG body's leadership.

I support the matching of de-identified data for the purpose of monitoring youth to adult recidivism. Matching ACT data from Bimberi to AMC would be the logical place to start and is, indeed, where agencies are already starting. My amendments, therefore, propose that the preliminary work undertaken in this area be reported through the blueprint task force. In undertaking this work, it is critical that the privacy, human rights and legislative implications for any proposals for information sharing are appropriately explored in order to provide a practical way forward.

In closing, I note again the complexity of the youth justice system as a whole and the critical importance of continuing our nation-leading work on prevention and early intervention so that we continue to see very low numbers of young Canberrans being sentenced to Bimberi in the first place. Finally, I acknowledge that those very low numbers add an additional complication to these data issues.

**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) (4.22): I welcome the fact that Mrs Kikkert has brought this motion forward today. It provides an opportunity to discuss a number of areas of relevant policy in this space: data sharing, recidivism and information sharing generally, which I think are all interesting topics. I certainly agree that it makes

perfect sense at a principle level to collect the data that enables the tracking of young detainees in the juvenile justice system to assess whether they end up in the adult criminal justice system and in the AMC.

I think, at first blush, it does seem very logical, particularly as the reduction of youth reoffending is a goal in the youth justice blueprint. When we look deeper, it is important to realise that there are a number of issues that need to be considered first before this can just occur. Not least of these, of course, is a young person's right to privacy. I know Mrs Kikkert referred to that in her remarks. She referred to not wanting to have people stigmatised down the line because we want young people who have been involved in the juvenile justice system to be given a second chance, one that is not marred by a criminal record.

As members are aware, individual privacy protections exist in a number of ways in the ACT, including in the Human Rights Act 2004, the commonwealth Privacy Act 1998 and the ACT Information Privacy Act 2014. That creates quite a legislative framework of privacy considerations that need to be dealt with. I will come back to that in a little while.

Through the parliamentary agreement this government has committed to reducing recidivism by 25 per cent by 2025. That is a very ambitious goal. Some people have expressed some trepidation at setting a goal like that. But I think it is important that we set a goal like that because it helps us shape policy. It helps us shape prioritisation and it means that we are striving for something quite bold. But if we get it right, it will have a very significant impact on the lives of people who have got their lives a little off track or been led astray along the way. If we can break that cycle of repeat offending we can make a real impact on people's lives.

To best achieve the target, the recidivism plan will be a shared responsibility across both youth and adult justice systems but not just the justice systems. It actually is relevant particularly to the Community Services Directorate, the education directorate, the Health Directorate, through mental health in particular. There is a whole series of places across government where we need to work to make a positive impact on people's lives and help them overcome some of the factors that play out in later involvement with the criminal justice system.

This will require a really good understanding of what works, supported by planning, innovation, efficiency and community engagement. Critical to this piece of work is the establishment of an agreed definition of what constitutes recidivism against which a reduction can be measured. A recidivism plan will acknowledge the current measures of recidivism in the ACT as reported in the *Report on government services*.

This is a particular way of measuring it. The *Report on government services* measures one part of the justice system: whether a person has received a conviction in a court and whether they have received a second conviction within two years. That is the ROGS measure of recidivism. But I think there are other measures that we could contemplate as well. Certainly, the complexity of criminal justice invites us to think about some of those other things.

It is something we thought about really carefully through measuring the impact of the extended through-care program where we have examples of people who, in their adult lives, have never spent more than four or five weeks out of custody. Through support from the extended through-care program they have been able to spend six months out of custody before reoffending. They have reoffended, but I think you can see that that is a positive intervention in somebody's life and, hopefully, the beginning of further, more extended periods out of custody. I think there is both some careful thinking and some interesting debate about what measures we take of how we reduce recidivism.

There is a range of other measures that can be employed to measure recidivism, such as police discretion when dealing with offenders, using diversion options like restorative justice and court responses that may prove an offence but not record a conviction. All of these are valid considerations in this discussion.

Another critical component of a recidivism plan, if we are going to achieve a 25 per cent reduction in recidivism, will be to establish a coordinated and accountable response across operational areas of the justice system, from program design to delivery and information-sharing, which includes data linkage opportunities and evaluation.

Developing what it is going to take to meet recidivism targets, as I have outlined, is a complex piece of work because there is no single solution. No single piece of work is going to change that figure by itself in the period we are looking at. As I said earlier, it will require the combined efforts of a range of government agencies, but also a range of community partners and participation from those who have been involved in custody.

Of course, we have a range of things happening already. Ms Stephen-Smith has spoken about the youth justice task force in her comments. I would like to note the importance of communication between the task force and the Moss review steering committee, which is looking at some of these issues, because there are a number of conclusions in the Moss review that are relevant to this discussion today.

Recommendation 9 of the Moss review consolidated the conclusions mentioned through the report. One of these conclusions was that the AMC management could have access to all relevant information. Another conclusion of the Moss review is that justice youth information should be available to the AMC when it is assessing the accommodation placement for new detainees.

Additionally, the Glanfield inquiry recommended there be more information sharing and collaboration. Whilst the recommendations were made in the context of family violence and safety of individuals within that context, there is possibly scope for relevant information about juvenile detention history to be shared if it enhances the welfare and wellbeing of the young person or to manage risk to safety.

ACT Corrective Services is working with child and youth protection services on establishing a framework for information sharing. This will allow AMC staff to have access to relevant information regarding a detainee's prior history in the ACT youth

justice system. Relevant information might include whether the detainee has been in custody at Bimberi and whether they had separation issues affecting their ability to mix with other detainees.

Of course, the ACT government takes privacy very seriously. As I have said before, this is why work is being undertaken in conjunction with the Government Solicitor's Office and the Office of the Australian Information Privacy Commissioner. I think this is a really tricky area of policy for government. It is something that I have identified in a number of portfolios that I have responsibility for. How do we deal with the tensions of information privacy and the various acts that cover it compared to the opportunities that arise from sharing that information? I think that goes to the heart of Mrs Kikkert's motion today. That tension is there.

I feel that in some areas sometimes the legislation and sometimes just the practice mean that we do not share information as much as we should. I think that is a significant policy discussion. I think it is hard to have it just in a removed way. In some cases it does come down to individual matters. But I think there is scope to improve information sharing for the benefit of those whose information is held. This is something I am contemplating in the mental health portfolio. It is certainly something that is relevant in the corrections space and I think is relevant in the education area. It is an important conversation to be had.

The other area to talk about is data collection. ACT Corrective Services is implementing our new Corrective Services information management solution known as CORIS. It is anticipated that this will be operational by the end of 2018. This system, with enhanced protocols, will improve data capture and reporting. This is something that I am also very keen on because at the moment I know it is a source of frustration for members of the opposition when they seek information. I can assure you that it is a source of frustration for me as the minister and for our Corrective Services staff that much of the data and information about detainees, about incidents in the jail, patterns and various other things that we might want to report actually needs to be extracted manually.

This is an enormously time-consuming process and one that with a better data management system I think will enable us to make better-informed decisions and potentially identify issues that are not clear at the moment because of the manual recording of data. I think that is something that will assist with this process and consistent with the intent of the motion today.

Ultimately, of course, our aim should be to keep young people who have been involved with the juvenile justice system out of our criminal justice system. That is why the government has a focus on justice reinvestment programs and restorative justice options. That is why we are establishing a drug and alcohol court, for example, and associated support programs as part of that goal to reduce recidivism by 25 per cent by 2025.

I think this notion of justice reinvestment to spend money up-front to avoid people coming into the various justice systems is such an important principle. There are times when you look at potentially spending more on more police and similar things. But

there are times when we need to try to take that longer-term decision to make an investment now that we know will pay off in a couple of years. We know that it will pay us back in spades but there are sometimes political and cultural challenges in actually seeking to defer what might be the immediate response and take a long-term look at things.

I would like to conclude by simply saying that I welcome the opportunity to discuss these matters today. I think they are fascinating but also really important areas to be concentrating on. I think the motion has elicited a good discussion today. Ms Stephen-Smith, the minister with responsibility for youth justice, has moved an amendment. The Greens will be supporting that. I think it outlines some of the work that is already underway. It picks up those constraints that exist on government when it comes to issues of privacy and information sharing. I am very committed to working with the minister, with our staff and with the various agencies to continue to improve both these areas of data collection and information sharing.

**MR WALL** (Brindabella) (4.34): I begin by thanking Mrs Kikkert for bringing this motion before the Assembly today. I also acknowledge the work in the corrections space that my colleague Mrs Jones is doing. Unfortunately Mrs Jones had a family commitment this afternoon and has asked me to raise a number of comments relating to this issue.

It is well documented that the ACT government has been struggling with the management of the Alexander Maconochie Centre, our main corrections facility. There have been significant problems ranging from deaths to escapes and the lack of accommodation consistently plaguing the ACT. Now there is something else to add to this list. It is that we are not properly tracking youth who enter our adult corrections system.

Recidivism is one of the key indicators of the effectiveness of our justice system. Yet the ACT government does not collect adequate data on the number of sentenced young people in the ACT who go on to serve custodial sentences as adults in the Alexander Maconochie Centre. This is something the government should absolutely be doing. How can we measure the impact the government is having on rehabilitation with our youth who have a history of crime if the government does not collect verified data on whether or not they end up incarcerated as an adult?

Relying on new inmates at the AMC to self-report with no verification process is simply not enough. We want to know whether the interventions that we provide are having any impact. The ACT government should begin to track the progression of juvenile offenders into adult corrections within the territory as soon as possible. We acknowledge and appreciate that there may be some difficulties in reporting on the movement of young people into interstate corrections systems. Presently that data collection is unavailable because of difficulties in dealing with several states and their separately run corrections systems.

Perhaps this is an issue that could or should be raised at the COAG level to help track and monitor the impact of our corrections and the effectiveness of our corrections systems across the county. However, achieving this sort of reporting in the

ACT should not be difficult. We are a small jurisdiction with one juvenile facility and one adult facility. There are two directorates that oversee the operation of them. They should, in theory, face minimal trouble in tracking movements and graduation from the juvenile system to the adult system. Possibly a simpler alternative would be tasking the court system to do this. Therefore, you are dealing with only one point of contact.

Again, I would like to applaud Mrs Kikkert for raising this matter. It is something that the ACT government should be doing. It should be measuring and tracking the effectiveness of the corrections system both at the juvenile level and also at an adult level. Rehabilitation of our youth is too important. I again congratulate Mrs Kikkert on bringing this motion to the Assembly.

**MRS KIKKERT** (Ginninderra) (4.37): I wish to take a few moments to address Minister Stephen-Smith's proposed amendments to this motion. First, the minister wishes this Assembly to acknowledge the challenges in establishing a comprehensive recidivism indicator for youth justice that reflects outcomes for the youth justice system. Yes, there will be challenges, but I refuse to believe that tracking the progression of juvenile offenders into adult corrections within the territory is somehow too hard for this government.

I point out to those opposite that it does not make them appear very capable or competent to imply that the government of a jurisdiction small enough and compact enough that it has a single youth detention centre and a single adult prison which, according to Google maps, are only 24 kilometres apart by car, cannot get its Child and Youth Protection Services and its Corrective Services to somehow align their data collection tools.

The ACT Labor/Greens government loves to talk about leading out in so many areas of policy but this one is too challenging for them. I certainly hope not. If any jurisdiction in Australia is capable of collecting and sharing this data in appropriate ways it should be the ACT. As Leo Nickels from Canberra's Aboriginal Legal Service has said on this issue, "You have got to have stats for that—they are both parts of the ACT government. There should be some sharing of information."

Second I acknowledge that there are legal concerns about the sharing of identifiable information. As I mentioned in my previous speech there are very good reasons for this and I support those reasons. It is important to note, however, that this motion as originally drafted included no expectation that anyone's privacy should be violated.

We already collect and report all kinds of data that is strict on identifying information, including data on recidivism within the youth justice system. If the government cannot collect and report this information without violating any laws, I expect them to get off their lazy behinds and develop a legal mechanism for collecting and reporting data across both the youth justice system and adult corrections.

**Mr Rattenbury**: Just explain to me how you track someone individually if you strip the data—

**MADAM DEPUTY SPEAKER:** Order! You have had a chance to speak and, if you wanted to have leave, you would be able to speak again. But do not hector across the chamber. Mrs Kikkert has the floor.

**Mr Rattenbury:** She is shouting at us, Madam Deputy Speaker; come on.

**MADAM DEPUTY SPEAKER:** I do not think that there is a standing order about the tone or the volume at which a member presents a speech.

**Mr Rattenbury:** You are right about that.

**MADAM DEPUTY SPEAKER:** Right. Mrs Kikkert has the floor.

**MRS KIKKERT:** Thank you, Madam Deputy Speaker. Sometimes the truth hurts; I completely understand that. If the new data system, CORIS, is able to do this, it is crucial that the government ensure that it is enabled to do so.

I note that the minister has rated the territory's youth recidivism rates, but I remind this Assembly that, according to the latest research, only tracking those who return to the youth justice system is missing half of the data.

Lastly, I have to express my disappointment that instead of a clear commitment to a plan of action, we have been given what has become the usual for this government whenever any opportunity to really move forward arises. It promised to explore and to talk, talk and explore, with no sense of urgency or willingness to commit to a specific time frame. What a shame. What a missed opportunity. If these amendments pass, please know that I will be holding the government to account to follow through and actually do something on this matter.

