



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

9 MARCH 2016

www.hansard.act.gov.au

Wednesday, 9 March 2016

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Wednesday, 9 March 2016

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

Government Procurement (Capital Metro) Amendment Bill 2016

Mr Coe, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MR COE (Ginninderra) (10.02): I move:

That this bill be agreed to in principle.

Madam Speaker, this bill is about government transparency. The ACT government is proposing to spend \$700 million constructing a light rail line in Canberra. My bill seeks to amend the Government Procurement Act so that the government is not allowed to use commercial-in-confidence to stop the publication of important sections of the proposed light rail contract. The proposed light rail project would be the largest infrastructure project ever committed to by an ACT government. It is right and proper that if the government goes ahead and signs a contract, it should be disclosed in full to taxpayers, who will pay well over \$1 billion for this project over the next couple of decades.

I acknowledge an instinctive desire for all companies to keep their business affairs private. I understand that a public interest test should be applied to government information. In some cases there is an overwhelming public interest that sufficient information is provided so that Canberrans can judge the merits of the project and hold the government to account for their decisions. The opposition firmly believes capital metro falls into this category.

In previous contracts the ACT government has readily used commercial in-confidence clauses to hide the details of things such as pricing schedules and performance indicators. I note that the ACT government has published an estimated construction price of \$698 million for the first stage of light rail. What is not revealed, and indeed may be hidden, is the pricing schedule listed to the contract: what amount will we pay to Canberra Metro and when? For instance, when will the ACT government seek to back end the contract? In the determination to make this project appear more affordable, will the government seek to limit payments in the first years of the contract in order to back end the contract so it looks better than it actually is? Only releasing the full light rail financials will be able to fully answer this question.

Whilst the capital metro business case provides an estimate for the operating and maintenance costs of light rail, there is every chance that the ACT government can conceal updated operating and maintenance costs based on commercial-in-confidence

provisions. Estimated financial costs and financing rates could also be hidden. Only by releasing the full light rail contract financials can the government confidently provide expected operating maintenance and financing costs for this very important project.

We believe the full release of the financials of the contract will also allow for Canberrans to properly scrutinise this contract. We will know who is responsible for the works, when those works are to be completed and what the expected works and costs are going to be. We will know what the ACT government will complete in house with taxpayers' money outside the current estimated \$698 million construction cost. Any so-called poison pill that the government looks to include in the light rail contract should also have to be disclosed.

Madam Speaker, the government will claim they are being open and transparent when it comes to light rail. They will argue they have been open and transparent in the past regarding light rail so there is no need to release the full light rail contract financials. No statement could be further from the truth. The history of capital metro is filled with the government's fondness for rhetoric, less so about the facts. It started, of course, in 2012 when the government claimed they had an election mandate to build light rail. Of course, election policy No 87 on the ACT Treasury website clearly states that just \$30 million was committed to a feasibility study.

The government continued their rhetoric after the 2012 election when they failed to identify a reason for proceeding with light rail. We know it was to win the support of Mr Rattenbury, but they would not say it. Instead they came up with a number of excuses, all of which contradicted the government's own study into light rail and bus rapid transit. Of course, these excuses led Infrastructure Australia to state that the case for favouring light rail has not been strongly made, as well as the Productivity Commission commenting that the ACT government's decision to proceed with light rail appears to be an example of where the results of the cost-benefit analysis have been ignored without a valid explanation.

The government rhetoric continued when they released the capital metro full business case. A month after the release of the business case Minister Corbell noted:

The government are committed to delivering this project in an open and transparent way and we underlined this commitment by releasing the full capital metro business case at the end of October this year.

The business case was, of course, a decent analysis of the project, but it was hardly compelling evidence to proceed with the project. To quote respected economist Dr Leo Dobes, there is still a disturbing lack of facts on the table when it comes to the economic modelling underpinning the business case. Professor Phil Lewis from the University of Canberra also said:

The cost-benefit analysis that's been done has not been very transparent.

The government claims they have been transparent and open on light rail. It is a shame their record simply does not indicate this. If the government cannot release all

the financial details of the business case then surely they will not release all the financial details of the contract. This is why it is crucial that this bill is before the Assembly.

Madam Speaker, let me conclude by saying that if Labor or the Greens have ideas on how to improve my proposed legislation by way of an amendment to this bill, I am more than willing to discuss this. It is not my intention to force companies to give away trade secrets or intellectual property. Quite frankly, I do not see why such material needs to be in the light rail contract in the first place. However, if it is going to be included then I am open to negotiation regarding this legislation.

The bill is firmly targeted at getting the financial ramifications for this project. I am happy to work with members in the Assembly to ensure that this outcome is delivered in my proposed legislation. I look forward to working with members.

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

Domestic and family violence

MS LAWDER (Brindabella) (10.09): I move:

That this Assembly:

(1) notes that:

- (a) in February 2016 the ACT Government announced a Review into the System Level Responses to Family Violence in the ACT, to be conducted by Mr Laurie Glanfield AM under the *Inquiries Act 1991*; and
- (b) there are a number of reported cases that involve children and ACT Care and Protection Services where family violence has occurred; and

(2) calls on the ACT Government to:

- (a) broaden the scope of the review to be conducted by Mr Glanfield to more generally cover care and protection cases;
- (b) invite public submissions for the review to be conducted by Mr Glanfield;
- (c) make Mr Glanfield's report and its recommendations in full publicly available by the last sitting day in May 2016;
- (d) provide the ACT Government response to the recommendations of Mr Glanfield's report, along with indicative timeframes, to the Assembly by the last sitting day in June 2016; and
- (e) immediately implement any or all possible improvements in information sharing that have arisen from the April 2015 extraordinary meeting of the Domestic Violence Prevention Council.

This morning is an opportunity to talk about an issue that I know we all are very concerned about—that is, care and protection in the ACT, including the recently announced review into the system level responses to family violence in the ACT that is being conducted by Mr Laurie Glanfield AM under the Inquiries Act 1991. I am pleased to be able to speak on this important matter today. Of course we all agree that the best interests of our most vulnerable children and young people are the paramount consideration, as set out in the Children and Young People Act. Recently there have been some very tragic cases reported in the media involving a child or young person in ACT care and protection services where family violence has occurred. I will not go into the detail of those cases today except to reiterate that they are very tragic cases.

As we are aware, in February 2016 the ACT government announced a review into the system level responses to family violence in the ACT to be conducted by Mr Laurie Glanfield under the Inquiries Act. The terms of reference set out what Mr Glanfield will be looking at, including the effectiveness of interactions between government directorates, agencies and service providers in relation to the use of mandatory reporting as prescribed by legislation and the appropriateness of responses to those reports. The review will also consider the effectiveness of government directorates and agencies and service providers' responses to family violence, particularly where children are involved, and the extent to which ACT authorities are legally able to and do actually share and receive information on at-risk families internally and with other jurisdictions.

At the outset I would like to congratulate the government on moving quickly to establish that review, which the Canberra Liberals very much support. It was swift action in response to a very tragic case. But there have been a number of reports in previous years about care and protection and some other examples. Again, I am not going to go into those specifics today. But recently in the *Canberra Times* the Victims of Crime Commissioner for the ACT, John Hinchey, made some comments about an urgent need for better information sharing on family violence matters. That was in response to this inquiry that has been announced. He highlighted the important issue of information sharing across services and systems and the need for governments to share information across borders.

It is a salient point, and I would like to reiterate it. In the ACT we need better information sharing between care and protection services and other directorates and agencies. The mechanics needed to implement any information sharing arrangements need to be worked out, and I am hopeful this review is going to look at some of those. But we have heard these things before, Madam Speaker. For example, back in 2003 a former member of this place, Mr Hargreaves, tabled a report from the community services and social equity standing committee on the rights, interests and wellbeing of children and young people. One of the points Mr Hargreaves made when he tabled that report was that we needed to effect a change in the turf war mentality of sharing information, a change to the one child, one file system whereby the information on a child's life and care is collected at a single point and shared with other agencies in an interagency approach. Hopefully that is what we have been working towards since that report was tabled in 2003. We need to make sure we are making progress on all of these recommendations—there have been a number of other reports about care and protection matters.

My motion today is calling on the government to broaden the scope of Mr Glanfield's review. For example, I would like to see a call for public submissions. I have been contacted by some families who have given me information about cases, and they would like to be able to share their stories and provide information that might stop other children going through what their child or family member has gone through. Broadening the scope and calling for public submissions into Mr Glanfield's review I think would be a very useful thing. People feel better for being able to tell their stories when they feel they are able to help someone else into the future, even though it may be too late for their family members. It gives those concerned members of the public the ability to voice their concerns and have them investigated, presumably by Mr Glanfield, in a transparent and accountable fashion.

As another example of how we need to share information more broadly, in April last year there was the extraordinary meeting of the Domestic Violence Prevention Council. Following that meeting the Domestic Violence Prevention Council provided a report to the Attorney-General. That report also contained some recommendations about information sharing, such as recommendation 7, which states:

That the ACT government considers allowing information sharing between agencies (Government and non-Government) within integrated responses, with appropriate safeguards, particularly where a risk assessment indicates it is important for the purpose of protecting the safety of the victim and their immediate family.

So we have the committee report tabled by Mr Hargreaves back in 2003 and then most recently the recommendations from the Domestic Violence Prevention Council. We all recognise that need. My question is: what is actually taking place to facilitate information sharing and to give effect to those recommendations? If we can have better information between care and protection and other ACT government directorates and agencies as well as interstate and other jurisdictions that is only going to improve outcomes for vulnerable children and young people.