I wish to express my appreciation to Andrew Wall and Giulia Jones for their support in this important motion. I am disappointed that we are not clearly committing to an outcome that would have been good for the territory's children and young people and good for their families and those who worry about them.

Tracking the progression of juvenile offenders into adult corrections within the territory just makes sense. It appears as one of the indicators in the government's blueprint for youth justice that will allow us to assess whether children and young people are given every possible chance to be successfully reintegrated into the community upon leaving detention. And it appears repeatedly as a recommendation in the latest research regarding how best to measure youth recidivism, which in turn allows us to assess the effectiveness of the interventions in our youth justice system.

As research makes clear, kids get into trouble much more frequently than adults, but thankfully the trouble they get into is often far less serious. Truly effective interventions assist many youth in putting a past of offending behind them. This is an investment worth making. We should never be satisfied that kids in our territory who make a mistake have just started a journey into adult corrections.

I hope that is not what is happening now. But there is only one way to know. Tracking this data may provide us the assurance that we are getting many things right, but it would almost certainly highlight areas we could improve in. For the sake of our children and young people, I expect this government to pursue the necessary policies and mechanisms to allow for the collection of this information and then make the necessary improvements.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 11		Noes 8	
Ms Berry	Ms Orr	Mr Coe	Mr Parton
Ms Burch	Mr Ramsay	Mrs Dunne	Mr Wall
Ms Cheyne	Mr Rattenbury	Mr Hanson	
Ms Cody	Mr Steel	Mrs Kikkert	
Mr Gentleman	Ms Stephen-Smith	Ms Lawder	
Ms Le Couteur		Ms Lee	

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

## Leave of absence

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

That leave of absence be granted to Mr Doszpot from today's sitting until 30 November 2017, due to illness.

## Environment—tree canopy

**MS LE COUTEUR** (Murrumbidgee) (4.49): I move:

That this Assembly:

(1) notes that:

- (a) Canberra's urban areas include over 750 000 ACT Government-managed trees, which are highly valued by the Canberra community for the many benefits they bring;
- (b) trees ameliorate urban temperatures in summer and reduce the heat island effect—for example, the temperature difference between pavements in sun and shade can be over 12°C;

- (c) the importance of trees and other “living infrastructure” for managing the heat island effect is recognised in the ACT Climate Change Adaptation Strategy;
  - (d) in many suburbs, trees are an important part of the landscape and are one of the things that locals love about their neighbourhood; and
  - (e) international research has shown that urban trees have measurable economic value in addition to their environmental value—for example, trees increase property values and lower summer cooling costs;
- (2) further notes that:
- (a) many newer suburbs will never have the same canopy cover and experience the same benefits of trees as older suburbs because narrow streets do not have enough room for large canopy trees and new houses fill a very high proportion of the block, leaving inadequate private open space for large trees;
  - (b) many older suburbs are losing canopy cover through redevelopment, as both multi-unit developments and McMansions replace small existing dwellings, with the loss of almost all existing vegetation;
  - (c) many Australian cities, including the City of Sydney and the City of Melbourne, are improving the way they manage urban trees—for example, by setting canopy cover targets and improving asset management practices;
  - (d) in 2011, the Commissioner for Sustainability and the Environment reviewed the Government’s tree management practices, making extensive recommendations, many of which are still relevant; and
  - (e) the National Capital Authority’s Deakin/Forrest Residential Precinct Issues and Policy Paper has recommended an innovative new approach to planning for redevelopment, with inclusion of a canopy coverage target and mandating of a “planting area” not to be covered by buildings and driveways;
- (3) further notes that, as announced in the ACT Climate Change Adaptation Strategy, the ACT Government will deliver a Living Infrastructure Plan by the end of 2018, which will include targets for urban tree canopy cover; and
- (4) calls on the ACT Government to protect and increase Canberra’s tree canopy by:
- (a) within one year of this motion being passed:
    - (i) commencing joint reviews of the Territory Plan and Transport Canberra and City Services’ (TCCS) infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets;
    - (ii) commencing a review of the Tree Protection Act and the possible introduction of a Tree Curator, to support the delivery of the tree canopy cover targets; and

- (iii) reporting to the Assembly on commencement of these reviews and progress on developing the Living Infrastructure Plan;
- (b) within two years of this motion being passed:
- (i) commence delivery of actions to increase Canberra's tree canopy cover overall, focussing on suburbs where tree canopy cover is low;
  - (ii) completing the joint reviews of the Territory Plan and TCCS infrastructure design standards;
  - (iii) completing the review of the Tree Protection Act;
  - (iv) delivering a framework for assessment of tree canopy cover and condition, which allows monitoring of cover against the targets and improved management of the ACT Government's trees; and
  - (v) reporting to the Assembly on the delivery of these activities; and
- (c) within three years of this motion being passed:
- (i) completing implementation of the findings of the Territory Plan review;
  - (ii) completing implementation of the TCCS infrastructure design standards review; and
  - (iii) reporting to the Assembly on the delivery of these activities by the last sitting day in July 2020.

Canberra's urban areas have over 750,000 ACT government managed trees, and on top of this there are of course many hundreds of thousands of trees in people's front and back yards. These trees make a big difference to quality of life, and they are highly valued by the Canberra community for the many benefits they bring. Members will have noticed that spring has arrived—even if it went backwards for a little while—and temperatures have started to rise with it. Within the next few months or, I suspect, less than that, we may be in the heat of summer and instead of enjoying 25 degree days, we will be trying to stay cool on 35 degree days. How bearable the heat is and how much your cooling costs will depend substantially on the trees on your block, your neighbours' blocks and the street out the front of your house.

There is a well-known problem with living in cities called the urban heat island effect. Many of the built surfaces in cities—roads, roofs, footpaths and so on—trap heat during the day and gradually release it in the late afternoon and evening. They also reflect heat around, including into our homes. Summer peak temperatures in our cities can be many degrees higher than in nearby non-urban areas. This is a problem that will only get worse as climate change continues.

Trees, on the other hand, ameliorate urban temperatures in summer. The bigger and denser the canopy, the more they reduce the heat island effect. To quote from the ACT climate change adaptation strategy's section on the urban heat island effect:

In summer localised temperature differences can be over 12°C between pavements in sun or shade.

For someone walking around, 12 degrees makes a huge difference. And, of course, a 12-degree difference between a shaded roof and an unshaded roof makes a huge difference to comfort within a house.

Of course trees are not just loved for their cooling impact; in many suburbs trees are an important part about what people love about their local neighbourhoods. In older suburbs at this time of the year the exotic trees put out their new leaves and all of a sudden the local landscape is filled with the light green of fresh spring leaves. For many years I lived in Downer, and one of the joys of living there was the big old claret ashes in my street. One of the sad things has been the death in the past few years of many of these trees, partly through old age but, importantly, partly through drought.

In suburbs built more recently more native trees have been planted, which provide better benefits for our local wildlife. Native trees in streets and parks can provide a corridor for bird species to move from one nature reserve to another, which is important for our biodiversity. I know that quite a few people have planted native trees and shrubs in their gardens to attract birds and bees and other parts of our biodiversity. All of these benefits add up to measurable economic value. International research has shown that urban trees have a financial benefit in the order of tens of thousands of dollars through lower cooling bills and higher property values. Ideally, we would get precise local values for this, and I am sure they would be similarly large.

While many suburbs of Canberra have great tree canopies, some do not. For example, there are places where the street trees chosen have proved not to be successful and the street trees do not provide a good canopy cover. There are also many gaps in suburbs built from the 1990s onwards. During this time there has been a change in the approach of design for suburbs. Streets were narrowed with less room for trees. Block sizes were reduced, but at the same time the size of new houses got bigger.

The results of these changes has been that in some suburbs there is no room for large canopy trees in peoples' yards. There is also no room for large canopy trees in the street. People who live in these suburbs do not get the same benefits of trees as those in older leafy suburbs, and the biodiversity benefits I talked about do not occur either. However, tree canopies in older suburbs are also under threat.

Many older suburbs, like Curtin and Garran, are seeing rapid redevelopment. These suburbs traditionally had blocks from 700 square metres up to 1,400 square metres and smaller houses of between 100 and 200 square metres. This left room for many large canopy trees. Now both multi-unit developments and McMansions are replacing the small existing dwellings, with the garden space that remains being a strip around the outside of the building. This sees the loss of almost all existing vegetation and leaves very little new room for canopy tree plantings.

Finally, many of the ACT government's own trees are aging and coming to the end of their life. This creates a difficult management challenge for the government. A 60-year-old tree that is dying may pose a safety risk, but it still provides a wide canopy and local visual amenity as well as significant local biodiversity positives. Replacement trees will take a long time to get back to the size of the tree that was there. This has a big impact on local shade and amenity as well as amenity for the creatures we share our suburbs with, such as our magpies and our possums and our insects.

The government has recognised these challenges, and the ACT climate change adaptation strategy includes the following action to be delivered by the end of 2018:

Develop and implement a strategy to enhance living infrastructure in the Territory, including targets for urban tree canopy cover.

That is welcome. However, I believe we need more than a strategy. We need an action plan to deliver it. We need to make regulatory changes, internal changes to government systems and, importantly, we need to plant more trees.

I will step through in detail the actions I believe are necessary, and which are outlined under point (4) in my motion. Firstly, increasing our tree canopy cover requires the planting of more trees. Given that we have a situation where some suburbs have great canopy cover and others are sadly lacking, the focus of planting should be to increase the canopy cover in areas without good trees. Obviously this is likely to be a long-term process. We potentially need hundreds of thousands of extra trees, and their canopy will take decades to come to fruition. But this is exactly the kind of investment in the future that was made in the early days of Canberra, and there is no reason we cannot do it again.

Secondly, we need regulatory review to ensure that development leaves room for trees. Two sets of rules require attention. The Territory Plan covers what happens on leased blocks. Transport Canberra and City Services Directorate has infrastructure design standards that cover government areas, streets in particular. These need a joint, integrated review to make sure there is room for large canopy trees both in people's yards and on the street out the front. Planting more trees in Canberra will require action from both the government and from the people who live here and value the trees. They just need space for them.

The National Capital Authority has usefully provided a lead for us in the Territory Plan element of the review. Its Deakin-Forrest residential precinct issues and policy paper released earlier this year has recommended a new approach to planning for redevelopment. It proposed the inclusion of a precinct-wide tree canopy coverage target in the National Capital Plan mandating a planting area that is not covered by driveways and buildings. People can choose whether or not to plant trees in the planting area, but if there is not anywhere else you could plant trees you have no choice.

Thirdly, we need to improve the ACT government's asset management process for its trees. Many Australian cities, including Sydney and Melbourne, are working on this and the ACT government can learn from their work. Further, in 2011 the Commissioner for Sustainability and the Environment completed a review of the government's tree management practices, making extensive recommendations. Many of these are still relevant and should be looked at again. My motion mentions one directly, which is around the possible appointment of a tree curator for the ACT government's tree assets.

Fourthly, our Tree Protection Act is starting to get old. It commenced back in September 2005. My motion includes a review of this act to ensure that it is consistent with the targets. While there have been regular minor updates, the tree canopy targets are likely to require broader changes.

Finally, my motion includes a sequence of government reports back to the Assembly so that members and the community can track the government's progress in setting tree canopy targets and then undertaking the wide-ranging work required to implement them.

In conclusion, trees are highly valued by both the human community and the other species we share the ACT with. They have many benefits. Critically, they have an important role in ameliorating the urban heat island effect, which will only become more important as our climate warms. While many suburbs have good tree canopy cover, others do not, and there are others where existing tree canopy cover is being reduced by redevelopment. We need to take action to protect our existing trees and to increase our canopy cover where it is lacking.

The government's existing commitment to deliver a living infrastructure plan with canopy cover targets is a great first step, but wide-ranging work will need to be done to implement it. This motion sets out a clear action plan to ensure that targets are met and that our canopy cover increases as our climate warms. I urge all members to vote for the trees which are so highly valued by our community.

**MS LAWDER** (Brindabella) (5.01): I thank Ms Le Couteur for bringing this matter before the Assembly today. I think it is fair to say that everyone living in Canberra in 2017 is delighted and proud of the magnificent tree landscape that we have that is one of the features of our great city. Perhaps our beautiful trees have also contributed to *Lonely Planet's* selection of our city as the third best in travel for 2018, which has already been the subject of some discussion today.

Ms Le Couteur's motion notes that Canberra's urban areas include over 750,000 ACT government trees, and talks about the value we all place on our well-treed streets, the temperature controls they provide and the increases that may come to property values because of the trees that are included.

Our trees add a wonderful procession of seasonal changes in our city. They are spectacular and inspiring. Do not just take my word for it. All you have to do is follow that gorgeous seasonal progression of photos on Instagram: the new spring growth

that we see around at the moment, the deep shades of summer, the glorious colours of autumn and the stark beauty of our trees in winter. We all love our trees when they are appropriately selected and planted in the landscape.