We have the recommendations from the Domestic Violence Prevention Council from nearly a year ago. I would like to know what has been done to give effect to those recommendations in the meantime. Will the government immediately implement any or all possible improvements in information sharing that have arisen from the DV prevention council extraordinary meeting? They must have been working on them for almost a year now, so there must be something that we can put in place. I am not trying to pre-empt the results of the review by Mr Glanfield, but there must be things we can already put in place without waiting for the outcomes of that report, which I expect will also provide some really useful recommendations.

We all want to ensure that the best interests of our most vulnerable children and young people remain the paramount consideration. So my motion today is calling on the government to broaden slightly the scope of Mr Glanfield's inquiry to give effect to the ability for public submissions to the inquiry and enable people to have their stories heard and hopefully investigated and used in a positive fashion for the future. We need to ensure better information sharing between ACT government and other

jurisdictions, directorates and agencies,, because that is what will ensure that the best interests of our most vulnerable children and young people remain the paramount consideration.

We would also like to make sure Mr Glanfield's report and its recommendations in full are made publicly available by the last sitting day in May. We would like the ACT government to provide their response to the recommendations along with indicative time frames to the Assembly by the last sitting day in June. With respect to the extraordinary meeting of the Domestic Violence Prevention Council, the motion calls on the government to immediately put into place any possible improvements in relation to information sharing that have arisen from that April 2015 meeting—nearly a year ago.

I reiterate the opposition's support for Mr Glanfield's review and once again congratulate the government on their swift action in implementing this review. What we are asking for here today is to slightly expand the scope of that review and put in place immediately any recommendations the government can from last year's extraordinary meeting of the DV prevention council. These are things that can be done very quickly, and I hope the government will support my motion today.

MR CORBELL (Molonglo—Deputy Chief Minister, Attorney-General, Minister for Capital Metro, Minister for Health, Minister for Police and Emergency Services and Minister for the Environment and Climate Change) (10.19): I am pleased to respond to this motion today on behalf of the government. I would like, at the outset, to state the government's commitment to reducing the incidence of domestic and family violence in our community and to restate the government's commitment to implementing the strategy outlined in our ACT prevention of violence against women and children strategy 2011-2017.

There are a series of implementation plans that back the government strategy to tackle domestic and family violence in our community. The second implementation plan provides a whole-of-government framework for responding to domestic and family violence that reflects our commitments as part of a national strategy to tackle the scourge of violence in our homes across the nation. Our commitments as a government include funding for family and domestic violence services and support, legislative reform in relation to the national domestic violence order scheme, and improving the coordination and integration of government and non-government services and supports.

In addition, this government has acted swiftly to improve coordination across government when it comes to our response to domestic and family violence. In May last year, the government appointed the Coordinator-General for Domestic and Family Violence, the Deputy Director-General of my portfolio, the Justice and Community Safety Directorate. The coordinator-general is tasked with coordinating all domestic and family violence prevention initiatives within the ACT.

We now have as a result of that a reference group working with the coordinator-general, which includes deputy directors-general of the Education and Training, Health, Community Services, Chief Minister and Treasury directorates,

together with the deputy chief police officer. So we have a very senior group of people working together to improve coordination and our response to domestic violence prevention in our city.

Ms Lawder's motion deals with the appointment of Mr Laurie Glanfield as the independent board of inquiry into systemic system-level responses to family violence in our city. The government appointed Mr Glanfield on 22 February this year. This is formally constituted under the Inquiries Act and will consider the effectiveness of interactions between government directorates, agencies and service providers in relation to the use of mandatory reporting as prescribed by legislation and the appropriateness of responses to those reports, the effectiveness of government directorates, agencies and service providers' response to family violence, particularly where children are involved, and the extent to which ACT authorities are legally able to and do actually share and receive information on at-risk families internally and with other jurisdictions.

The government's mandate to Mr Glanfield is very clear. He is tasked with reviewing the current legislative framework, policy, practices and the operations of ACT government directorates and service providers that respond to family violence. The review is required to inquire into and make recommendations in relation to systemic issues. Clearly, the circumstances involving the tragic death of Bradyn Dillon have been a spur to this review. But the review is not about looking at individual responsibilities in the Dillon case, as these will be considered in the course of the criminal proceedings that are now on foot, and any subsequent coronial inquiry.

But I want to be very clear to the Liberal Party and to Ms Lawder and others that the government is fully committed to making sure that people are able to have their say through this review process and that the outcomes of the review will be made public. Mr Glanfield is required to report to the Chief Minister by 22 April this year. That is a very prompt reporting time frame. I have met with Mr Glanfield and discussed his mandate with him. He has indicated to me that he is confident at this stage that he can meet that time frame.

When it comes to public submissions, the government has already said very clearly that if people wish to raise issues with Mr Glanfield that highlight issues around systemic matters—not individual case management but broader systemic matters—then they are welcome to do so, and Mr Glanfield is accepting submissions on that basis. Certainly, where representations are being made to me or to other ministers they are being referred to Mr Glanfield. Equally, people contacting the government saying, "How do we make submissions?" are being directed to Mr Glanfield. So there is a process that allows people to have their say.

Secondly, the government is committed to releasing the outcomes of Mr Glanfield's review and any subsequent government response to it. I am reluctant though to agree to the time frame suggested by Ms Lawder because we simply do not know what Mr Glanfield is going to conclude yet or how comprehensive, wide ranging or time consuming considering those matters and responding to them will be. So the government will not agree to an arbitrary time frame suggested by Ms Lawder.

What I will say is that it is the government's absolute expectation that the report will be released and the government response will be released well ahead of the conclusion of the term of this Assembly. That is our commitment. But we do not agree to the arbitrary time frame suggested by Ms Lawder. On those two points about public submission and about release of the review and any government response, I think the government's record is very clear, my commitments are very clear and I have put them on the record this morning.

I turn to the issue of the scope of the review. The terms of reference for Mr Glanfield outline that the review will be conducted in the context of the death of Bradyn Dillon, but it is not a review or an investigation into the specifics of that case. As I say, matters around individual personal or criminal responsibility are matters for the courts. Instead, the issues raised and highlighted by this case will be investigated at a system level across government agencies and service providers. These include systemic issues such as mandatory reporting, information sharing and the effectiveness of responses to family violence, particularly where children are involved.

They will necessarily involve consideration of the role of care and protection agencies and how they fit into the system response. It is very clear that that is the scope of the review. It is not meant to be a broader review of child protection services but about information sharing between those different agencies and coordination between those different agencies to keep children safe. The government does not see justification for broadening the scope as suggested by Ms Lawder's motion.

Ms Lawder raises in her comments this morning questions about what has happened as a result of the recommendations put to the government by the Domestic Violence Prevention Council in its extraordinary meeting in April last year. The council reported to the government as a result of that extraordinary meeting last year. It recommended that the government consider allowing information sharing between agencies, government and non-government, with integrated responses and with appropriate safeguards, particularly where a risk assessment indicates it is important for the purposes of protecting the safety of the victim and their immediate family.

I can advise the Assembly that this key recommendation has already been incorporated into the second implementation plan of the ACT prevention of violence against women and children strategy. The implementation of these recommendations is being overseen by the Coordinator-General for Domestic and Family Violence. Practical work is being done to implement that recommendation.

The Justice and Community Safety Directorate has developed an information-sharing guideline to assist law enforcement agencies and other government agencies to identify and exercise their legislative duties and powers to share information. My directorate is currently working to finalise the guideline, notwithstanding the complex legal nature of that document.

In addition, the better services task force in the Community Services Directorate has developed an information-sharing protocol that is focused on improving the workforce practice in sharing the information on common clients between different

agencies. That protocol provides for principles that are aligned with the Information Privacy Act 2014 and guidelines for sharing information with and without consent. Specific training is also being provided to front-line staff to understand and implement the protocol.

Finally, a gap analysis of the domestic and family violence service system is also being undertaken by the Community Services Directorate. It will provide government with an opportunity to identify any other potential areas for improving information-sharing within integrated responses across agencies. So I think I am able to demonstrate very clearly that not only have we listened to that recommendation but we are taking steps to implement it to make sure that information sharing is strengthened.

Whilst information sharing is a critical part of Mr Glanfield's review, I should stress that it is not necessarily the only part or area of emphasis for his report. Sharing information, sharing what is known across agencies, is critically important. But what is also important are matters such as thresholds for action: when is a decision made to intervene? What are the thresholds? Are they consistent across agencies? Are they consistent, for example, between government agencies and the police? How does the health system help inform that decision-making? These are critically important questions as well, and I am confident that Mr Glanfield will assist the government in identifying and further improving the safety of those that are experiencing, or at risk of experiencing, domestic and family violence in the ACT.

The death of Bradyn Dillon is a tragedy for the family and for the broader community. We need to understand what has happened. Individual personal responsibility will be a matter for the courts to determine and an individual has been charged in relation to a number of matters in that respect. But we also need to make sure that our system works as efficiently as possible.

It is a complex area. It is a difficult area. It is an area that is vexed for governments nationally and internationally. But in our community if there is more we can do to strengthen the service and system level response, if there is more we can do to make sure that informed decision-making can happen in a way that keeps children safe where they should, at all times, be safe, which is the family home, then this review will assist us with that.

Madam Speaker, for the reasons I have outlined the government will not agree to the motion proposed by Ms Lawder today. I think we now have demonstrated very clearly that the matters of concern Ms Lawder is raising are already being addressed and processes are already in train. Let us wait and see what Mr Glanfield concludes.

MR RATTENBURY (Molonglo) (10.32): This is an important topic that we are discussing today and one that I think troubles all members of the Assembly: the issue of family and domestic violence and how we best respond to it and how government can play the most effective role in ensuring the safety of children in our community in the context of family and domestic violence.

Ms Lawder has brought forward a specific motion today in this space. I have looked at this quite closely. I think that we do need to make sure that we have a comprehensive approach to the elimination of violence against women and their children, one that is evidence based and well resourced to address primary prevention, crisis response, overlapping vulnerability and also long-term support. These are all elements of what we are looking at here.

In terms of the specific inquiry that has been started by the Attorney-General and the Chief Minister, the attorney has taken us through the terms of reference of that inquiry. I think we have seen a very proactive approach by the government in response to a particular incident—using that as a prompt to look at some of the systemic issues that are underlying the government response. I think the terms of reference which the attorney has touched on today are quite thorough in that regard.

One of the most interesting questions for me in this space is the issue of information sharing and how that intersects with the right to privacy and how in the context of privacy considerations government can most effectively share information across agencies, across people with a level of responsibility in this space whilst at the same time giving people their expected right to privacy. I find that a very challenging issue.

In portfolios that I have held and issues that I have looked at over time, this has come up. I am sure all members have experienced this: one's desire to probe into an issue or to get a better outcome for somebody butts up against that consideration of privacy. I think that the third term of reference identified here—the extent to which ACT authorities are legally able to and do actually share and receive information on at-risk families internally and with other jurisdictions—is a particularly interesting discussion. I will be fascinated to see what the findings are from Mr Glanfield on this matter because I think it is a challenging area and one that warrants a thorough debate.

In terms of the motion that Ms Lawder has brought forward, she has today talked particularly about the need to broaden the scope of the inquiry. Having listened carefully to what Ms Lawder was saying, it was not entirely clear to me how that scope should be broadened. Certainly there was some discussion about the ability for members of the public to make input to Mr Glanfield's work. I thank the Attorney-General for outlining the fact that that is possible for people.

I understand that some people have already made contributions based on their own experiences. It is clear that where people want to contribute to this there is scope to do that. I think that is important. While this is a systemic review looking particularly at government operations, clearly individual case studies, whilst they are not the focus of the review, shine a light on some of those systemic issues. So the capability for people to make those submissions, I think, is a welcome one.

Points were made about the time line. I accept, again, the attorney's arguments on that. Ms Lawder has proposed some dates. They are ones that she feels are appropriate. It is quite clear from the terms of reference that Mr Glanfield is to report to the Chief Minister by 22 April, which I think is quite a prompt inquiry. I welcome the fact that this is not necessarily a long, drawn out matter but one that seeks, in a very focused way, to find outcomes in a short time frame.

I welcome the fact that the attorney has made it clear that the report will be released publicly. I do not necessarily accept that that has to be by the particular dates that Ms Lawder has set out. But I welcome the fact that it will be made public because I think it is an important area and one in which all members of the Assembly have an interest. We shall all look at this report closely.

In light of those specific points that are contained in the motion and the responses that have been given by the attorney this morning, I think the points made by Ms Lawder are well covered. I think that the scope is there for people to make those contributions. I think we can see that there is going to be a transparent release of the report. On that basis, I will not be supporting the motion as such, but I do believe the key points Ms Lawder is seeking have been addressed today, and I welcome that fact.

MS LAWDER (Brindabella) (10.27), in reply: I will speak to close the debate today. I cannot overstate the importance of allowing ordinary people—these people who have been through the tremendous ordeals of their families—to tell their stories. Whilst the inquiry is looking at systemic issues, for the average person their own case illustrates systemic issues. It shines a light on what has happened. They do not talk in terms of systemic issues; they talk about the blockages and the challenges that they have faced in their own journey through the care and protection system. I think it is unfortunate that in a way we are hiding behind some bureaucratic language about looking at systemic issues.

The people who contacted my office were not aware that their stories may be considered because the purpose of the inquiry quite clearly states that the review will be conducted in the context of the recent death of Bradyn Dillon. So the people who have contacted me did feel that they may feel excluded. I have written to the Attorney-General on behalf of at least one family asking for them to be included. I believe that they now will be. But when the inquiry was announced it may have been clearer to members of the general public if they had been told that they were able to make individual contributions.

I also received a briefing from the Attorney-General's office in relation to the inquiry. When I asked whether other cases may be considered, they reiterated to me that the inquiry would be conducted in the context of the recent death of Bradyn Dillon. So perhaps there was some misunderstanding there because when I asked several times about other cases, that was not the response that I got from them—that they may be able to be included. I could not in good faith go back to those families and say yes. What I could say to them is, "I will write to the Attorney-General on your behalf," which is what I have done.

In talking about time frames, Mr Corbell and Mr Rattenbury on the face of it sound eminently reasonable. But it is a bit like a wolf in sheep's clothing. They cannot commit because the issues may be complex. I hope that the issues and recommendations will be complex, because it is a very complex matter. We do not need simplistic recommendations.

I find it unfortunate when, for example, Mr Rattenbury talked about privacy versus information sharing. These are all issues that have been prosecuted time and time again. For example, in November 2014 there was a guide to reporting child abuse and neglect in the ACT, *Keeping children & young people safe—a shared community responsibility*. It said:

Confidentiality and privacy are important but should not override the safety of children or young people. Sharing information between Care and Protection Services and other agencies is essential in order to protect children and young people from experiencing abuse or neglect.

Let us not continue to hide behind confidentiality and privacy. What is more important here: children and young people and their abuse and neglect; or hiding behind some problem about confidentiality and privacy? I think it is an excuse that is often used and it is not a valid excuse. The support, the wellbeing and the protection of children and young people are actually the bigger issue here.

Mr Corbell also talked about things that are already in train, and he said that we should wait and see. I guess I get a little tired of hearing these kinds of things. Let me list a couple of the other reports that we have had in this area specific to the ACT. There was the *Territory as parent* review, which is often known as the Vardon report, in 2004. We had *The territory's children: ensuring safety and quality care for children and young people report on the audit and case review* in 2004. There was the *First six-month status report on the implementation of the territory as parent review* in 2005.

We have had the Children and Young People Death Review Committee, the *Public Advocate of the ACT response to nobody's children* inquiry, the *Public Advocate of the ACT response to ACT inquiry into respite care services* and the ACT family violence intervention program in 2012. There was the "Profile of family violence in the ACT" from the Australian Institute of Criminology in 2007-08. We had *A guide to reporting child abuse and neglect in the ACT* in 2014 that I previously mentioned. We had the child protection practice paper from ACT Health in July 2013 and the ACT Auditor-General's Office performance audit report of the care and protection system in 2013. I could just keep reading. There was the ACT government response to report of the Public Advocate on child protection. The list goes on and on, Madam Speaker.

It is not good enough to say that things are already in train and let us wait and see. If there are things that we can be doing immediately, why are we not doing them immediately? Dealing with systemic issues, and not with individual cases, is a way, I think, of disempowering families who have been through very tragic circumstances. I think it is disrespectful to those people not to really encourage and support their inclusion in this inquiry.

I am a little disappointed that a quite reasonable motion, which is about the care and protection of our most vulnerable people, is not being supported by this government today.

Question put:

That the motion be agreed to.

The Assembly voted—

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

Question so resolved in the negative.

Road Transport (Safety and Traffic Management) (Autonomous Vehicle Trials) Amendment Bill 2016

Debate resumed from 10 February 2016, on motion by **Mr Coe**:

That this bill be agreed to in principle.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (10.48): The government supports Mr Coe’s intention in seeking to facilitate the trialling and testing of autonomous vehicles in the ACT. However, the government cannot support this bill as it does not set out an appropriate legislative framework for driverless vehicle technology in the ACT.

Mr Coe described his bill as a “first step”, and has himself identified a fundamental problem with it: future legislative amendments would be necessary to allow autonomous vehicles to operate on ACT roads. I agree that Mr Coe’s bill is a step, but I do not believe it is a step in the right direction. To be successful, our approach to autonomous vehicles needs to be done properly, having regard to the particular needs and legislative requirements of the ACT. I think that rather than being a helpful step, Mr Coe’s legislation could well be an impediment to the goal that I think the entire Assembly shares, which is to enable the trialling and development of this technology here in the ACT.

I acknowledge that in certain areas of regulation it can be difficult for non-government members to unilaterally propose changes, as the legislation can be complex and there are often particular protocols that need to be navigated.

By way of background, the ACT’s road transport legislation currently does not permit the operation of autonomous vehicles on ACT roads. The legislation is predicated on a driver physically operating a vehicle. The road rules, which we adopt from the national road rules, also implicitly require the driver of a vehicle to be human. Further, the licensing and registration provisions have been developed around a construct of a driver driving a vehicle.

It has been recognised both interstate and overseas that accommodating autonomous vehicles within existing road transport regulatory regimes poses significant challenges and would require existing models to be substantially redesigned. No jurisdiction has yet successfully undertaken this task, with autonomous vehicles largely operating under exemptions from the existing traffic laws.