But Ms Le Couteur's motion is not just about trees. It does have some motherhood platitudes about trees and how lovely they are, but this motion also points to bureaucracy and red tape, and I think it has Ms Le Couteur sitting on both sides of the solar panel and the tree target fence. Ms Le Couteur bemoans the future absence of trees in new suburbs because of narrow streets, small house blocks and lack of trees. But at the same time the demands for solar access have been a key feature of the Greens' platform, demanding solar access for all. As a result of Ms Le Couteur's and the Greens' demand for better trees yet more solar access, we see flip-flopping government policy at play.

The government talks a big game when it comes to solar panels on homes but refuses to prune trees on existing panels to allow older homes access to solar. I will give one example that I wrote to the minister on earlier this year:

[My constituent] has recently contacted me regarding the excessive shade on his house from the trees opposite to him. My constituent asks whether some pruning may occur to enable some sunshine and warmth on his home during winter. My constituent has also mentioned to me that he cannot consider the installation of solar panels because of the excess of shade rendering the installation of solar panels useless. I would appreciate if you could investigate and advise ...

The response I received was:

Thank you for your letter on behalf of [your constituent] regarding excessive shade from trees growing across the street from his house at [address]. The trees growing opposite your constituent's property are predominantly remnant eucalyptus, which pre-date the suburb and, as such, are considered crucial habitat for native species in the woodland area. Whilst actively promoting the use of passive solar energy in new suburbs and new development areas, the government does not routinely remove or extensively prune sound, healthy trees to improve access to solar energy or reduce residents' carbon footprint in established suburbs. As you would appreciate, there has to be a balance between residents gaining access to solar energy and the positive benefits provided to individuals and the community by urban trees. Urban trees provide many benefits, including shading in summer, thermal insulation, wind amelioration, improved air quality, reduced water run-off and habitat for wildlife. After considering all the factors, including the location of [your constituent's] house on the low side of the street, the government does not support the removal of the trees across the road from [your constituent's] residence.

So what is going to happen in the future? Improving the tree canopy is, we all agree, important. What is that going to mean for solar access in future suburbs, in homes that people are being encouraged to put solar panels on but that will encounter significant shade in the future? It is a difficult situation and, as with many things that the government encounters, it does not necessarily have a simple solution.

Promoting one aspect is going to have a perhaps negative effect on another aspect of government policy. There is not a clear policy direction, but what we are seeing is an attempt to impose more and more bureaucracy. The motion calls on the government to commence within 12 months joint reviews of the Territory Plan and TCCS infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets.

Do we want solar access in new suburbs, or do we want tree canopy? It is very difficult to achieve both. Commencing a review of the Tree Protection Act and the possible introduction of a tree curator to support the delivery of tree canopy cover targets? Another review? Another curator? We already have a Conservator of Flora and Fauna, we have protected trees and we have a lot of bureaucracy already in place to ensure that trees and plants are looked after and maintained. What we are seeing here is the potential for yet more regulation that may be inconsistent with other areas of government policy.

What this motion does not say is that there are millions of trees now growing across the valleys of Canberra, many on private land. In her forward to Lindsay Pryor's seminal reference on Canberra trees in 1991, Rosemary Follett, the ACT's first Labor Chief Minister, said, "This book will be a useful resource for those involved in planning and planting trees in Canberra." The book notes that prior to European settlement of the limestone plains in the early 1820s most of the valleys in which the various town centres of Canberra are now located were treeless. The 1991 book noted that in the following 170 years these treeless plains had been planted with millions of trees, many of which are on private land. So in 1991 there were millions of trees where there had been none before. This had been done with no tree red tape. This had been done without overbearing bureaucracy. This had been done with no Tree Protection Act, no tree advisory panel, no tree preservation orders, and certainly no tree curator, as has been called for in Ms Le Couteur's motion today.

What we need are sensible tree management processes. We need to be able to easily fix situations where poorly situated and selected large trees have been planted by well-meaning but ill-advised people. We need sensible tree preservation to enhance solar access. We need less unnecessary bureaucracy.

It is worth noting, that, while prior to 1991 we had no tree preservation orders in place but we had millions of trees, the government has also cut down a lot of trees, including 450 trees on Northbourne Avenue. No-one seemed to care about those trees being chopped down.

I do not believe we need targets; I do not believe we need a tree curator. We need to review the Tree Protection Act, but for private home owners let us make it more flexible and less bureaucratic; let us have less restriction. People have shown their love of trees; people like to put trees in their yards. They like to have shade; they like to have trees for their children to play in, on and under. They like to see the progression of leaves and structures throughout the year.

Let the government get on with planning better open spaces, but it does not need targets and legislation, just better management. I will refer again to an article that was in the *Riot Act* yesterday: “Former planning commissioner’s call to arms over Government’s development ‘incompetence’”. This article, dated yesterday, says:

A former National Capital Development Commissioner will tonight issue a wake-up call to the ACT’s community councils and residents groups in a hard-hitting speech that accuses the Barr Government of corrupting due process and being incompetent.

It goes on to say:

He will call on them to target the Environment, Planning and Sustainable Development Directorate and its head ... for not doing its job properly.

“It doesn’t carry out necessary investigations into the community needs to be served, the likelihood of adverse environmental impacts, the compounding effects of multiple development approvals in residential and suburban shopping areas and the provision of public transport and public parking availability,” he will say.

[He] will say the directorate’s planning section is chronically understaffed and can only process development applications, which it manages poorly.

So what we see is a directorate that is already, according to this particular person, chronically understaffed and unable to do their current job properly. What we are talking about is adding additional bureaucracy and regulation in this area, when what we actually need to see is better management of what is already there, better trust of the community to make decisions, including about trees on their own land, and less confusion and contradiction in government policy.

Tree canopy and solar access, it seems the tension between them is something that is difficult to resolve, and this flip-flopping of policy is going to make it even more difficult for people who may make a significant investment in solar panels for their home to achieve the outcome that they were seeking when they invested in those solar panels for all the right reasons, including where it is dictated by government that they must have them. For many people it is a conscious decision that they make to install solar panels. Those in older areas will find it difficult because of existing trees; those in new areas obviously want trees, for many of the reasons that Ms Le Couteur has outlined, but are going to find it difficult with respect to solar access. Let us not make the situation even worse than it already is.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (5.13): I thank Ms Le Couteur for moving this motion today and for the opportunity to speak.

As has been noted, it is widely recognised that trees are such an important element of all urban landscapes, contributing to the liveability of cities, none more so than Canberra, the bush capital. A healthy urban forest underpins the economic, cultural,

environmental and social fabric of Canberra. It is also one of the key responses in our preparing for a warming environment, increasing our resilience and sequestering carbon.

We are fortunate, and indeed the envy of many cities across the world, to have such a diverse, healthy and well-established urban forest. More than 750,000 trees which are growing on public land are managed across Canberra's urban landscape, including those on residential streets, major roads, median strips, shopping centres and other open spaces throughout the ACT's urban area. Even that impressive number excludes the trees located in our precious nature reserves right across Canberra.

Living infrastructure, which includes trees, open green spaces, waterways and plants placed on the sides and tops of buildings, can provide an enormous benefit to our adaptation to future climate change. Trees help moderate temperature extremes and weather events, provide shelter and improve amenity and property values. All of these benefits, if properly considered, vastly outweigh the cost of planting and maintaining them.

The importance of Canberra's urban trees to a liveable and sustainable city is highlighted through the government's broad policy direction. This outlines the approach and identified challenges associated with climate change, population growth and urban heating to provide a more compact city with adequate shade and protection.

The Tree Protection Act 2005 is an important piece of legislation that helps protect Canberra's urban forest. As we know, there is currently an amendment bill to that act seeking to implement minor technical changes before the Assembly. In 2011, the Commissioner for Sustainability and the Environment released the final report on the investigation into the government's tree management practices and the renewal of Canberra's urban forest.

One of the recommendations of this was the establishment of a tree curator position. This role is currently being undertaken by the conservator. Given that the conservator's primary role relates to conservation issues and the Tree Protection Act is much broader, involving native and non-native trees, it is relevant that the role of the tree curator be reviewed to support the delivery of improvements in canopy cover for Canberra's urban forest.

As noted, there are also a number of municipal infrastructure standards maintained by Transport Canberra and City Services that all government directorates, developers and contractors adhere to when planning and constructing areas within urban environments.

Further work is required to prioritise new and replacement planting locations, including incorporating a variety of available information such as the age profile, species diversity, canopy cover, known "hot spots" and landscape style and condition. A clearly defined monitoring and assessment framework is an appropriate way to identify priorities to achieve canopy cover improvements across Canberra's urban forest.

I am pleased that the two directorates that share responsibility for the management of the urban forest are working cooperatively to further develop the policy objectives in a well-considered manner. There are many examples of this. It includes EPSDD and TCCS collaborating on the development of a living infrastructure strategy.

At the heart of the strategy is the concept that trees are indeed a living part of the fabric of our city and provide a significant contribution to a wide range of sustainability objectives, including clean air, cooling in summer, rainfall detection, amenity and beauty, and habitat for wildlife. As has been noted, this strategy is a key action in the government's climate change adaptation strategy, which also takes a cross-government approach to ensuring that the ACT is able to respond to a changing climate in a considered and well-managed way over the short, medium and long term.

The government recognises the need to maintain and ultimately increase the canopy cover of our urban forest. TCCS has access to high quality remote-sensing data that enables canopy cover to be mapped and analysed with a high degree of accuracy. This data can be combined with information about active travel routes, outdoor recreation areas and other key components of our city that would most benefit from an increase in canopy cover. This creates a powerful tool that will enable additional plantings to be targeted and be of maximum benefit. Meanwhile, the government has continued to support the management of the existing urban forest through ongoing funding for the urban treescapes team.

In September this year I was pleased to launch the better suburbs initiative, which will, importantly, firstly seek community views from across all sectors of our community to determine the relative priorities with regard to the delivery of city services, which will then be used to inform a better suburbs statement next year. This is very exciting, and I am even more excited about the second phase of this project, which will seek to address some of our more long-term and challenging urban issues. One of these is managing our urban tree canopy, especially on private land, and implementing a strategy to balance the needs of a denser, growing and more prosperous city with the need to maintain the health and amenity of the treed landscape.

I am pleased to support most of Ms Le Couteur's motion but I move:

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

"(1) notes that:

- (a) Canberra's urban areas include over 750 000 ACT Government-managed trees, which are highly valued by the Canberra community for the many benefits they bring;
- (b) trees ameliorate urban temperatures in summer and reduce the heat island effect—for example, the temperature difference between pavements in sun and shade can be over 12°C;
- (c) the importance of trees and other 'living infrastructure' for managing the heat island effect is recognised in the ACT Climate Change Adaptation Strategy;

- (d) in many suburbs, trees are an important part of the landscape and are one of the things that locals love about their neighbourhood; and
  - (e) international research has shown that urban trees have measurable economic value in addition to their environmental value—for example, trees increase property values and lower summer cooling costs;
- (2) further notes that:
- (a) many newer suburbs will never have the same canopy cover and experience the same benefits of trees as older suburbs because narrow streets do not have enough room for large canopy trees and new houses fill a very high proportion of the block, leaving inadequate private open space for large trees;
  - (b) many older suburbs are losing canopy cover through redevelopment, as both multi-unit developments and larger homes replace small existing dwellings, with the loss of almost all existing vegetation;
  - (c) many Australian cities, including City of Sydney and City of Melbourne, are improving the way they manage urban trees—for example, by setting canopy cover targets and improving asset management practices;
  - (d) in 2011, the Commissioner for Sustainability and the Environment reviewed the Government’s tree management practices, making extensive recommendations, many of which are still relevant; and
  - (e) the National Capital Authority’s Deakin/Forrest Residential Precinct Issues and Policy Paper has recommended an innovative new approach to planning for redevelopment, with inclusion of a canopy coverage target and mandating of a ‘planting area’ not to be covered by buildings and driveways;
- (3) further notes that, as announced in the ACT Climate Change Adaptation Strategy, the ACT Government will deliver a Living Infrastructure Plan by the end of 2018, which will include targets for maintaining and enhancing the urban tree canopy cover and the ACT Government will consider funding options; and
- (4) calls on the ACT Government to protect and increase Canberra’s tree canopy by:
- (a) within one year of this motion being passed:
    - (i) commencing joint reviews of the Territory Plan and Transport Canberra and City Services’ (TCCS) infrastructure design standards to ensure that new subdivisions and urban renewal precincts can achieve the tree canopy targets;
    - (ii) commencing a review of the Tree Protection Act and the possible introduction of a Tree Curator, to support the delivery of the tree canopy cover targets; and

- (iii) reporting to the Assembly on commencement of these reviews and progress on developing the Living Infrastructure Plan;
- (b) within two years of this motion being passed:
- (i) commence delivery of actions to increase Canberra's tree canopy cover overall, focussing on suburbs where tree canopy cover is low;
  - (ii) completing the joint reviews of the Territory Plan and TCCS infrastructure design standards;
  - (iii) completing the review of the Tree Protection Act;
  - (iv) delivering a framework for assessment of tree canopy cover and condition, which allows monitoring of cover against the targets and improved management of the ACT Government's trees; and
  - (v) reporting to the Assembly on the delivery of these activities; and
- (c) within three years of this motion being passed, reporting to the Assembly on the delivery of these activities by the last sitting day in July 2020."