On this issue, I recognise that there is great value in cross-jurisdictional collaboration and a cohesive approach. The National Transport Commission has started to review Australian regulatory models to identify barriers to the introduction of more automated road and rail vehicles. An issues paper to support this review was released on 4 February this year. As this comprehensive national work progresses, it is unwise to introduce new legislation which does not comprehensively address the range of matters required to facilitate autonomous vehicle trials. Rather, the sensible approach is to use the existing provisions of the road transport legislation to support any trial of autonomous vehicles in the ACT.

Historically, trials of new technologies or practices have occurred through the minister granting an exemption, under sections 12 and 13 of the Road Transport (General) Act 1999, from the relevant provisions of the road transport legislation which would otherwise present a barrier to the trial.

Sections 12 and 13 allow the minister to declare that the road transport legislation, or a provision of the road transport legislation, does not apply to an area, road, vehicle, person or animal in the circumstances stated in the declaration. These are flexible powers that have been used in other circumstances in the ACT, such as allowing a trial of segways around the parliamentary zone, conducting the two-year trial of motorcycle lane filtering, and supporting independent taxi operators operating in the ACT who would otherwise be in breach of requirements to belong to a taxi network. From the diversity of those examples, one can see that sections 12 and 13 allow me as the responsible minister quite broad scope to allow for innovation here in the ACT and to be flexible in the approach that we take to specific issues that arise from time to time.

The powers in sections 12 and 13 are not restricted in any way. This provides flexibility for each trial and allows the supporting exemption to be assessed on its merits and an appropriate governance and accountability framework to be established on a case-by-case basis. Appropriate controls and restrictions on trials can be imposed on potential operators through conditions attached to an exemption. Again, you can see from the couple of examples I gave that they are obviously each quite different. Each required a specific regulatory approach. That underlines the strength of sections 12 and 13 and also demonstrates how applicable they can be to endeavours to allow autonomous vehicles to operate here in the ACT.

The breadth of the minister's power to grant that exemption ensures that an appropriate regulatory model can be developed and applied for each proposed trial. This supports the model for a trial being tailor-made and, importantly, being developed in consultation with industry and trial participants. Again, for me that is a particularly important point in the context of autonomous vehicles, where the

technologies are rapidly changing, with any prescriptive legislative regime running the risk of obsolescence and jeopardising the government's ability to attract potential autonomous vehicle operators to the ACT.

The government is interested in driverless vehicle technology and is in fact actively pursuing opportunities to bring the technology, in the form of trials, to Canberra. The Chief Minister spoke yesterday in detail about this, talking about how the ACT government is working with stakeholders and talking to leaders in the autonomous vehicle industry. This work has been going on for some time already. This is a sensible and proactive approach which I believe will result in the ACT leading in this new and innovative area, just as we have done in other areas such as the regulation of ride sharing.

I have also made clear, as the road safety minister, that I believe driverless vehicles have potential to improve road safety. They can potentially help improve social inclusion for people who currently are unable to drive due to reasons such as old age and disability. They can potentially improve access to our public transport system, they can integrate with public transport, and public transport vehicles themselves may even be driverless. The ACT government is keen to support these innovations. I have also said that we need to be realistic about what autonomous vehicles can deliver, and what they mean for transport and city planning. It would be a mistake to argue that autonomous cars will displace public transport, which can move people efficiently, and en masse, and is a fundamental part of a sustainable city.

I do not think that it is any surprise that the Canberra Liberals have started championing autonomous vehicles at the same time they campaign against public transport. There are clearly divergent views in this Assembly, with the Liberal Party believing our city should be focused on the car, in complete ignorance of the serious problems that come with that: pollution, congestion, higher costs, decreased amenity and social exclusion.

At the other end of the spectrum, the ACT Greens and the Labor Party have agreed that we want to address these challenges and bring Canberrans the benefits of sustainable transport—reflected, of course, in our shared commitment to a range of public transport improvements in this city as outlined in the plan that Minister Gentleman, the Chief Minister, Minister Corbell and I launched late last year and, perhaps in its most high profile form, the commitment to the first stage of the capital metro project.

In conclusion, I want to emphasise that the government welcomes the opportunity to harness the potential benefits of autonomous vehicles. The bill, unfortunately, does not assist in this regard. It possibly would even be a hindrance. So the government, and I and members of the Labor Party, will not be voting in support of this bill today. However, in the meantime I look forward to seeing the progress we can make on the issue of autonomous vehicles as well as other transport innovations that will help our city to be productive, sustainable and inclusive.

As to the most important thing we can take out of this debate, I would be loath to see anybody stand in this chamber today and say the ACT government is not supportive

of autonomous vehicles coming to the territory. I fear that we will see a press release that says that because this bill was not supported, the government does not support autonomous vehicles. But I cannot be any clearer that this government is absolutely open to business in working with innovators in this space, in working with people who want to come to the ACT and work with the ACT government. We can assure you that we are keen to talk to you. The door is open and we have the ability to make it happen very quickly through the broad regulatory powers that we have and the ability of the minister to make an exemption. We have a flexible system that means that we can work with anybody who wants to come and work with us.

MR COE (Ginninderra) (10.57), in reply: I am disappointed that the government will not be supporting my legislation today. I am not surprised, because, of course, this is something which the government want to take carriage of themselves. However, they are in a very awkward situation. On one hand they are trying to say that we need to have fixed rail or fixed infrastructure public transport solutions in Canberra, yet on the other hand, from Mr Rattenbury's speech, we are hearing that actually it is not going to be a dynamic, nimble autonomous vehicle system in the ACT, therefore making any fixed infrastructure redundant.

People will try to backpedal and say, "We will use autonomous vehicles to shuttle people into Gungahlin or shuttle people into Dickson and then they can hop on the tram." But the truth is that people will only shuttle onto another mode of transport if it is faster than the mode of transport they are currently on. Why would somebody go from a fast autonomous vehicle onto a slow tram which is averaging 20 kilometres an hour? Why would somebody do that? It simply does not make sense. If there were a nonstop service from Gungahlin to the city averaging 40, 50, 60 or 70 kilometres an hour, perhaps somebody would have an incentive to shuttle into a town centre or shuttle into a node to then go onto a different mode of transport.

The truth is that autonomous vehicles are in conflict with light rail. They are in stark conflict with light rail. That is why we have not seen any progress on autonomous vehicles in the ACT. This government's stubbornness with regard to light rail means that we are not getting the best available technology and the optimal transport solution for our jurisdiction.

Two years ago, the vice-president of research and development of General Motors said of the ACT that we are the standout jurisdiction in Australia for autonomous vehicles. That was two years ago. It is all very well for Mr Rattenbury to say that we are open for business, but the truth is: what business has happened here? We are obviously not open for business, because no business is taking place. Why is business taking place in South Australia in this space but not here in the ACT? Why has it been taking place in states right across America for years, yet not in the ACT? Why is it taking place in jurisdictions right across Australia, but not here in the ACT? That is why we have legislation on the table.

The current rules and regulations are obviously not working. Obviously the government is not trying to attract this sort of investment to Canberra. Obviously the government is not working on regulation in this space. That is why we need my

legislation. In the absence of those opposite doing the work, the opposition will happily step up. It is just a shame that so many other jurisdictions across Australia, and indeed across the world, have got a leg up on us in autonomous vehicles.

This government is falling behind rapidly. It is rapidly falling behind every other jurisdiction. I am sure that in the next month or two they are going to, frankly, try and do something in this space to try and show that there is some evidence of doing something. But why is it that other jurisdictions across Australia have already been doing so much more than nothing? That is what we have here: absolutely nothing.

Mr Rattenbury may well talk about the endpoint, whereby autonomous vehicles will be able to drive people from point A to point B. But before we get to that point there has to be testing. That is what this legislation is about. It is about capturing opportunities and markets that exist right now.

Legislation can easily be changed in this place. If we need an amendment to this in six months time, a year's time or two years time, well, so be it. That should not be an impediment. That should not be a hurdle which cannot be overcome. What we need here and now is a framework which makes the ACT enticing to investment in this space. We simply do not have it, and that is obvious. That is there in the fact that we do not have an autonomous vehicle industry in the ACT.

We have several companies that are doing great work in this space, but all that work is exported. All that work is exported to the mining industry, to South Australia, to the United States or over to Europe. It is a shame that all that expertise needs to be exported and we cannot actually harvest or harness some of that information, some of that intellectual capability here in the ACT for our own industry.

Mr Rattenbury may well try and claim that their solution is more pure. It is all for naught unless we actually get some investment here. There are jurisdictions that have been attracting this sort of investment for years, and we are falling further and further behind. I am very disappointed that Mr Rattenbury does not support this legislation.

In conclusion, I am also quite curious as to why Mr Rattenbury is speaking on this bill rather than the Chief Minister, who yesterday gave a statement on this very subject. Was the Chief Minister's statement in his portfolio or not? Is the Chief Minister now going to do statements on anything and everything? Obviously there is some sort of tussle between Mr Rattenbury and Mr Barr in this space, but it is unfortunate that the people of Canberra are the ones who lose out of this, because we have got nothing to show for it. We have no autonomous vehicle industry here in the ACT, whereas other jurisdictions have had for years.

Question put:

That this bill be agreed to in principal.

The Assembly voted—

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

Question so resolved in the negative.

Weston Creek

MRS JONES (Molonglo) (11.08): I move:

That this Assembly:

(1) notes:

- (a) the Weston Creek area was initially developed between 1968 and 1974, with the first residents taking up residence in 1969;
- (b) currently the Weston Creek area has a population of approximately 23 000 residents;
- (c) the Weston Creek community is serviced by the Weston group centre, also referred to as Cooleman Court. Cooleman Court is a key social and economic hub for Weston Creek residents, offering aged care facilities, childcare centres, health facilities, religious centres, indoor recreation, restaurants, several cafes, two grocery stores, a department store and is the third largest group centre in Canberra;
- (d) the Weston group centre also services the new Molonglo Valley precinct, which once complete will have an expected population of 55 000 residents, yet the new Molonglo Valley precinct has no detailed plan for a group centre;
- (e) the Weston group centre has two car parks that have around 500 car parking spaces, a smaller car park and some on-street parking; and
- (f) both car parks at Cooleman Court were resealed in early 2013, yet due to the shortcomings of the spray seal surface that was used as opposed to the more expensive asphalt option, the car park surface required fixing for a second time; and

(2) calls on the Government to:

- (a) resolve the lack of parking around the Weston group centre; and
- (b) advise the Assembly this week when the new group centre in Molonglo will be built.

I stand today to draw the government's attention again to the inadequacies of parking at the Weston group centre and possible remedies to people's frustration. The Weston group centre was developed as a part of Weston Creek. The area was initially developed between 1968 and 1974, with the first residents taking up a place in their homes in 1969. Currently the Weston Creek area has a population of approximately 23,000 residents, according to the master plan. The Weston Creek community is serviced by the Weston group centre, also referred to by many as Cooleman Court. Cooleman Court is a key social and economic hub for Weston Creek residents, offering aged care, child care, health facilities, religious centres, indoor recreation, restaurants, several cafes, grocery stores and department stores, and is the third largest group centre in Canberra.

Weston group centre also services the new Molonglo Valley precinct which, once complete, will have an expected population of 55,000 residents, yet the new Molonglo Valley has no detailed plan for a group centre—although we are told that one is planned. The Weston group centre has two car parks of around 500 car parking spaces together, a smaller car park and some on-street parking. Both car parks at Cooleman Court were resealed in 2013. Due to the shortcomings of the spray seal surface—otherwise referred to as chip seal—that was used, as opposed to the more expensive asphalt option, the car park surface required fixing for a second time. My motion calls on the government to resolve the lack of parking around the Weston group centre and to advise the Assembly when the new group centre in Molonglo will be built. I am aware of the amendment that has basically taken everything out of the motion, which is rather unfortunate.

For too long now this Assembly and the people of Canberra have been kept in the dark about the processes and decisions surrounding the development of these new suburbs. The government has been in power for nearly 15 years and it is evident that it is becoming less and less transparent. Because of this lack of transparency, many constituents in Weston Creek contact me on a regular basis to ask questions about what is happening with the new Molonglo region. The lack of transparency is often at the centre of many constituents' concerns. People can put up with quite a lot of inconvenience if they know that there is an end point and what that end point will be.

In addition to their concerns about the new Molonglo region, frequently members of Weston Creek write to me or talk to me at mobile offices. They are disgruntled and directly inconvenienced by the lack of parking at Cooleman Court. One of the reasons is that they can remember in not so distant history that it was not so bad and they had a much more convenient shopping or community experience. As the third largest group centre in the ACT, it services an older demographic profile than the rest of Canberra. There is inadequate, outdated and insufficient parking to meet demand. I invite the ministers in this government to go to Cooleman Court on any given day and witness for themselves the frustration and confusion that many residents and community members experience on a regular basis.

It is not just the elderly that we are letting down. It is those many families that comprise Weston Creek. It is the people who work at the Weston group centre and it is the people who need to use the one and only petrol station in Weston Creek at the

moment. It is the mums who need a quick stop to buy nappies, because there are no more in the house, and find themselves driving round and round trying to find a car park. It becomes quite frustrating.

This situation is set to worsen. The development of the Molonglo Valley precinct is well underway, with stage 1 encompassing the suburbs of Coombs, Wright and North Weston. This area incorporates 4,500 dwellings and around 10,000 people, many of whom are already using Coleman Court to do their shopping and access services for health, community, banking, child care, recreational or social reasons. Then we will have stage 2, which is projected to include the district's principal commercial centre, and has an even higher population target of 18,000 residents and around 7,300 dwellings, which places even more strain on the Weston group centre.

The Weston group centre master plan accepts that there will be an increased demand for car parking during the transitional period while the Molonglo Valley residents use the Weston group centre, and it is not hard to understand why. The Molonglo Valley development will directly result in more traffic, more people, more cars and more demand over the coming weeks, months and years until Molonglo get their own group centre.

In addition to the issue of car parking at Coleman Court, which is often under pressure, particularly at peak times when it is really at capacity, loading areas in the car parks create conflict with pedestrian and driver connections into the centre. Directional signage is also limited. This makes it increasingly difficult for Weston Creek's older demographic to get around and do their shopping. 16.4 per cent of Weston Creek residents are over the age of 65 years. This compares to 10.5 per cent across the ACT and 13.8 per cent nationally. So the area has a higher rate of older Canberrans.

Another setback for community members that use the group centre was the failed car park resurfacing efforts of 2013. Although it improved the situation, it took a fair bit of pain and patience from residents. Both north and south car parks were resealed yet, during the high temperatures of December that year, significant road bleeding occurred, partly due to the shortcomings of the chip seal or spray seal surface that was used as opposed to more expensive options. People could not push their trolleys. Those in cars and pedestrians were inconvenienced and the car park surface required fixing over and over. For such a high-traffic, high-use, compact car park, this was a disaster for many. We note that there is provision in the Weston Group master plan for improvement, like increases to short-stay car parking near the retail core, but it does not bring about larger infrastructure changes which are needed to cater for the ageing population and families.

Furthermore, according to Infrastructure Australia, Weston Creek's projected employment is expected to rise. Despite there being talk of a commercial centre for Molonglo Valley residents, we do not see from this government many of the finer details. We do not know when it will be built. We do not know what services or shops are hoped to be offered there. We do not have a clear time line for a start or end date. We do not have an overview of expected time lines to be able to advise residents of these two areas when they ask the question. They deserve more than that.

The community knows that this government is not transparent in the business of government. The community knows that this government cannot effectively manage money, people or resources. The government said it would change the tax mix, reducing stamp duty on homes while increasing rates. The government said this would be revenue neutral, but the unsurprising truth is that the government was saying one thing while doing another.

In November 2015 the consolidated 2014-15 annual financial statements showed that the government had increased revenue, through increased taxes on working families, by \$81 million. Of this increased revenue, \$36 million was because of massive hikes in rates, making them quite unfair. This was never going to be a revenue-neutral measure, and the government knew it. The Chief Minister and Treasurer has misled the community over and over, and quite openly.

Whether or not Canberrans own their own home, they are paying for these massive increases to rates. If they own their own home, they would know their rates have increased by 10 to 15 per cent in the last 12 months alone. It is not only home owners who are paying for these massive rate hikes. Renters will see upward pressure placed on their rent as landlords are faced with higher bills and are likely to pass these costs on.

The rate payers of Amaroo are also disappointed with the government. They have had delay after delay in the delivery of the Amaroo group centre. The residents of Amaroo in the past four years alone have seen their average rates increase by \$444. It is no wonder that so many constituents have contacted me to express their disappointment at this old and greedy government. It is simple. The government is good at taking, but it fails to deliver meaningful action on time or on budget. To give back to residents some value for the steeply increasing taxes that they pay is not that hard, but members of the government would have to want to that.

If petrol costs were going up by 10 or 15 per cent per year there would be riots. The Competition and Consumer Commission would be involved, the media would be screaming, and we would be asking ourselves what the greedy oil merchants were doing to families. But for some reason in this town residents are unhappy, but the public anger has not yet spilled out. We will see what happens over the next six months. Fair is fair. That is why I am calling on the ACT government to come forward and advise the Assembly this week as to when the new group centre for Molonglo will be built—even if in a general time frame—and to respect the residents of Weston Creek who are graciously putting up with quite a lot of discomfort in order to accommodate these additional residents from Molonglo Valley. They are doing so with the best grace that they can, but they deserve to know that there is an end date and roughly when that will be.

I am calling on the ACT government to be transparent about its plans and time lines for new Molonglo and to inform the Assembly and the people of Canberra when they can expect to have this group centre completed in Molonglo. It is not fair that rates continue to rise at astronomical percentages while the government slacks off and does not perform the duties that it owes to the people of Canberra.

Time and again we see governments that have been in power for too long take advantage of the people they represent. This government is no different. This government is too comfortable with its public office. It is becoming lazy, slow and disrespectful. It is not transparent. It is simply increasing rates for more and more money to spend on projects like the light rail rather than working hard to see what will actually deliver meaningful actions and outcomes for people in the suburbs of Canberra.