My amendment in effect is identical to Ms Le Couteur's amendment but provides some different details on the time frames in which certain actions will be taken. I think that that will allow us to get on with the important job of reviewing the Territory Plan and the infrastructure design standards that are important within TCCS within one year; within the second year, starting to deliver actions to increase Canberra's tree canopy, completing these joint reviews—and they are linked, as has been discussed—between the Territory Plan and the infrastructure design standards, and delivering a framework for the assessment of the tree canopy cover and conditions that allow ongoing monitoring to make sure that our tree canopy can be increased; and, within three years, reporting back to the Assembly on the delivery of these activities by the last sitting day in July.

We recognise the need to grow and maintain our urban forest and our overall living infrastructure. The role of the Tree Protection Act is paramount in this, and we look forward to it being reviewed and those recommendations being considered by government over the coming years.

**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) (5.20): I thank Ms Le Couteur for her motion. I will be supporting Ms Fitzharris's amendment to the motion. The bush capital, the garden city, a city and a landscape; these and many other terms have been used to describe the unique setting in which Canberra, the nation's capital, sits. And the one thing all of these titles have in common is the creation of a substantial urban forest which frames Canberra's city and suburbs. Canberra is known as the bush capital for its highly valued open spaces such as the hills, ridges and buffers throughout our city.

There is a rich diversity of landscapes within the urban forest which contributes to the quality of life all Canberrans and experienced visitors to the nation's capital see. From the beautiful vistas of eucalypts on the surrounding hills and distant mountains to the stunning colours of autumn in our suburbs and the habitat our native trees and shrubs provide for so many of our Australian native birds and animals, our landscape setting is highly valued for its visual amenity and many environmental, social, cultural and economic benefits.

The planning of a city within a treed landscape is a strong principle on which Canberra's planning legacy is founded. Walter Burley Griffin was strongly influenced by the city beautiful and garden city movements which influenced town planning during the late 19th and 20th centuries. Madam Speaker, we spoke of this on a visit to Blandfordia on the weekend, looking at our treed city in that area, with the National Trust. Together with the attributes of the garden city movement, particularly the planning for communities where people work or live surrounded by green belts, and the city beautiful movement promoting wide boulevards, elegant parks, recreational waterways and river banks, it is easy to see how the city envisaged by Griffin in his 1912 plan has carried through to today.

Maintaining and managing the green infrastructure, particularly the treed landscape, is, as Ms Le Couteur's motion notes, highly important as we move towards increasing densification and renewal in the city. The ACT government has already taken significant steps to plan and prepare for this challenge. This includes developing the climate change adaption strategy and the living infrastructure plan and urban tree renewal plans. These work with the broader planning for the territory and the city, and we are in the early stages of commencing a review of the ACT planning strategy and Territory Plan and associated urban design standards and guidelines. Specifically, the climate change adaption strategy includes resilience indicators to provide targets for shade from trees in residential areas.

In a changing climate we must look after our trees as they look after us and our environment. In part, this has been delivered through the climate change adaption strategy through the development of the living infrastructure plan. By the end of 2018 this will include targets for urban tree canopy cover. With more than 750,000 government-managed trees in urban areas, this living infrastructure is extremely valuable and we do not want to lose one of our greatest assets. The urban forest is captured in the ACT greenhouse gas inventory, and any substantial growth or loss to the forest impacts on our greenhouse gas emissions. By growing our living infrastructure, we will see a net benefit of carbon sequestration.

Living infrastructure, which includes trees, open green spaces, waterways and even plants placed on the sides and tops of buildings, can provide an enormous benefit. They help moderate temperate extremes, including the heat island effect, and extreme weather events. They provide shelter, improve value and amenity, and it has even been demonstrated that they are a positive contributor to improved mental health. These benefits contribute a much broader value to our community. The ACT government recognises the need to grow and maintain our urban forest and

overall living infrastructure. It is one of the key responses in our preparing for a warming environment and increasing our resilience.

The Territory Plan currently contains provisions relating to Canberra's tree canopy. These include provisions in the estate development code that require new subdivisions to provide street trees that, at maturity, achieve reasonable summer shade to footpaths and shared paths with regard to heat gain and user comfort.

As part of the implementation of the climate change strategy, the ACT's planning framework, including the ACT strategic plan, will be reviewed in conjunction with the Territory Plan to ensure that future planning of Canberra, amongst other things, enables the presence of trees to be the norm of what people expect to see in the streets of Canberra. This includes business, recreation and residential areas. The review of the ACT's strategic plan will have a renewed focus on newly developing areas and the importance of trees as part of the urban fabric as a demonstration of the importance of the landscape, particularly trees, to the sustainability of Canberra.

Madam Deputy Speaker, I am sure that you are aware of the short-term sustainability benefits of trees, including the amelioration of the effects of extreme weather events such as heat waves. While improving sustainability is important to the city, many people love trees as they add to the rich fabric of the city and soften the built environment. In doing so, trees improve the overall amenity of the city and the people who live in and visit it.

The garden city approach to planning has followed a continuous process of refinement to suit changing lifestyle preferences. As we contemplate the growth of Canberra's population to half a million by 2031, careful thought is required to ensure that planning and design outcomes suit the future needs of this population, yet retain Canberra's garden city character.

While undertaking consultation on my 2015 statement of planning intent it was evident that the community wants to see the use of water-sensitive urban design and living green infrastructure in our new and renewed urban environments. It was this strong sentiment that led to the inclusion of planning priorities to create sustainable and living neighbourhoods with better transport connections and delivery of high quality public spaces and streets through place-making.

On my recent trip leading a delegation to Europe and Asia as part of the European Union world cities program, I was keen to see how Copenhagen and Singapore, who are at the forefront of creating successful urban open spaces, parks and green infrastructure that respond to people and place, were dealing with this issue, and I was not disappointed. I saw many examples of the significant character and amenity being gained from the use of mature trees to shade private spaces and bicycling areas and the strong will to deliver green infrastructure in new and innovative ways.

I am pleased to say that Canberra is not lagging in this space. The planning and design of our city plays a major role in how much active living we can undertake in our daily routines, and providing comfortable public spaces with good-quality green infrastructure plays a major role in supporting active lifestyles. Active living is a way

of life that integrates physical activity into daily routines, such as walking the dog or using public transport rather than taking the car to work. You may also be aware that draft variation 348 is being prepared and will incorporate six active living principles into the Territory Plan. This draft variation is supported by contemporary research on the benefits of good-quality public places and living infrastructure.

Research has shown the net positive impact of public realm improvements on existing retail performance, urban regeneration, tourism and property prices. This research found that well-planned improvements to public spaces can boost footfall traffic and trading by up to 40 per cent. It also found that in some places the provision of green spaces has led to rents increasing by up to 20 per cent and every one per cent increase in green spaces has led to a 0.3 to 0.5 per cent rise in average house prices.

DV 348 will not only help Canberrans meet the national physical activity guidelines on a regular basis but also encourage new developments and redevelopments to provide living infrastructure, making them more attractive to investors and the surrounding residents.

I welcome the joint review of the Territory Plan and TCCS's infrastructure design standards to consider appropriate provisions to achieve tree canopy targets. This will ensure that the urban renewal precincts and other new subdivision areas can have sufficient tree canopies to help ameliorate urban heat island effects and enhance the amenity of these areas.

In closing, the government is acutely aware of the value of trees to both this generation and future generations of Canberrans. In this respect the government will need to consider how to fund the green infrastructure, particularly the existing and proposed new trees across the city. It is well known that these costs are high, but, as I have identified, so are the benefits. In this respect we are currently undertaking a number of actions as part of our planning work to address the ongoing importance of tree canopy and living infrastructure and celebrate Canberra as a garden city.

Amendment agreed to.

**MS LE COUTEUR** (Murrumbidgee) (5.30): I am very heartened by the unanimous support in this chamber for trees. I was confident there would be support for trees, and I am very pleased to hear it. Ms Lawder may well be right that it is one of the reasons we are the No 3 place to visit, especially in autumn, I would say. From that point of view, some of Canberra is absolutely glorious. I think that it is something that continues to be a combination of government and private actions.

I note Ms Lawder talked about Lindsay Pryor. There was a lot of work done in that time by the government to plant trees and then a lot of support given to the private sector in that. Yes, there are sometimes trade-offs between trees and solar access but it is really a question of good design and working out where to put everything. We can and must have trees and we can and must have adequate solar access. I am very pleased that the Assembly is standing up for trees today.

Original question, as amended, resolved in the affirmative.

## **Chief Minister Notice of motion of no confidence**

*Mr Coe having delivered a notice of motion of no confidence in the Chief Minister, the Acting Clerk, pursuant to standing order 103, reported the notice as follows:*

Mr Coe to move:

That this Assembly no longer has confidence in the Chief Minister, Mr Andrew Barr MLA, due to the Government's engagement in corrupt decisions.

**MADAM SPEAKER:** Before I call Mr Steel, now that that notice of motion has been given, we will continue till the end of the day.

## **Renewable energy**

**MR STEEL** (Murrumbidgee) (5.32): I move:

That this Assembly:

- (1) notes the ACT Government is delivering on our election commitments to make Canberra a sustainable city, and continues to take responsible steps to manage climate change and our environment, and notes:
  - (a) the ACT Government is committed to, and on track to reach, 100 percent renewable electricity by 2020, pursuant to *Canberra 100% renewable: Leading Innovation with 100% renewable energy by 2020*;
  - (b) the ACT Government has signed the "Under 2 MOU" committing to zero net emissions by 2050;
  - (c) the ACT is on track to achieve a reduction in emissions of 40 percent from 1990 levels by 2020 under the *Climate Change and Greenhouse Gas Reduction Act 2010*;
  - (d) the ACT Government is committed to mitigation and adaption to climate change as a responsible state and global actor by setting a target to achieve carbon neutrality; the ACT's zero net emissions target brings the ACT in line with the Paris Climate Accord;
  - (e) the ACT Climate Change Adaption Strategy will mainstream climate change considerations into policies and practices across the ACT which will make the Territory more resilient to the environmental and economic costs of climate change;
  - (f) working towards creating a sustainable city will drive innovation, investment and the creation of new industries and jobs in the clean energy sector; between 2010 and 2015 local renewable energy jobs increased by 400 percent when national jobs in the sector declined; and

- (g) the ACT is the renewable energy capital of Australia and is leading the country in battery storage by supporting the installation of 36MW of energy storage across more than 5000 households and businesses by 2020, through the Next Generation Energy Storage Grants;
- (2) notes the ACT Government is investing in the following programs supporting the take-up of battery storage and solar:
- (a) in 2016, the ACT Government awarded three grants of \$200 000 each for Canberra households and businesses to install battery storage systems across the ACT;
  - (b) following the successful pilot program in 2016, the ACT Government announced that under the Next Generation Renewables program, the ACT will be investing \$25 million for battery storage systems for Canberra households and businesses, marking one of the largest rollouts of battery storage in the world;
  - (c) the ACT Government is investing \$4 million of grants to subsidise the cost of installing battery storage systems across the ACT; and
  - (d) the ACT Government has also committed to invest \$2 million of solar installation grants for low income households;
- (3) notes that battery storage is a key technology in the ACT's transition to renewables and providing energy market stability, and:
- (a) the ACT Government has one of the most ambitious battery incentive programs in the country;
  - (b) the Finkel Review has recommended that State and Territory Governments should engage with the COAG Energy Council to identify options for subsidised funding mechanisms for the supply of energy efficient appliances, rooftop solar photovoltaic and battery storage for low income consumers;
  - (c) the Finkel Report *Independent Review into the Future Security of the National Electricity Market: Blueprint for the Future* released by Australian Chief Scientist Dr Alan Finkel outlines a blueprint, that provides consumers with financial rewards if they agree to manage demand and sharing resources of solar panels and battery storage;
  - (d) the preliminary Finkel Report cited the lead taken in the United States, where the Federal Energy Regulatory Commission has proposed changes to the rules in order to require market operators to revise their electricity tariffs, in order to better accommodate the participation of battery storage systems, and allow distributed energy resources aggregators to participate in the market;
  - (e) the ACT community has demonstrated a high take up of renewable technology, with Climate Council poll *Energy Storage: Poll of Australians August 2017* revealing that 9.1 percent of ACT residents own a battery system which is the highest in Australia, with another 72.7

percent of ACT residents saying they would consider adding a battery system; and

- (f) the battery storage market is predicted to be worth \$400 billion by 2030 and the ACT is well positioned to harness and develop battery technology;
- (4) notes that battery technology will play a key role in reducing the ACT's carbon emissions from vehicles and transport, and:
- (a) transport emissions account for approximately 25 percent of the ACT's emissions as of August 2017 and by 2020 the ACT is projected to derive 68 percent of overall net emissions from transport emissions;
  - (b) the bulk of these transport emissions are generated by private vehicle use with three percent of the total transport emission being generated from public transport;
  - (c) the ACT Government has already taken steps to reduce these transport emissions, by purchasing more fuel-efficient diesel buses and conducting a 12-month electric and hybrid bus trial, to guide future consideration of an electric bus fleet in the ACT;
  - (d) light rail will operate on 100 percent renewable electricity;
  - (e) as emissions from transport will make up the largest proportion of greenhouse gas emissions in 2020 in the Territory, the ACT Government needs to focus on the reduction of emissions from transport to achieve carbon neutrality between 2020 and 2050; and
  - (f) ActewAGL has established three Rapid Chargers and five Fast Chargers across the ACT and NRMA plans to roll out charging points in the ACT; and
- (5) calls on the ACT Government to:
- (a) develop a strategy with firm interim targets, for the ACT to reach zero net emissions and carbon neutrality by 2050 at the latest, in line with the Labor-Greens Agreement for the 9<sup>th</sup> Legislative Assembly;
  - (b) investigate options with ACT energy retailers to accommodate battery storage, including the availability of distributed battery power to the grid during times of peak demand and associated electricity tariffs;
  - (c) continue to invest in renewable energy programs and initiatives in the ACT, including Next Generation Energy Storage Grants to subsidise battery storage and the rollout of household battery storage;
  - (d) continue to build an integrated transport network that encourages the take-up of public transport;
  - (e) provide an update on the expansion and extension of electric and hybrid bus fleets in Canberra following the current 12 month trial and consider options to reduce Transport Canberra's emissions through electrification

and more sustainable fuels, pursuant to reducing overall net emissions by 2050 at the latest, in line with the Carbon Neutral ACT Government Framework; and

- (f) explore mechanisms to encourage the take up of private electric vehicles in the ACT, including best practice regulatory responses.