Delays and confusion about when the Molonglo group centre will be built do not only affect those who want to shop at the supermarkets and buy the newspaper from the newsagency; they are also a dampener on business and community confidence. The group centre should be a place for young people to get jobs, for locals to get to know one another, and for community groups to spread their message and help make a difference. Group centres are more than just a place to shop after work. They have a big impact on how people feel about their community, and on the look and function of a community as well. It is vital that the government lets us know when the community of Molonglo will have their group centre and when Weston Creek residents will be relieved of this additional pressure.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (11.19): I thank Mrs Jones for bringing this motion here today. The government has been doing quite a bit of work in the Woden-Weston areas, and particularly of course in the new suburbs of the Molonglo Valley. Madam Deputy Speaker, I have circulated an amendment to Mrs Jones’s motion which more reflects the work that the government has been doing. I move:

Omit all words after “population of 55 000 residents” in paragraph (1)(d), substitute:

“who will have access to a wide range of community and commercial facilities; and

(e) the recent addition of over 75 car spaces to the current Weston Creek group centre; and

(2) calls on the Government to

(a) continue to monitor the demand for car spaces in the Weston Creek group centre; and

(b) continue to work with the community around the need for an additional group centre in the Molonglo Valley in the future.”.

The government does that work, and continues to do that work, around Weston and the new suburbs of Molonglo. This part of Canberra is a fast-growing one, and the government is committed to continuing to plan for this growth in a sustainable and logical manner, ensuring that there are adequate services and transport options for current and future residents.

The Weston group centre was developed in the 1970s to service the residents of Weston Creek. The Weston group centre serves as a key social and economic hub for Weston Creek, offering a range of shops, facilities, services and employment, including the Cooleman Court shopping centre. Weston Creek has a population of approximately 23,650 people, and is made up of a slightly older population than the rest of Canberra. The area has a median age of 40 years, compared to the ACT-wide population of 34 years of age.

The Molonglo Valley district is being planned and developed to the north of Weston Creek. Once complete, the Molonglo Valley will have an expected population of 55,000 people, with a number of small commercial centres and a main commercial centre. The Weston group centre, along with other centres in the area, will continue to support Molonglo Valley residents in a transitional manner until shops and services are established in the Molonglo Valley.

The Weston group centre is serviced by both private and public transport. Bus services provide connections to the surrounding suburbs of Weston Creek and to Woden and the city. Within the Weston group centre master plan study area, there are 1,345 car parking spaces, including 1,004 public car parking spaces. In the main commercial area in the Weston group centre—around Cooleman Court and the services area—there are 1,043 car parking spaces, including 838 public car parking spaces.

The ACT government completed a master plan for the Weston group centre in December 2014. The master plan was well received by the community and key stakeholders. The Weston group centre master plan sets the long-term vision and the planning guidelines for the centre's future development. The master plan sets out what is important about the Weston group centre and identifies opportunities for enhancing the qualities of the centre. It identifies opportunities for growth, while maintaining the centre's unique character.

The master plan responds to the ACT government's and community's vision through the ACT planning strategy for a more compact and efficient city. The ACT government's aim is for a city where everyone can take advantage of and enjoy its network of centres, open spaces and modes of travel for a sense of wellbeing and participation in a vibrant civic and cultural life.

Extensive community engagement was held through the master plan process, in particular with Weston Creek residents, local businesses, community groups, ACT government agencies and private interest groups. Background analysis and the community engagement process helped to identify priorities for improving the centre to meet the community's needs and aspirations now and into the future. The Weston Creek community is an active community, with over 1,000 people attending various meetings and workshops, including completing surveys or taking part in conversations, during the course of the Weston group centre master plan process.

The Weston group centre master plan sought to address the local challenges that were identified during comprehensive community engagement and background analysis.

These included the quality of the public domain and the lack of outdoor meeting spaces in the centre, access to the shops and services in the centre through improved pedestrian connections, providing long-term and short-term parking opportunities for residential development for a more vibrant and active centre, the provision of community facilities, and the transitional impact of the Molonglo Valley residents on the Weston group centre in terms of facilities, services and parking.

The vision for the Weston group centre is drawn from the community of Weston Creek and their valuable input towards the master plan. So you can see, Madam Deputy Speaker, that a lot of engagement has occurred through this master planning process with the residents of Weston Creek. It envisages the centre as “an attractive village in the valley with pleasant and safe surrounds to enjoy, convenient access to shops and services, a sustainable built environment and opportunities for all to socialise and participate in community life”.

I am pleased to confirm that there have been a number of achievements to celebrate since the completion of the master plan in 2014. In 2014, 76 additional surface car parking spaces have been provided in Liardet Street and Dillon Close, as identified in the master plan, to provide long-term parking at the periphery of the centre. This has allowed more short-term parking to be made available near the centre in the larger car parks to allow for a more accessible centre. Improved pedestrian connections from Dillon Close to the shopping centre have been constructed to improve access to the shops and services in the centre.

The Weston group centre master plan aimed to integrate public transport infrastructure and services with land uses to promote greater use of public transport, including the frequent rapid bus services. I can confirm that in 2014 improvements to the services, including additional Xpresso bus services, were introduced to improve access to Woden and the city centre to encourage more active travel.

A feasibility study is currently being undertaken to upgrade Brierly Street and Trenerry Square to enhance the public spaces and to improve pedestrian and cyclist safety and access. This was also a direct recommendation from the master plan that will create a place for the community to meet and improve opportunities for active travel.

The ACT government has an age-friendly program that includes the suburb of Weston and the Weston group centre. The program provides improvements to the local footpath network to encourage the local aged population to be more active. As members of this Assembly would know, the Mirinjani retirement home is located in close proximity to the Weston group centre and many residents use the facilities within the centre on a daily basis.

Safety on the roads in the vicinity of the group centre has also received attention over the years, with improvements provided at the intersection of Streeton Drive and Namatjira Drive as part of a federally funded black spot road safety project. The Weston group centre master plan also identified the need to provide improvements at the intersection of Hindmarsh Drive and Brierly Street, one of the two key access points to the centre. The provision of traffic lights at this intersection will be considered in a future ACT government budget.

The ACT government also provided a park-and-ride car park on the Cotter Road in 2014, in close proximity to the Weston group centre. This includes 60 new car parking spaces, a new bus stop and shelter and a bicycle cage. In response to the requirement for additional services in the area, a site has been identified on the corner of Kirkpatrick Street and the Cotter Road for a second service station to meet the needs of Weston Creek and Molonglo Valley residents.

The Weston group centre master plan addresses sustainability issues such as urban intensification in the area by nominating key sites for future residential development. The master plan also allows for the possibility of retail expansion into the future. This includes the opportunity for the Cooleman Court shopping centre to be expanded to accommodate additional commercial development, including better pedestrian connections across the centre, additional residential development and additional car parking to service the centre.

The first stage of Molonglo Valley will cater for approximately 20,000 people. A planned commercial centre for the Molonglo Valley will contain a mixture of community, retail, commercial, office and residential uses of differing densities. The commercial centre will service the residents of Coombs, Wright, Denman Prospect stages 1 to 3 and the area known as Molonglo 3. The commercial uses within the centre will provide direct employment within the area.

As the population increases, other commercial uses will be available to provide shops and services. The local centre site within the suburb of Coombs was sold in April 2015. The site permits supermarket use up to 1,000 square metres and additional commercial uses. Coombs also contains mixed use sites permitting commercial uses.

Delivery of the main commercial centre for the Molonglo Valley will be dependent upon the demand for services and the maturity of the surrounding suburbs. The Molonglo Valley area is expected to provide educational institutions, emergency services and community uses, as well as the general commercial services of a commercial centre, and a diverse number of recreational uses.

In conclusion the ACT government recognises the importance of the Weston group centre and the role it plays in Weston Creek and the broader area. The master plan's strategic direction guides the future development over the next 20-plus years. This government can celebrate significant achievements in delivering the implementation of this master plan and it is working with the local community to further progress key elements of the plan.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (11.31): I welcome the opportunity today to speak about Weston Creek and the Weston Creek group centre, or Cooleman Court, or perhaps even “CooLo” as some in the district refer to it as. A Weston group centre master plan was completed in 2014, as Minister Gentleman has outlined today, and he has gone through it in some detail. It outlines a long-term vision and guidelines for the centre's future development. The master plan recognises the transitional impact of the Molonglo Valley on the centre in

terms of facilities, services and parking. Certainly that has been a topic of discussion in Weston Creek for a number of years now, with people recognising that the arrival of the earlier residents in the new suburbs with the facilities coming a bit later, as they tend to—and I will come back to that point later—was always going to provide some transitional pressure on Cooleman Court.

Mr Gentleman also outlined that the government has recently developed additional car parking spaces in the area. I know they have certainly provided a good option, particularly for long-term parkers. The master plan also identifies key actions. One is improving pedestrian safety and reinforcing pedestrian and cycle connections in the centre, and it would be fair to say there is definitely room for improvement there. The second is integrating the frequent rapid bus network into the centre. Both of those things identified in the master plan would be great improvements for Cooleman Court. I focus on those because this is a motion that is essentially about transport. I think it is important that we include a broader discussion on this topic and not just confine it to car parking.

I raised issues of transport in Weston Creek once before and we talked about the importance of transitioning to sustainable transport and providing better bus services and cycling and walking options. An example I would like to cite is the success of buses in Molonglo in recent years. When I was the TAMS minister I was very focused on ensuring buses went into those suburbs of Wright and Coombs early on in addition to extra Xpresso buses servicing the Weston Creek area generally.

Buses such as the 83 and the 783 started off pretty empty as the population was just growing, but now they are so full that at certain times it can be difficult to get a seat. All of these people travelling on these buses are people who are not driving and not putting so much pressure on our road infrastructure. I think this is a great outcome and certainly illustrates the value of providing services early on as people form their habits when they move to a new area. I would very much like to see more of these services in place in Weston Creek and Molonglo to continue getting these good outcomes where customers clearly have responded to the provision of services.

It is worth reflecting on that previous debate a little bit and I will quote Mrs Jones's response from a previous motion when I raised the issue of sustainable transport in Weston Creek and Molonglo because I think it is a very revealing statement. She said:

Mums and dads trying to get their kids to school and earn the double income needed to survive these days should not have to pay the price for this minister's mung bean, soy latte vision of a utopian society where inner city yuppies can catch a tram to work. That is his view and it punishes those working the hardest to produce another generation of ratepayers. It is a disgrace. The idea of mode shift is anti-mum, anti-family and arrogant. It says, "We know better than you what is good for you." The Greens minister is out of touch and dictatorial.

That was a pretty extraordinary quote. The fact that we refer to children as "another generation of ratepayers" is revealing in its own right, but I think it is a fantastic statement because it reveals very clearly what the Canberra Liberal Party actually thinks about transport, about our city's future and about the different needs of Canberrans from different walks of life.

The Canberra Liberals sometimes pretend they support sustainable transport—only in the form of buses of course—or that they support walking and cycling. But here is their real view on these matters: the idea of mode shift is anti-mum, anti-family, arrogant and dictatorial. If they do not support mode shift then they clearly do not support public transport or walking or cycling or the people who want to or need to use these modes of transport. Ironically, this, of course, includes thousands of families and mums and kids, and that can be demonstrated any day of the week if you go to any school in this city where plenty of mums are bringing their kids to school by walking and biking.

There will not be any efforts into non-car modes under a Liberal government. Canberra will be a car-dominated city, and all its growth and change will have to be managed with roads and driving. Now, what does this mean? It means there will be growing pressures, such as parking pressures at Cooleman Court, which Mrs Jones has rightly identified today. With all the increasing car travel, Mrs Jones will need to bring back motion after motion in the Assembly calling for more roads, more parking, actions to cut congestion and actions to protect amenity. A car-dominated city is not friendly for families. In such a city it is difficult for kids to find space to play, to walk or ride to school. There is more local pollution, and that is not good for young lungs.

One of the major negatives of a car-dominated city is that it is costly—costly to the government as it provides more and expanded infrastructure, but also costly to households and to families. Transport is a major cost. Running cars is expensive.

What about people who do not drive or cannot drive—old people, people with disability, young people, and others? What happens to their mobility option in this future world where you can only get around if you have a car? Social exclusion is a serious issue and another one that the Liberal Party completely ignores in its obsession that is being put forward in this sort of headspace.

What is actually anti-family, anti-mum and dictatorial is to remove people's transport choices and say that you can only travel well around this city if you drive. In any case, eventually drivers will not be travelling well as we go through a car-dominated city consequence of a downward spiral of congestion, expense and pollution. The supposed benefits of the car-dominated city ultimately evaporate.

As Molonglo continues to develop additional facilities, it will be developed to cater to the growing population. Certainly as the education minister I was pleased to welcome students to the new Charles Weston School at the beginning of this school year, an example of the infrastructure that is starting to take shape as the Molonglo Valley population grows. Last year land was sold for the local shops. This allows for a supermarket of up to 1,000 square metres and additional commercial facilities. Other community facilities including a childcare centre, medical centre and community hall are also planned in the local centre to serve the growing population of Coombs and Wright. These facilities may also be used by a wider catchment, including some residents of Weston Creek.

It is also worth noting that the new school, the Charles Weston School, has been designed to be a community hub and provide a range of community facilities in the way that schools are being designed now to recognise that the infrastructure provided should not only be used between 8.30 and 3.30 in the afternoon but is, in fact, a community asset that has a great deal to offer the entire community. I am very pleased that that design thinking has been put in place in the Charles Weston School.

Phasing of these facilities in a new area like Molonglo is important. We talked about the importance of small business yesterday, and it would not be feasible for small businesses or for other facilities to be developed in advance of a large enough population to support them. This is always the tricky balance—you can open a new supermarket, but if there is no-one there to use it and support it, the supermarket will not survive as an ongoing business. There is a balance; there needs to be a critical mass for these facilities to be viable. But, over time, the facilities that are developed will be viable, and that is the way Canberra has developed historically.

Residents of Weston Creek, of course, will also benefit from facilities that are being developed as part of the Molonglo area, such as the wonderful work that TAMS has been doing along the river park where there are new walking tracks, new picnic facilities and the like and proposed facilities at Stromlo Forest Park, of course, including future aquatic facilities. As development proceeds there will be a Molonglo group centre.

There was discussion today of the service station at Weston Creek. Of course, this is an interesting story, and I think I have reflected on this before. There used to be many service stations in Weston Creek. With the Woolworths approach to service station provision of undercutting the local businesses, all the good citizens of Weston Creek went for that option, of course, and the local service stations closed down. We now have only one service station in Weston Creek. It is pretty congested and I think people are frustrated by the amount of time they often have to queue there.

The government has released a site for a new service station on the corner of Cotter Road and Kirkpatrick Street near the Tuggeranong Parkway which will provide additional convenience to residents of both Molonglo and Weston Creek. Many people will be able to get fuel on the way to and from home, and I am sure that will come with a convenience store which will provide further amenity and potentially avoid some trips to Cooleman Court.

I think it is important to reflect on the whole picture here. There is no doubt that Cooleman Court is a very popular shopping facility. It is a great shopping facility. As a former resident of Weston Creek myself and with my parents currently in the area, I know it is a facility that provides an enormous range of options for people both in terms of day-to-day shopping and things like dining facilities and the like. It is a very popular centre, one that is very convenient for people and one that is going to change. I think the master plan has done a good job of identifying areas for improvement, and I know TAMS is already working on a range of those proposals. One of the things we have discussed in government is that these master plans need to be not only talked through the community and developed but implemented as well. I know TAMS is working on some of those initiatives now and that is a good outcome.

I will be supporting Mr Gentleman's amendment today. I think the amendment acknowledges some of the work that has been done and also some of the future plans for the area. There will be ongoing pressure on Cooleman Court, but that is part of that transition. It is also quite a boon in some regards; we are actually seeing more services provided at Cooleman Court because of the extra customer base there. I am happy to support Mr Gentleman's amendment today.

MS FITZHARRIS (Molonglo—Minister for Higher Education, Training and Research, Minister for Transport and Municipal Services and Assistant Minister for Health) (11.42): I also thank Mrs Jones for moving this motion today and Minister Gentleman, in particular, for his amendment, which I will be supporting today. It also provides me the opportunity to talk about how this Labor government is investing in Weston Creek and the Molonglo Valley to drive the renewal and the growth of that region. I spoke recently in the chamber during my inaugural ministerial statement about the importance our local shops have for our communities. They are hubs of activity and drive our local economy, and I am very pleased to hear that the Weston Creek group centre, better known of course as Cooleman Court, is thriving so well.

Understandably, the popularity of Cooleman Court has placed pressure on the infrastructure and, as in all busy group centres, the management of parking and traffic issues is something that requires ongoing monitoring by the government. I am pleased that, by speaking with local residents and businesses and through the local community council, many improvements have already been progressed.

The specific parking improvements have been covered extensively by Minister Gentleman. But that is exactly why we need to improve the transport network as a whole. We need to also improve the number of transport choices we have. That includes cars and parking but also, as has been canvassed by Minister Gentleman and Minister Rattenbury, our walking and cycling networks as well. While not every choice will suit every person in every circumstance, if we lock people into one choice only—roads, cars and parking—we fundamentally minimise their choice in how they move safely and conveniently around our city.

As members know, Cooleman Court has two large car parks—one on either side—to promote better access to the shopping centre. The government understands that we must respond to this growing demand and ensure that the infrastructure at Cooleman Court remains contemporary to the needs of businesses and customers. The ACT government has worked closely, particularly through the Territory and Municipal Services Directorate, with the local community to drive the changes that are needed. A survey of the use of the existing parking resulted in the inclusion in the master plan for the Weston Creek group centre additional parking. To facilitate this, the ACT government provided \$600,000 to build an additional 76 car parking spaces last year.

In addition, as part of last year's budget the government has also provided \$860,000 for an upgrade to Brierly Street and Trenerry Square. These works will improve pedestrian and cyclist safety and access for pedestrians and promote more active travel in line with the ACT government's overall transport strategy. If we can improve the network to walk and cycle safely to the shops, then we should, and we

are. Mr Rattenbury also noted the improved bus network to Cooleman Court and into the Molonglo Valley, and I support the comments he has made on the improved bus network.

Weston and Weston Creek group centre have also been included as part of the ACT government's age-friendly program, which is providing improvements to the local footpath network and encouraging the local aged population to be more active. Of course, with the Mirinjani retirement home located in close proximity to the Weston Creek group centre, many residents use the facilities within Cooleman Court on a daily basis. An additional \$250,000 is available this year to provide new road crossings, footpaths, seating at rest points and some improvements to existing street and path lighting. Between these three initiatives the government has invested \$1.7 million to upgrade the amenity and access to Cooleman Court.

More broadly, I recently announced that at Rivett shops we are investing \$360,000 to improve access from the bus stop to the shops with the installation of a new pathway, ramp and stairs; upgraded paving and lighting; improved access from the Burrangiri aged-care facility to the shopping centre; and installation of new public space seating.