I am very pleased to bring forward this motion before the Assembly this evening. Since the government's re-election in October, we have been working hard to deliver on our election commitments and continuing our responsible steps to manage climate change and our environment. We are delivering 100 per cent renewable electricity by 2020. We are leading the nation and making sure that Canberra remains one of the most livable and sustainable cities in the world.

We are leading when others have been lacking leadership on climate change. There are those seeking to reverse the transition to renewable energy and who are attempting to pull coal out of the swamp from which it came. That is why, more than ever, we in this Assembly need to continue to support the ACT government's leading role in renewable energy and continue to take responsible steps to support the transition to renewables, including harnessing innovations and the power of battery technology.

In the lead-up to last year's election, ACT Labor made a commitment to continue to build an even more sustainable city and to work towards carbon neutrality. We are presently on track to reach 100 per cent renewable electricity by 2020. Earlier this year, in April, the Ararat Wind Farm began operating at full capacity, providing renewable electricity to the grid to power 37,000 homes in Canberra. Just a couple of weeks ago we saw the completion of Canberra's solar highway, with 36,000 solar panels added to Williamsdale Solar Farm. Canberra's solar highway incorporates three other solar farms and will generate 85,000 megawatt hours of electricity every year, powering 11,000 homes across our territory.

By building a more sustainable territory we will spur investment, innovation and the creation of new industries and jobs in the clean energy sector. We have already seen a 400 per cent increase in local renewable energy jobs between 2010 and 2015. This is in the context where national jobs in the sector have been in decline. So we only need to imagine what we can achieve as we continue our further investment in the renewable energy sector.

We must acknowledge that the government is not acting alone. Whilst the ACT government has a direct role to play, we must also acknowledge the importance of individual Canberrans and businesses in delivering a more sustainable Canberra through the homes that they live in and the vehicles and transport that they use every day. This motion supports the rollout of battery storage in households and businesses in the ACT, and the harnessing of these technologies and the opportunities that they offer as we transition to renewable energy.

Traditionally the national electricity market has been designed to operate with conventional forms of electricity generation, such as coal, gas and hydro. However, the market is undergoing the most significant transformation since its inception, with

the integration of renewable energy into the electricity grid. Battery storage is poised to become the next major consumer-driven development of energy technology, according to Alan Finkel, Australia's Chief Scientist.

One and a half million Australian households have invested in rooftop solar on their homes. According to the Australia Institute, 80 per cent of those households are considering buying batteries. A Climate Council energy storage poll of Australians in August 2017 revealed that 9.1 per cent of ACT residents already owned a battery system, which is the highest in Australia. The ACT is already leading the nation by encouraging the take-up of battery storage and solar technology, which is part of the ACT's transition to renewables and in line with meeting our 100 per cent renewable energy target by 2020.

In 2016 the ACT government awarded three grants of \$200,000 each for Canberra households and businesses to install battery storage systems across the ACT. Following a successful pilot program in 2016 we announced that, under the next generation renewables program, we would invest \$25 million for battery storage systems to Canberra households and businesses, making it one of the largest rollouts of battery storage in the world. However, there are further opportunities for the ACT government to harness the uptake of household solar and battery systems, not only through the continuation of installation grants but also by looking at reforming the way in which these systems operate in the market.

While it is great that so many Canberrans are taking up household batteries, these batteries are known as "behind the meter". This means that they help to store power for household use. But that is it. As the Australia Institute put it, they are essentially a micro-grid of one household. At the National Energy Summit in Sydney recently the CEO of Canberra-based company Reposit, Luke Osborne, said:

So with these batteries we are getting what I call energy hermits ... batteries that are not associated with a retail plan so that all of this energy is not available to help the grid.

It is really unfortunate that our current ACT energy retailers—ActewAGL and Origin—have not responded as retailers in other states have to accommodate battery systems in their energy plans so that they can benefit the wider grid. As the Reposit CEO said, retailers are not moving fast enough to offer new plans.

In other jurisdictions some minor energy retailers are providing plans which enable household battery storage to participate in the market. They are doing this by partnering with innovative companies like Reposit. The Reposit power meter and software communicates with the grid and the solar producer-consumer. It sells energy back to the grid at times of high demand and high prices, and credits this to the consumer in what it calls grid credits, thereby supporting grid stability and offering consumers incentives for their participation in the electricity market. I hope that, as a result of highlighting these issues in this motion today, we can get our energy retailers in the ACT to start harnessing these types of technologies.

Overseas, the United States has proposed changes to regulations to require market operators to revise their electricity tariffs to better accommodate the participation of battery storage systems and allow for distributed energy resources. Here in the ACT we can start with the ACT government investigating options with ACT energy retailers to accommodate battery storage, including the availability of distributed battery power to the grid during times of peak demand and associated electricity tariffs.

Investment in large-scale battery storage systems along with household solar are part of the future in the national electricity market. The uptake of battery storage means that consumers will be able to meet their own electricity needs and, with the right accommodations, will also allow for dispatchable energy for the national electricity market so that when demand exceeds supply the electricity grid can draw on stored household energy at the time that is needed, providing stability to the market and supporting a stable transition to renewable energy.

When we hit 100 per cent renewable energy in 2020, 68 per cent of the ACT's emissions will come from vehicles and transport. Again, battery technology will also play a key role in reducing the ACT's carbon emissions from vehicles and transport. In order to meet our zero net emissions target by 2050 at the latest, we must work to improve the uptake of electric vehicles both within the government fleet and privately. The ACT government is working to reduce public transport emissions. In August Minister Fitzharris unveiled a fully electric and a hybrid Volvo bus for Transport Canberra, to be joined by a third bus in December. These three buses are part of a trial which, at the end of 2018, will allow the ACT government to better understand the viability of using electric buses as an ongoing part of the future bus fleet.

The new bus depot for our expanding fleet, due to be built in my electorate, in Phillip, will also include a recharging station for these buses. This is coupled with the ACT government's light rail project, which will be a significant part of our integrated transport network in the future and will also operate on 100 per cent renewable electricity. However, it should be noted that public transport generates only about three per cent of transport emissions. Whilst we must continue to encourage the take-up of public transport, we also need to encourage the take-up of private electric vehicles in the ACT.

The end of the internal combustion engine is in sight. According to the *If you build it, they will charge* report from the Australia Institute, the average passenger vehicle sold in Australia in 2014 emitted 188 grams of carbon per kilometre. Electric vehicles, particularly when their source of electricity is 100 per cent renewable, will significantly reduce carbon emissions from passenger vehicles.

Firstly, the affordability of electric vehicles in the take-up of electric vehicles for their private use is important. Our government has already lowered duties for fuel-efficient cars, and electric cars are gradually becoming less expensive. Bloomberg New Energy Finance analysis predicts that by 2025 electric cars will become cheaper than conventional cars.

Secondly, giving people peace of mind that they have a place to charge their electric vehicle is vital in order to make consumers confident enough to purchase an electric vehicle in the first place. That is why it is excellent to see the NRMA announce the rollout of vehicle recharging points. This will see at least 40 chargers, or more than double what is in the current network, provided in New South Wales and the ACT. ActewAGL for some time now has had an ACT network of three rapid chargers, taking 30 minutes to recharge, and five fast chargers, taking a few hours to recharge your car.

There are other ways that governments can assist in this area. Other countries have looked to providing free parking and charging points in city areas, providing travel in dedicated bus and transit lanes, exempting EVs from registration taxes, providing road user charges exemptions, and looking at ending sales of petrol and diesel vehicles within a certain time frame.

We also need to consider our current laws and regulations across a whole range of areas to support batteries and chargers, particularly how battery chargers can be facilitated in new developments and retrofitted in existing developments. That is why it is important that the ACT government continue to explore mechanisms that are right for us and our circumstances, to encourage greater use of electric vehicles here in Canberra.

Our territory and our government have a lot to be proud of. We are on track to deliver 100 per cent renewable electricity by 2020. We are working to improve the up-take of battery storage for households and businesses. We are also actively working to curb emissions from vehicles, particularly in our public transport system.

As we continue to work within the ACT Labor-Greens agreement to reach zero net emissions by 2050 at the latest, it is important that we encourage the government to investigate ways to harness the opportunities battery storage provides by working with ACT energy retailers to provide for aggregated demand responses. As we strive to reduce our carbon emissions, encouraging the take-up of public transport and looking to provide best practice regulatory and policy responses to encourage greater take-up of private electric vehicles, we will be on the right path to a clean energy future. I commend the motion to the Assembly.

**MS LEE** (Kurrajong) (5.45): I thank Mr Steel for the opportunity to speak on this motion today and to respond on behalf of the Canberra Liberals. I understand that one of the functions of the admin and procedure committee is “to ensure that the practices and procedures of the Assembly remain relevant and reflect best practice”. Mr Steel and indeed all members might benefit from some guidance from the committee about the drafting of motions, particularly with respect to length and relevant points on the topic.

I do not intend to go through each point. Indeed, if I were to do that I would certainly run out of time. I can only assume that Mr Steel’s intent was to ensure that any and every possible reference to anything vaguely related to, or in the vicinity of, energy

policy got a mention. Rather than focusing on the mish-mash of what this motion does include, I will direct my remarks to what it does not include.

Not once does this motion refer to affordability or reliability of energy for ACT residents, bar a passing generic reference to the economic costs of climate change. This motion takes no fewer than seven paragraphs out of 24 paragraphs of “notes” to talk about the ACT government’s investment in programs to support the take-up of battery storage and mentions the need and desire of the ACT government to assist households to invest in battery storage. This motion goes on to suggest that the ACT has one of the most ambitious battery incentive programs in the country. This I do not dispute. But not once does the cost to consumers play any part in the narrative and not once does reliability of supply play any part in the narrative.

One could be cynical and suggest that a strong reason for the ACT government to be anxious about increasing the uptake of battery storage is that they know that there is a very real prospect of Canberra households losing power this summer. We all know that we dodged a bullet in February this year and, if all predictions come true, we will have insufficient power this summer, irrespective of how much the ACT government is paying wind and solar power suppliers.

Indeed, during estimates, directorate staff suggested that there was a risk of load shedding—in other words, blackouts—and subsequently the Minister for Climate Change and Sustainability said that he had asked directorate staff to prepare a communications plan to warn ACT residents before summer about this risk. The minister also announced only last month that the ACT would invest a further \$4 million into a home battery subsidy scheme, and so far more than 200 batteries have been installed. He is hoping that within the next three years up to 5,000 Canberra homes and businesses will have around 36 megawatts of energy storage. This is all part of the \$25 million.

This motion fails to mention the cost side of batteries, and you cannot in all good conscience talk about benefits without also talking about the cost. Before those on the opposite side of the chamber start to suggest that we are anti renewable energy or opposed to battery programs, let me reiterate that the Canberra Liberals supported the government’s 100 per cent renewable energy target in the last term and we confirmed our commitment earlier this year.

This commitment was an acknowledgement that the ACT government took advantage of the burgeoning but uncertain renewable energy sector and, as I have previously done—and I do so again—I commend the ACT government on moving so quickly to secure a good deal for ACT residents. However, in reaffirming our commitment to this target this year, we did make it clear at the outset that affordability and reliability are essential factors that need to be considered in any future energy policy discussion. This motion fails to make any reference to that.

The benefit to ACT residents and the cost-of-living pressures they face on a daily basis are of vital concern to the Canberra Liberals. We know that under this government Canberrans’ cost-of-living pressures and their financial welfare take a backseat to almost every other priority. Throughout this motion we see example after

example of idealistic notions that drive a philosophical agenda. What is completely lacking, however, are practical issues of cost, suitability, deliverability and reliability to drive a sensible and relevant public discussion on how the ACT will continue to remain a leader in reducing our carbon footprint. But then again, such approaches are typical of Labor-Greens governments, so it should come as no surprise.

This motion takes on an almost sanctimonious tone when mention is made of the fact that the ACT government is committed to and on track to reach 100 per cent renewable electricity by 2020, that the ACT government has signed the Under2 MOU committing to zero net emissions by 2050, that the ACT is on track to achieve a reduction in emissions of 40 per cent from 1990 levels by 2020 and that the ACT is committed to the mitigation and adoption of climate change as a “state and global actor”.

These might be regarded as laudatory aspirations but, as we know, the minister did sign the Under2 MOU without having any clear idea of how the ACT would meet this commitment and without any consideration of at what cost. And because that policy work was not done either before the minister jetted off to sign the MOU last November or since, it seems, we now have a backbench member of the government party calling on his own government to develop a strategy for how we will reach zero emissions and carbon neutrality.

The only possible suggestion contained in this motion to help the ACT lower emissions is to reduce or eliminate transport emissions. That, presumably, means that this government has a plan to outlaw all public, commercial and private transport that is not electric or at least hybrid. Equally, we know that the ACT has secured contracts for an amount of electricity from renewable sources that seeks to equate the amount of electricity estimated to be used by ACT households by 2020. But whether that 100 per cent can be carried over to beyond that, perhaps to a time when the ACT population expands faster than we can source electricity from interstate wind farms, we just do not know. And does that factor in a wide use of electrically powered trams?

I note that implied in this motion is a presumption that the ACT will embrace reduced private car usage or, at the very least, a switch to electric cars. Will such a switch increase our electricity usage? Has modelling been done on that? Has a cost-benefit analysis been called for? Apart from the geographic practicalities for a territory that is hundreds of kilometres from a major city or coastline, again there is no consideration of cost. There is a magic pudding notion of grants and subsidies—to be paid for by whom? Is this the government signalling yet another reason to gouge ACT ratepayers?

This motion achieves little, represents little and does little to advance the public debate on how the ACT will meet the challenges of affordable and sustainable renewable energy supply into the second half of the 21st century. Canberrans deserve more than symbolic and tokenistic public commitments to targets that look good on paper. Labor and Greens governments around the country are quick to howl down the lack of action by the federal government on energy policy, and yet in the ACT, where we have a tripartisan agreement on 100 per cent renewable energy targets by

2020, where we have a commitment from all three major parties to work toward a sensible, practical, public discussion on how the ACT will remain a leader in this sector, we have a motion with a mish-mash of airy-fairy statements which completely ignore the realities of how we will safeguard reliability and cost of energy for all Canberrans.

We need sound, evidence-based policy, not atmospheric speeches such as the one the Chief Minister delivered in October last year when, gloating over his election success, he said:

We have been re-elected to join California and South Australia as signatories to the Under2 MOU and to set firm targets to get the zero emissions by 2050. We will do both of these things within the first 100 days.

It is now 360 days since the Chief Minister made that statement and we have today a Labor backbencher calling on his own government to:

... develop a strategy with firm, interim targets for the ACT to reach zero net emissions and carbon neutrality by 2050 at the latest, in line with the Labor-Greens Agreement for the 9<sup>th</sup> Legislative Assembly.

The adage that you can fool some of the people some of the time but not all of the people all of the time comes to mind.

The Canberra Liberals have confirmed our support for the 100 per cent renewable energy target for 2020 and we have demonstrated that we are prepared to have an open and honest debate about what is possible in the ACT to improve our environmental footprint. We accepted the ACT government's earlier claims that moving to a renewable energy platform would save money for ACT ratepayers and deliver lower energy costs. In that instance we had concrete action. We had contracts providing certainty of cost. We had innovative reverse auction processes.

What we now see is a government lost on how to move the energy debate forward, with a 2020 deadline fast approaching. Subsidies and grants to attract support do not make energy affordable. Motions calling on the government to do something a year after an election promise do not make energy viable. The Chief Minister takes almost every opportunity to remind us that his government was elected to take Canberra into the future, and this government is all too quick to take credit for being miles ahead in investing and innovating in this sector. But the reality is that when this government talks of sustainability that is all it is—talk. There is nothing environmentally sustainable about a future that is not also economically and socially sustainable.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (5.55): I would like to thank Mr Steel very much for bringing on this important motion today. I am still reeling somewhat from the speech from the opposition spokesperson on this matter, but I think it stands on its own merits or lack thereof.

The government continues to deliver on its election commitment to make Canberra a more sustainable city by reducing the carbon emissions caused by many factors but,

notably in this case, in my capacity as the minister for transport, by public transport and private transport. We know that transport emissions account for around one-quarter of the ACT's total emissions today but that beyond 2020 transport emissions are projected to be the cause of more than two-thirds of Canberra's total emissions. To reach carbon neutrality by 2050 we know that transport emissions must be addressed as a matter of priority.

Transport Canberra has a clear mandate to provide low-emission public transport options for the ACT. While exploring alternative-fuelled vehicles is an important step towards reducing emissions, increasing patronage and the important step of taking cars off the road will also have an even larger impact. As we know, the first stage of light rail will operate on 100 per cent renewable energy from the time the first vehicle leaves the Mitchell depot in late 2018. The current diesel and compressed natural gas bus fleet accounts for around one per cent of total emissions in the territory and about three per cent of emissions from the broader transport sector.

While acknowledging that diesel and compressed natural gas buses both contribute to carbon emissions, it should be noted that switching from private car use to public transport use still has an incredibly positive impact for each and every commuter that makes this small change. That is why the government is making significant investments in public transport to attract people out of their cars and on to mass public transport.

As well as light rail, the ACT is making substantial investments in new bus rapid routes to be introduced next year, new buses and new ticketing equipment to make using public transport a more enjoyable and convenient customer experience. Recent improvements in battery technology will play a key role in reducing the ACT's carbon emissions, meaning that electric buses not only are more efficient but may also in the future become more economically and operationally viable, with obvious benefits for our environment.

The government has committed to the purchase of new and replacement buses, following an evaluation of the sustainable fuels bus trial that Mr Steel mentioned, which is currently underway. Transport Canberra has two contracts with two vendors to trial these alternative energy vehicles. The ACT government is also planning the design and construction of a new depot at Woden to house up to 120 buses. While this will incorporate diesel refuelling infrastructure, it will also be designed to accommodate a larger fleet of electric buses. These trials and investments demonstrate the ACT Labor government's commitment to improving our public transport system while also leading the nation in our commitment to 100 per cent renewable energy and lowering greenhouse gas emissions.

The government considers the electrification of private vehicles a critical element in the future reduction of emissions from the transport sector in the ACT. The ACT government has been trialling electric vehicles in its own fleet for a number of years. Future policy and programs relating to encouraging the uptake of electric vehicles will be considered as part of the future ACT climate change strategy, led by Minister Rattenbury, which will bring together both mitigation and adaptation

measures and, importantly, will be linked to the transport for Canberra review. We will continue to work with other jurisdictions to promote a coordinated approach to encouraging the take-up of electric vehicles in Australia.

The ACT government has not yet installed any public electric vehicle-charging infrastructure. However, ActewAGL have installed eight chargers at seven locations across the ACT as a pilot project. These are in the city, Canberra Airport, Tuggeranong town centre, Acton, Manuka and Belconnen town centre. ActewAGL have advised that information gained during their pilot is having a significant influence on their consideration of future locations.

The government is also excited about the possibility of potential partnerships with organisations such as the NRMA, who on Friday last week announced a bold new strategy and signalled very clearly that they are keen to work together with local councils and governments to install public electric vehicle chargers across regional New South Wales and the ACT. I congratulate the NRMA on their strong leadership on this matter.

Clearly the uptake of electric vehicles is a global trend gathering momentum, as I saw and reported on during the recent tour of North American cities in May this year. There is clearly a role for progressive governments like this ACT Labor government to help lead the transition to a lower emissions transport sector.

*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.*

**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) (6.01): I welcome this discussion and thank Mr Steel for bringing it forward. This is an incredibly important and complex policy area when it comes to addressing climate change, from both the adaptation and the mitigation points of view. I appreciate Mr Steel's interest in energy issues and renewable energy technologies in particular.

I would like to talk about some of the issues relating to battery technology. In some ways this goes to the content of Ms Lee's speech, where she flagged the issue of reliability. There is no doubt that reliability is a key issue in the grid. I would like to talk about some of the points Ms Lee made in her speech a little later, because I think her speech represented a fundamental misunderstanding of a number of events that have taken place and future questions about reliability in the energy market.

In the motion Mr Steel has touched on some key points. Renewable energy, battery technologies and storage technologies generally will play a critical role in any future where we make serious efforts to address climate change. It is an area where we must make serious efforts and serious investment. Climate change is going to impact, and in fact is already impacting, every aspect of the planet and its ecology, as well as every part of human society.

The ACT government, as has been noted in the debate, has some of the most ambitious renewable energy and greenhouse gas targets in Australia and, indeed, the world. The government continues to take responsible steps to manage climate change and the environment through a number of programs and commitments. They have been spoken about tonight. They include a commitment to 100 per cent renewable electricity, a commitment to zero net greenhouse gas emissions, and a commitment to reducing greenhouse gas emissions by 40 per cent from 1990 levels by 2020. In respect of that last one we took serious short-term action. We have a net zero emission target that brings the ACT in line with the Paris climate agreement. At a time when the US government is talking about getting out of the Paris climate agreement and most other jurisdictions are actually going forward, the ACT is certainly doing its part.

I have to say that the federal government's eight-page description of their new national approach to the national energy market gives me no confidence that the federal government is serious about meeting Australia's Paris climate agreement. Again, I will come back to that later.

The ACT also has a climate change adaptation strategy because we must start to prepare for some of the changes that are coming towards us. We are driving innovation and investment in the clean energy sector and we are supporting the rollout of 36 megawatts of energy storage across up to 5,000 ACT homes and businesses by 2020.

These are just the headlines of some of the things we are doing. Climate change and energy are among the broadest and most complex policy areas. Ms Lee made some churlish comments about the length of Mr Steel's motion, but it is an incredibly complex area. It crosses a lot of territory. I think there are very few people in Australia who actually understand the complexity of the labyrinthine national energy market. I genuinely think there are only a handful of people in Australia who can fully explain it and understand the rules. That is just one part of the matrix of things that we need to deal with. It is flagged in the new national energy policy, as much as we understand any details of it. It is kind of ignoring some of the key issues in transport space and agriculture as well. I will come back to that.

I will, for now, focus on energy storage and batteries, because I think this is a very interesting area. Our next generation energy storage program is one of the largest of its type in the world. It began in April 2016 with a pilot scheme that aimed to test the market and inform the design of a wider program. The pilot scheme made grants of up to \$200,000 available across three companies to support the installation of energy storage systems. The grants pay on successful installation of a storage system.

The grants were awarded through a competitive process to ensure the best value for money for ACT customers and that strict safety and installation requirements are met. The benefits of battery storage technology are wideranging. They include financial savings to customers and benefits to the wider electricity network such as providing electricity to the grid during times of peak demand that will lead to reduced network costs and provide a benefit to all electricity consumers.

Members have heard about the Finkel report, also called the *Independent review into the future security of the national electricity market: blueprint for the future*. It is the report that recommended the clean energy market that Malcolm Turnbull famously ignored, at Tony Abbott's behest. The Finkel report emphasised the importance of solar panels and battery storage. The blueprint suggested providing customers with financial rewards if they agree to manage demand by sharing resources of solar panels and battery storage. It also noted the role that certain market participants can play by revising their electricity tariffs to better accommodate the participation of battery storage systems and allowing distributed energy resource aggregators to participate in the market.

These are the kinds of initiatives that consumers want to see. They allow them to exercise control over their electricity usage and costs. At the same time, they are able to alleviate demand on the broader electricity network. We are taking important first steps in this space, through the ACT's battery program. I expect to be making more progress in the coming months and years. Following the success of the battery pilot scheme, the ACT announced it would invest \$25 million to continue the program to 2020. As part of that, a second grants round was announced in June 2016, with a further \$2 million made available among eight companies. The second grant round has seen a significant increase in the rate of residential battery installations, with over 300 batteries installed and a further 100 expected to be installed by the end of 2017.

Interest in battery technology has been increasing, and the number of installations and the rate of installation is expected to increase significantly in the coming years. Despite the federal government desperately trying to prop up old and failing systems based on polluting fossil fuels, what we see from these figures is that the public is looking ahead at the clean energy future. The ACT's battery program will soon be providing one megawatt of distributed generation in the territory, making it potentially one of the largest sources of distributed generation in Australia.

A third grants round, which I announced in September this year, will award up to a further \$4 million to continue the program's success. The grants round will continue to award funds to battery installers through a competitive process to ensure that ACT customers continue to receive the best value for money and safe, reliable energy storage systems. I expect to announce the outcome of the third round in December this year.

The next generation energy storage program has a major emphasis on the development of the local renewable energy industry. Companies participating in the program have to demonstrate the benefits they will provide to the local renewable energy industry. To date, these benefits have included the development of local trades training, research and development partnerships, and bringing businesses and experienced personnel to the ACT.

This emphasis on the local economy forms part of the vision for Canberra to become a globally recognised centre for renewable energy innovation, investment and research. We can already see the impact of this vision. Renewable energy jobs in the

ACT increased by 400 per cent between 2010 and 2015, during which time the number of jobs in the sector declined nationally. That is a fantastic way for the ACT to buck the trend, and it is a real step towards actually diversifying our economy. It shows you what happens when governments get serious and back this policy. That difference between the ACT and the national trend reflects what governments were doing at that time. The ACT government was actually investing in renewables, buying a supply of renewable electricity, while the federal government was dithering and, in fact, actively undermining the sector.

Examples of how the ACT government's programs are transforming Canberra into a hub for renewable energy innovation, investment and research include international renewable asset management companies such as Windlab, Neoen, CWP and Global Power Generation all basing their Australian operations in the ACT. As a result, around 2,000 megawatts of renewable electricity generation across the world is being managed from the territory. ITP Renewables, in conjunction with the CIT, is running an extensive program to trial lithium-ion batteries in Australian conditions. Reposit Power, which Mr Steel spoke of earlier, a local company providing battery storage management services, has become a leader in renewable energy technology and innovation, ahead of the curve in the kinds of innovation envisaged by Dr Finkel in his review.

Battery storage is integral to a future high-penetration renewables grid. With the future grid in mind, batteries installed under the program must meet a number of "smart" requirements to ensure that they are ready for the future requirements of a "smart" energy grid. This includes being able to respond to changes in electricity prices and tariffs to ensure that customers are able to fully realise the financial benefits of their batteries and that they are capable of providing support to the electricity network. Each battery installed under the program also provides operational data that will be used for research, innovation and business development, with a focus on ACT businesses and institutions.

There is much more to be said about the whole climate debate, but I want to turn to the issue of reliability. Ms Lee has expressed some concerns in this place and it is important to set the record straight on some of these matters, both to assure this place and to assure the ACT community that this matter has been overstated today, and that the ACT government is taking it seriously.

First, let us reflect on the incident of 11 February this year, when there was the threat of the ACT facing a load-shedding moment or a blackout. We will call it what it is. I do not mind, but the industry terminology is load shedding. Canberra households did not lose power that day. That was probably the result of some luck and some good management. The good management was on the part of the ACT government and ActewAGL moving rapidly to partner with a range of major users across the city to reduce demand in that key period between 4 pm and 6 pm, as well as the call that I put out, as the minister, asking ACT households to do what they could. It also was a result of moves in New South Wales.

Let us talk about what actually caused that brownout. It was a period of excessive heat and it was the fact that coal-fired power stations in New South Wales were not able to

operate because of that excessive heat. In talking about reliability, we should reflect on the fact that it was the coal-fired power stations in New South Wales, driven by issues of excessive heat through that jurisdiction, that actually drove the problem with reliability in the state that day.

It is really important to reflect on this. It is ironic. Those sorts of excessive heat days that we are going to see more frequently in the future because of climate change are driven by coal-fired power. These are the very same power stations that are starting to experience reliability issues because of their age. This becomes an interesting question. We see the Prime Minister positing a new national energy system where he relies on coal-fired power stations for reliability and yet those coal-fired power stations both struggle to operate in the heat and are coming to the natural end of their life.

No investor anywhere on the planet wants to invest in new coal-fired power stations in Australia. So we are getting coal-fired power stations coming to the end of their life. Most of them have around a decade or less left. We have already seen Hazelwood close, not because of any action by environmental activists, ironically, but because the French owner was not prepared to invest in the future of that coal-fired power station. It was too expensive and not worth the financial return to make that investment.

Ms Lee also expressed reservations about this summer. I am pleased to be able to update the Assembly that when AEMO released its forecasts for this summer, the ACT was not on the list of jurisdictions it is concerned about in terms of energy reliability. I am happy to provide copies of that report to members, but it is publicly available. The ACT was not one of the jurisdictions for which the national energy market operator expressed concerns. I answered in question time that I am preparing a communications strategy because the ACT was caught a little unprepared last year. I am determined that we will not be and I want to make sure that, if we have to make that call to the community again, we are extremely well placed and our communications are clear and effective. That is about preparing for future risks.

I think there is a very serious debate to be had about reliability. I do not think the federal government is delivering what we need when it comes to ensuring reliability and the future of the grid. Their package seeks to undermine renewables. We know it does that because Tony Abbott and his mates were cheering after the Liberals' party room was briefed on this package last week. They were stoked with the new package. That tells us everything we need to know about it. The dinosaurs have won the debate in the Liberals' party room. It is now going to be up to the states and territories to fix the mess that Josh Frydenberg and Malcolm Turnbull presented last week, because that eight-page piece of fluff is not good enough when it comes to the future energy grid for Australia. I commend Mr Steel for his motion today and I am pleased to support it.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (6.15): I thank Mr Steel for bringing this motion forward today, as Canberra has a proud history of innovation in renewable energy. The initiatives detailed in Mr Steel's motion will contribute to our maintaining that national and international leadership. While the commonwealth

government has spent the last few years dodging its responsibility to put in place clear and durable plans for Australia's transition to a low emissions economy, we have been acting here in the territory.

As a government we understand and accept that we must act now to cut emissions and find cleaner ways to power our growth. The costs of putting off action will only mean that the adjustment will end up being sharper and more costly in the future. That is why it has been so disappointing and irresponsible of the current federal government to delay and delay again on delivering a clear, long-term energy policy. Last week's announcement of their latest policy attempt bears many of the hallmarks of their prior efforts: rushed, lacking in detail and more responsive to the preferences and the internal battles within the coalition party room than to the interests of our nation, our community and our economy.

The ACT government is of course keen to engage to see whether, possibly this time, there is a policy that can deliver the emissions reduction that we need that would last through more than one electoral cycle in this country. Unfortunately, with so few details currently on offer, that remains very much to be determined. By contrast, Madam Speaker, our territory government is well on its way to delivering what is an ambitious emissions reduction and sustainability target. We have put in place supply contracts to see 100 per cent of the territory's energy provided by renewables by 2020 and we are growing a new industry in the territory in the process. That is why, while the number of renewable energy jobs fell across Australia because of the Abbott government and the subsequent policies of the Turnbull government, the number of renewable energy jobs in the territory actually grew by 22 per cent between 2010 and 2016.

Because of the investments that we have already made and our clear policy direction, Canberra is now perfectly positioned to grow as a major knowledge and skills centre for the multi-billion dollar renewables industry. We can and we will lead the next stage of this country's renewable transition, which involves developing the battery and storage technologies needed to make renewables as reliable as other forms of power generation.

Key renewable energy projects are now being driven from Canberra. Canberra-based Neoen is working with Tesla to install the world's largest battery pack in South Australia, while Windlab will manage the new Ararat Wind Farm in Victoria. Our knowledge sector continues to be the engine room for innovation and growth and will underpin our continued national leadership.

For example, the ANU is partnering with Windlab to deliver Australia's first masters course in wind energy, while Global Power Generation is also partnering with the ANU and ActewAGL Distribution to trial new hydrogen technologies. We have an ever-increasing host of senior business leaders visiting Canberra to learn from our experience and to scope local investment opportunities. They come here because of both the expertise we have garnered and the strong positive story we have to tell.

The world can embrace renewable energy and can capture huge economic advantages. The ACT industry's rapid growth is no accident, Madam Speaker. It has come about

through deliberate and smart policies by the ACT government and the great work of Invest Canberra and VisitCanberra in promoting Canberra to the world.

Our leading battery storage programs are also providing key competitive advantages for local industries and local businesses like Reposit Power, a global leader in smart battery technology. The next generation energy storage program, which began in April 2016, aims to support the installation of up to 5,000 energy storage systems in ACT homes. This will deliver the largest virtual power station, or VPP, in the world, which will provide critical power system security services such as peak demand shaving, shifting and shedding, to use those industry terms. Our Canberra VPP presents an incredible opportunity for high-value research and development. That is why the government has introduced strict requirements for data capture and smart battery capability.

The government is in the final stages of procuring a cloud-based data platform that will host real-time data feeds from each of the battery systems. This will provide a significant dataset on the performance of distributed battery systems. The government will make this data available to local researchers and businesses to drive the next wave of innovation. In conclusion, our booming renewable energy economy is a great example of how smart and progressive policies can deliver economic benefits to Canberra and bring the best and brightest talents to our city. I commend Mr Steel for bringing this motion forward and I commend it to the Assembly.

## Visitor

**MADAM SPEAKER:** Before I call Mr Steel to close the debate, I want to draw to members' attention to the fact that we have a former member, Mr Steve Pratt, in the gallery. Welcome to the Assembly.

## Renewable energy

**MR STEEL** (Murrumbidgee) (6.21), in reply: Looking around the chamber at this moment late on a sitting day I can tell the mood is electric for more than one reason. The topic of this motion is electricity and renewable electricity, particularly batteries and the contribution they can make to the stability of our electricity market. I thank members who have made their contributions this evening; it is excellent to see such strong support in the chamber from all sides in taking action on climate change. Our zero net emissions target is in line with the Paris climate accord, and our approach is very much in line with the Finkel review into what actions state and territory governments can take around energy and emissions.

I refer the opposition spokesperson, Ms Lee, to paragraph (3) of the motion, which actually talks about stability expressly, and the references in part (c) to the Finkel review which directly relates to the role of battery use and market stability and reliability. I did not hear Ms Lee once refer to any substantive contribution about the role of batteries. I hope she will take some time to recharge by the time of the next sitting week, perhaps by reviewing the Finkel report, which is the major evidence base around the energy market and the contribution of batteries as well.

The Finkel review blueprint for the future, the independent review into the future security of the national electricity market, has recommended that the territory government engage with the COAG energy council to identify options for subsidised funding mechanisms for the supply of energy efficient appliances, rooftop solar photovoltaic and battery storage for low income consumers. The review outlines a blueprint that provides consumers with financial rewards if they agree to manage demand and share resources, such as their solar panels and battery storage. The report has also cited the lead taken in the US where the Federal Energy Regulatory Commission has proposed changes to the rules in order to require market operators to revise their electricity tariffs in order to better accommodate the participation of battery storage systems and allow for distributed energy resource aggregators to participate in the market as well.

Our government is on track to develop a strategy to reach zero net emissions and carbon neutrality by 2050, and this motion supports that goal, the work our government is doing and the leadership role we are taking in continuing to invest in renewable energy programs and initiatives, such as the next generation energy storage grants, which will continue to provide subsidies for battery storage installation in the ACT. Of course, there is also the important role we have in building an integrated transport network in the ACT and encouraging the take-up of public transport. That also means light rail as a genuine public transport alternative. I look forward to our government providing an update on the current trial of electric and hybrid buses in the ACT.

Finally, we need to acknowledge where the bulk of our emissions will stem from post 2020—private vehicles. That is why it is so important that our government is working to explore mechanisms to encourage the take-up of private vehicles in the ACT supported by this motion. I commend it to the Assembly.

Question resolved in the affirmative.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Assembly sitting pattern—amendment**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (6.25): Thank you, Madam Speaker—

**Mr Wall**: No, sorry, can we wind back one step before we adjourn? I've just got a motion that is about to be circulated.

**MADAM SPEAKER**: The motion before us at the minute is that the Assembly do now adjourn.

**MR BARR:** What is the motion?

**Mr Wall:** A motion to amend the sitting pattern to remove tomorrow, Tuesday and Wednesday of next week.

**MR BARR:** No. I am not giving leave for that.

**MADAM SPEAKER:** The only way you are going to be able to do it is to seek leave, and it has been indicated that leave will not be granted. So the question before the chair is that the Assembly do now adjourn. Mr Barr.

**MR BARR:** Thank you, Madam Speaker. Perhaps I can clarify a range of issues and circumvent Mr Wall seeking to suspend standing orders. There has been, as I understand it, lodged by the Leader of the Opposition a motion of no confidence in me as Chief Minister. The standing orders do not preclude the Assembly from continuing to sit in the intervening seven days before this motion of no confidence will be considered by the Assembly.

*The Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory* at page 94 section 6.60 states:

The delivery and reporting of a notice of a motion of no confidence has not precluded the Assembly from considering other business, either on the day that the notice of no confidence was delivered and reported or on the days intervening before the motion was considered, though the usual practice has been for the Assembly to adjourn for the intervening period.

So over the history of this place there have been occasions where the Assembly has adjourned for a seven-day period and sitting days have been altered and there have been occasions where the Assembly has continued its normal course of business.

I have consulted with other members in this place in relation to this matter, and it is the government's intention to continue the Assembly's business. The Assembly will, of course, give due consideration, as it should, to this most serious of motions moved by the Leader of the Opposition. I will say at this stage, having spoken to members in the Assembly, I am confident I will retain the support of the majority of members in the Assembly. I think it is important that the very important business that has been scheduled for tomorrow and for Tuesday and Wednesday of next week continue. That is not in breach of the standing orders; it is consistent with the advice in the companion to the standing orders.

For those reasons, Madam Speaker, it is the government's intention to continue with sittings. We will, of course, give precedence to this matter of no confidence on the seventh day when it will be the first item of business. As I understand it, that would be on the Thursday of next week's sittings, the final scheduled sitting for this two-week block. The Assembly should, rightly, have that issue as the first item of business on that day. That is how the government will proceed from here.

## **Standing orders—suspension**

**MR WALL** (Brindabella) (6.28): I move:

That so much of the standing orders be suspended as would prevent Mr Wall from moving a motion to amend the sitting pattern.

We need to suspend standing orders so I can move a motion currently being circulated in my name which seeks to amend the Assembly's resolution of 15 December from 2016 relating to the sitting pattern for this year, meeting with the convention of this Assembly, which would give seven clear days for members to consider the no-confidence motion in the Chief Minister.

A no-confidence motion in the Chief Minister is the most serious and heavily weighted motion this Assembly can consider; such a motion regarding the Chief Minister traditionally has seen a suspension of the Assembly for seven days with no business being conducted until that motion comes back on the seventh day for consideration with precedence.

That occurred in 2012 when Mr Seselja moved a motion against Chief Minister Gallagher; again in 2008 when opposition leader Mr Seselja moved a no-confidence motion against then Chief Minister Mr Stanhope; in 2007 when Mr Stefaniak moved a motion against then Chief Minister Mr Stanhope; Mr Smyth's motion in 2004 against Mr Stanhope; and likewise, when the roles were reversed when Labor was on the opposition benches in 2000 and Mr Stanhope moved a no-confidence motion in Ms Carnell; and in 1999 when Mr Stanhope moved two motions of no confidence in then Chief Minister Ms Carnell.

The last occasion that a government sought to circumvent the importance and the gravity of a no-confidence motion in the Chief Minister was in 1999 when the Liberals were in government, and it was those on the opposite side then—the Labor Party—who squealed and kicked up a stink. Appropriately, at the end of the day, with the support of the crossbench, the Assembly suspended for seven days to allow proper consideration of this motion.

This motion is not a farcical or whimsical no-confidence motion; this motion is a severe claim of no confidence in the Chief Minister, that is, that the Assembly has lost confidence in Mr Barr due to the government's engagement in corrupt decisions. It has been well litigated by the opposition in this place and through the media that this government has engaged repeatedly in a number of corrupt deals. Sadly, under Mr Barr's leadership, Canberra is becoming the corrupt capital, and it is important that this Assembly give that motion the consideration it deserves by suspending the following days' sittings and not returning until next Thursday—then the seventh day—to consider this motion, in line with the self-government act.

That has been convention in the modern era of this parliament. These motions are not moved flippantly. This is the first time a motion of no confidence in the Chief Minister has been moved since mid-2012. It is not done flippantly; it is not done

without a substantive evidence base, and it is appropriate that this motion be given the consideration required.

Mr Barr's refusal to honour convention merely highlights his arrogance and blatant disregard for proper practice and procedure, a characteristic of the operation of his government at every level. I urge members to support the suspension of standing orders to enable a motion to be moved to amend the sitting pattern and give the motion of no confidence that this Chief Minister has engaged in corrupt decisions the consideration it deserves.

**MADAM SPEAKER:** Mr Wall, you should be debating just the suspension of standing orders and not the motion you are referring to.

**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) (6.33): The government will not be supporting Mr Wall's suspension of standing orders. The Chief Minister has made it abundantly clear how we are proceeding with this matter.

I want the Assembly to reflect on the two meetings on the government business agenda that I have had with Mr Wall's office and the Greens in relation to business for this next two-week period, particularly in relation to the grace we gave the opposition for the suspension of government business on Tuesday to deal with Mr Doszpot's speech. That was the appropriate thing to do; but at no time during those two meetings on the government's business agenda did Mr Wall or any member of the opposition indicate they wanted to move this motion or suspend the sittings for the period. They agreed to the government business and the private members business that will occur over the next two weeks.

If there is any arrogance, Madam Speaker, it is from the opposition in this case. I think the government has been very graceful over this two-week period. There is a lot of work for us to do; we had to put a lot of government work off due to the motion that was allowed for Mr Doszpot on Tuesday. We have a lot of business to secure before the end of the year and a lot more business to do next year as well. We will not be supporting the suspension of standing orders.

**MR RATTENBURY** (Kurrajong) (6.35): The Greens will not be supporting the suspension of standing orders. We appreciate the significance of this motion and we will be looking at the details of the allegations very closely, as we are expected to do for such serious consideration. But we are capable of doing that and continuing with the business of this place. We do not feel that we need all of the next seven days to consider it; we will do it around the other work we have to do.

As Mr Gentleman has noted, there is a lot of work to be done in the next week; there is quite a full program. We think it is appropriate that that work continue, particularly with the limited number of sitting days. I note that Mr Wall's motion does not actually put in any replacement sitting days; it simply deletes sitting days from the calendar. Certainly on that basis we cannot support the motion.

We accept that there has been mixed practice in this place. Certainly in recent times it has been the practice to suspend. Equally there have been occasions, as noted in the companion, where Assembly business has continued. Of course, the no-confidence motion must come up first thing next Thursday. We will support that happening; I do not think there is any dispute about that. But we do not see any need to suspend business for the work programmed for tomorrow and next Tuesday and Wednesday. We will not be supporting the suspension.

Question put:

That standing orders be suspended.

Ayes 6

Mr Coe  
Mrs Dunne  
Mrs Kikkert  
Ms Lawder  
Ms Lee

Mr Wall

Noes 9

Mr Barr  
Ms Burch  
Mr Gentleman  
Ms Le Couteur  
Ms Orr

Mr Ramsay  
Mr Rattenbury  
Mr Steel  
Ms Stephen-Smith

Question resolved in the negative.

### **Mental Health Week**

**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) (6.41): I would like today to speak about Mental Health Week, which was held in the ACT from 8 to 14 October this year. Throughout Mental Health Week we made an effort to raise community awareness and understanding of mental illness, reduce the stigma and discrimination associated with people living with mental illness, and promote positive mental health and wellbeing. This year's theme was "Stronger together", and was about reminding people of our shared responsibility to reach out and support those in our community who are doing it tough.

Conversation, understanding and connection with others are simple things we often take for granted, yet people struggling with mental health issues can find themselves isolated, lonely and left to cope on their own. "Stronger together" is about society being fully inclusive of people with mental health issues and seeing the experience of mental ill health as something that builds resilience and makes us stronger.

One in five Australians is affected by mental illness every year. This makes it almost inevitable that someone close to us—ourselves or someone in our friendship circle or workplace—will be affected by poor mental health at some stage in our lives. We can all play a role in reducing the stigma around mental illness by encouraging those around us to seek help when they need it. There is certainly no shame in asking for help. That was a very important message of Mental Health Week.

In particular this year, with the debate around marriage equality, many LGBTIQ families are finding the public debate on the legitimacy of their relationships

hurtful and distressing. As the ACT Discrimination Commissioner noted, as allies and bystanders we can also do our bit to support those members of our community who may face discrimination in the course of their everyday lives. That is why the ACT government has committed additional mental health support for our LGBTIQ community during and onwards from the current debate.

As the first dedicated Minister for Mental Health in the ACT it was great to participate in a number of community events, including the “Stronger together” community concert which launched Mental Health Week. The concert featured local musicians and performers. I would like to thank Eleanor Ailie, Chris Endrey, Cappo, and Duncan Sargeant, who told their personal recovery stories through song.

I was also pleased to open a Spanish Speakers Association event which focused on art as therapy for mental health recovery. Art therapy provides people with mental illness a chance to express themselves in a safe and creative way, I would like to thank Carlos Torres and everyone from the Spanish Speakers Association for the invitation.

The week also celebrated World Mental Health Awareness day, and I was honoured to present the awards for Mental Health Week 2017. The awards recognise organisations and individuals who have made outstanding contributions to the improvement of mental health and wellbeing in the ACT community. I want to congratulate those who received awards and all those who were nominated and thank them for their continuing dedication. In particular, I want to mention the following award winners: Catherine Campbell, winner of the promotion, prevention and early intervention award; Denis Strangman, winner of the mental health carer award; Lyn Lipovac, winner of the mental health consumer award; Joanne Smith, winner of the reciprocity award; and Sarah Shepherd and Jaqui Price, recipients of the Michael Firestone memorial scholarship.

I was also pleased to attend the mental health and wellbeing expo in Garema Place, which provided information about how to access the programs, supports and resources of local mental health and wellbeing organisations. There was a broad diversity of organisations there. It was great to see so many represented, everything from the recognised mental health services through to those providing yoga support and many other services that support our community.

I also acknowledge the Mental Health Foundation for their fundraising dinner and gala dinner. It was a terrific night, and I look forward to that continuing over future years.

All of this would not have been possible without the tremendous work invested in preparing and presenting all the Mental Health Week events. Of special note are Simone Viereck and the team at the Mental Health Community Coalition ACT, who organised and coordinated the week, as well as the ACT Mental Health Consumer Network, which helped organise the awards ceremony. I also acknowledge Genevieve Jacobs from ABC radio Canberra, who was the ACT Mental Health Week ambassador, for all of her efforts throughout the week.

Each of the events in Mental Health Week was designed to celebrate mental health as a source of strength and empowerment, to challenge negative perceptions and take a positive step towards reducing stigma. By reaching out, starting a conversation and really connecting with people who are struggling, we can build a stronger, mentally healthier ACT.

### **Tim the Yowie Man**

**MS CHEYNE** (Ginninderra) (6.46): It seems very fitting on the day that *Lonely Planet* has announced Canberra as the third best city in the world to visit in 2018 to alert the Assembly about yet another feather in Canberra's cap, that is, bringing Tim the Yowie Man to the world. For many years now, Tim has brought mysteries and his love for our great region together. He has delighted, dazzled, occasionally befuddled and educated readers with his *Canberra Times* column. He has introduced thousands of Canberrans to what it means to be a crypto-naturalist, a term Tim coined himself, meaning someone who is versed in the study of strange, rare and hidden phenomena.

In his work, Tim has shone a spotlight on all the weird and the wonderful things about our region. From hunting crayfish in the Brindabellas to catching ghosts in Gungahlin, Tim has travelled all over the capital region to tell untold stories, uncover new mysteries and, of course, search for the elusive yowie. And Tim has steadily expanded his wonderful storytelling with books and with mystery and ghost tours.

From unassuming properties just out of town to one of our major cultural institutions, his tours scratch the surface to reveal the intriguing and the little bit creepy. The fact that these tours are regularly sold out months in advance is a testament to the quality of his storytelling. Now, thanks largely to a local Canberra film crew led by the excellent filmmaker Justin Bush, we have *Tim the Yowie Man—The Series*. In this way, Tim's distinct style of storytelling and uncovering of so many mysteries of our area can be shared with an even greater audience. Through film, we are seeing the Canberra region through Tim's eyes like never before. And, in turn, we are promoting the Canberra region to the world like never before—just like *Lonely Planet*.

I was honoured to help launch the series last Wednesday. The first episode will be live on YouTube, I believe, this Saturday, just in time for Halloween. Viewers will be delighted by the series, which has three episodes and a number of "minisodes" showing off this region and the mysteries behind it, including a very important mystery that needs to be solved: where to get the best pie.

Knowing the talent behind this project, it is no surprise that this series is such a professional production but, collectively as a city, we can be no less proud of it. I guarantee that even those of us who know how enchanting and special our region is will be stunned at just how well the series has captured our region's beauty and its uniqueness. Just like the *Lonely Planet* recommendation, Tim's recommendations will encourage those who live here to explore their region, as well as attracting even more visitors.

**Downer—party at the shops**

**MS LEE** (Kurrajong) (6.49): A few weeks ago I had the great pleasure of joining locals in Downer for their annual party at the shops. The celebration was held on a gorgeous mid-spring day at the local shops in Downer, which is beginning to bloom as an essential community space since its redevelopment two years ago. I was pleased to join in the fun and activities, which included live music; workshops for seed bombing, wicking garden plots and worm farming; and face painting for the children. The courtyard was lined with stalls offering food and information as well as second-hand clothes, plants, books and games.

It was also great to see the recently opened Gang Gang café buzzing with locals and busily brewing their awesome coffee. The Gang Gang cockatoo is cherished as our territory's faunal emblem, and I am sure that the Downer shops will be cherished by locals in much the same way.

The Downer shops are structurally unique, with a complex that goes all around and encloses the courtyard, with a raised round grass knoll in the middle where the fountain used to be. It is now a safe and inviting area ideal for community engagement, and it was wonderful to see this lovely space used and enjoyed by the community at this particular event.

We all know that Canberrans have a strong relationship with our local shops. I spoke about the future of the Kingston shops in this chamber only a few weeks ago. Our local shops play an integral part in providing vital services that are nearby and easily accessible. But they do more than that; our local shops are vital to bringing the community together, and our beautiful city was designed around these community hubs.

It is absolutely crucial that we encourage business activity and development in our local shops. The residents of Downer deserve vibrant local shops. It was great to see some of the first fruits of this vibrancy at the Downer shops, and I can only imagine what the shops will look like in the years to come if supported and allowed to flourish. The physical shops have great potential, with an oval nearby should the community wish to hold larger public events, and there is an abundance of residences within walking distance to make it a convenient gathering place.

To ensure the vibrant future, we need to make sure that the government does not allow it to deteriorate in the same way that the Giralang shops did. I have previously asked the government about its commitment to the local community and about investment in the Downer shops from the sale of the old Downer primary school. The government has stated that no specific funding from the sale has been set aside to improve the shops. If the government is not willing to invest a tiny portion of money made on the sale of a community asset in the local shops, which would benefit the entire community, then what confidence does the community have that their government is looking out for their best interests?

It was a pleasure to catch up with members of the North Canberra Community Council, who I know now hold meetings at facilities at the Downer shops, as well as meeting members of the Downer Community Association. Well done to everyone who played a role in making this year's party at the shops possible and for their commitment to continuing the strong community spirit in Downer. Their dedication is fundamental to preserving the unique character of Canberra, a city which we can now boast is the third best in the world according to *Lonely Planet*.

**The Assembly adjourned at 6.53.**