This upgrade at Rivett follows upgrades at Chapman. The Chapman shops upgrade, for example, has revitalised the area, providing local residents and traders with a more accessible, vibrant and attractive centre. This upgrade included new street furniture such as seats, a drinking fountain, picnic setting and shade structure, bike racks and bins. There have also been significant improvements to pedestrian access in and around the shops, and we will continue to look at upgrading local shops in the Weston Creek area.

Certainly, Weston Creek group centre is a busy place. Parking and traffic are activities that are managed on a daily basis. Over the years staff in the TAMS directorate have worked closely with residents, businesses and the local community council and will continue to work closely with them to ensure that Cooleman Court and all the local shops in the Weston Creek and Molonglo Valley, as they come online, continue to serve their communities.

Mrs Jones mentioned the Amaroo group centre. I share some disappointment that that group centre has not yet risen from the ground. But I make this point in relation to Mrs Jones's original motion where she calls for the government to advise when the new group centre in Molonglo will be built. It is a curious pattern from the Canberra Liberals that they often call on the government to do things when they should know full well they are things that are delivered by the private sector. I want to reiterate that group centres are not built by the government. Amaroo group centre, which I was referring to, was released in 2013. It is the private sector that is yet to develop their plans and build up the group centre.

I note the increasing calls from those opposite that the government needs to fix every problem. Of all the parties that claim to have a base with the business community, they are often calling on the government to solve problems that the government needs to work in partnership on with the private sector and the business community.

I reiterate: the government does not build group centres; the government does not build shopping centres. The government will work in partnership with the private sector to deliver the land. There are times when the private sector has not yet been able to make the investment to build the infrastructure the community needs. It is a shared responsibility and one that the government is working hard on delivering.

MRS JONES (Molonglo) (11.48): The Canberra Liberals will not be supporting the amendment, and I am happy to speak and close.

I thank Minister Fitzharris for her enlightening analysis of Liberal Party requests of the government. I remind her that no private entity can build anything on ACT government land without government approval and a process for that to occur. And I remind the minister also that this group centre will clearly not occur until the planning process is done and the land is released.

There is absolutely nothing wrong with the Canberra Liberals asking when that will be achieved. She can pick the semantics apart, and she is very welcome to do it, but it does her no favours in the Weston Creek community if I am reiterating what she is saying in this place to them—that her problem is with the method by which we asked when the government will get this group centre done.

The group centre at Amaroo is being built 20 years after people moved in. I lived in Amaroo for about five years, had no group centre, and moved out. Children have been born and grown up there and there still has not been a group centre. That is not the private sector's fault. It is an illogical and silly stretch to say that the fact that the Canberra Liberals are asking when the government will get around to solving these problems is somehow illiberal.

The community deserves confidence. The community needs to know when these facilities are coming, even with a rough time line. The government do themselves no favours by refusing to even make a statement about which decade this will happen in, as if they do not have a plan for when that will happen, as if for the past 15 years there have not been group centres built and planning done for new areas. They should have learnt from their experiences in Gungahlin roughly how long these things take, roughly how long it takes for the population to get to a point where a group centre is viable, and started making some basic statements about that.

The people of Weston Creek are utterly sick of the sight of a car park where they cannot find a spot. The group centre management, the Cooleman Court management, says in regard to parking: “We used to pride ourselves on being a convenient shopping centre. However, due to the new Molonglo division, we are now catering to a large trade area, and our car park is not coping and it is reflecting in our sales. We are having a lot of customers complain that they are going elsewhere and they are driving around and around and not getting a car park. Our core demographic is over 55. Our older customers are having trouble parking further and further away, making their way to the centre with walkers or walking aids as our disabled spaces are limited. Other retailers are not operating within the centre and also use the centre car park, like the McDonalds and other surrounding retailers in the vicinity. After 9 am, the car park

is generally at capacity, with retailers and other tenants occupying some of the spaces as well. Previously, we have instructed retailers to use other spaces, but we cannot enforce this. There are 40 shops in the group centre, and there are 84,000 pedestrians coming through the centre every week, on average.” How will that centre cope with an additional 55,000? It is not unreasonable for us to ask.

As far as Minister Rattenbury goes, good on him. I am really glad that he remembers that we have done a master plan in this place, that the government has undertaken that work. I thank Jeremy for his lobbying for that in the last term of government. As per usual, nothing gets done around here until there are a huge number of complaints from the members of the public about it. There is not any forward planning on these things. We wait until they get to be overwhelming and then act at the last minute. Nonetheless, the population remains unhappy and people have a right to know when this distress will end.

Minister Rattenbury quoted my statements about mums and public transport. I am really glad that there are some mums who can get around their business on the buses. Fantastic; good on them. But the vast majority of mums—and dads—are driving in completely different directions to drop kids off to school and then get to work. Then, as I have explained to Minister Rattenbury on many occasions—he makes himself look foolish—if your child is sick and you have to get to them, you are not going to wait for a once-an-hour bus to get to the other end of Canberra. I maintain my position that the tram is a farce and a waste of money that should be spent on other things that this city really needs.

Children will grow up to be ratepayers. My point in calling them that—as if I do not care about children; for crying out loud, I have five of them I dedicate my entire life to the raising of—is that even if the government do not give a stuff about families, they should be interested in their future income.

MADAM DEPUTY SPEAKER: Mrs Jones, just be mindful of your language, please.

MRS JONES: Yes; thank you.

As I have mentioned, the needs of the Weston Creek community need to be taken into account. Pleasant surrounds, as the minister claims Weston Creek is designed to have, do not help a mum or an elderly person driving around and around the car park. I will let them know that your advice is that they should catch the bus. We will see how many of them think that is a reason to vote for the Labor Party in the next election. It really is a shame.

It will give the government no help in the upcoming election that the minister refuses to be transparent with ratepayers. Which other group centres are in the area? The minister referred to other group centres. There are not any other group centres. That is the whole point. When the new Molonglo reaches all the way past Coppins Crossing, you might find that some people drive to Jamison. But at the moment, the whole point is that the entire population of Molonglo Valley and the new Molonglo are coming to do their shopping in Weston Creek.

I am telling you that the sense of wellbeing is being affected by the ongoing inadequate parking. All I want for the residents is for a time window to be given by the government about when they expect that this group centre will be built. I am presuming that the reason that they are not being up-front about it is that they think it might be in 20 years time. People are only left to draw their own conclusions if the government will not give them any advice.

The use of the centre is up. It is not necessarily helping businesses, it does not help with confidence, and it is giving the area a bad name. You yourselves should all know in this place how important it is to be able to park at your local shops and get what you need. It is a basic necessity. I am disappointed with the way the government have managed their responses to this debate. It is disrespectful of ratepayers who are paying 40 to 60 per cent higher rates than they were four years ago for fewer services than they had at that time.

As for Mr Rattenbury's banging on about the bus network, Weston Creek does not have a better bus network than it had before. There are fewer services; there are fewer connections to major town centres. The whole place is not particularly happy with the way that the changes to the bus network have occurred, not to mention how absolutely unhelpful that is to those who are under the most pressure, driving assisted vehicles or trying to get their kids in and out of the supermarket so that they can buy their nappies and their formula and get home.

Question put:

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

The Assembly voted—

Ayes 8

Noes 7

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

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Safe schools program

MR HINDER (Ginninderra) (12.00): I move:

That this Assembly:

(1) notes:

- (a) that Safe Schools Coalition Australia is working to create inclusive and positive environments for same sex attracted, intersex and gender diverse students in 517 schools across Australia, including 23 schools in the ACT;
 - (b) the program plays an important role in supporting school communities develop strategies to address homophobic and transphobic bullying and exclusion;
 - (c) that 80 per cent of homophobic and transphobic bullying involving Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning (LGBTIQ) young people occurs in a school environment, and that LGBTIQ people are three times more likely to experience depression than their peers;
 - (d) the Federal Government's recent decision to review the Safe Schools program; and
 - (e) the inflammatory, divisive and inaccurate comments from members of the Federal Government, including:
 - (i) the former Prime Minister Tony Abbott's description of the program as "social engineering";
 - (ii) Senator Cory Bernardi's assertion that the program "indoctrinates kids with Marxist cultural relativism"; and
 - (iii) George Christensen MP's statement that the program "sounds a lot like the grooming work that a sexual predator might undertake"; and
- (2) calls on the ACT Government to continue to:
- (a) support the Safe Schools Coalition and their operation in the ACT;
 - (b) work with teachers, students and parents to address bullying, to ensure all students can learn in a safe and inclusive environment; and
 - (c) reject homophobic and transphobic discrimination in all its forms.

Members of the Assembly would be aware that recently the federal government safe schools program has come under assault from the Turnbull government. I rise to speak on the importance of this program in ACT schools as a mechanism for promoting understanding and inclusion amongst our young people, and thus a more harmonious society.

We have had a string of unfortunate and offensive comments from federal Liberal parliamentarians that would have been better left unsaid. These people have been making derogatory and unsympathetic statements in the commonwealth parliament regarding LGBTI Australians. This is not productive dialogue that will lower the level of bullying in our schools. I am proud to be part of an ACT Labor government which fights homophobia. It is crucial that it starts when our people are young and progresses through the formative stages of their lives.

These comments by federal Liberals have been astounding. On 29 February, in regard to safe schools, Tony Abbott stated:

It's not an anti-bullying program. It's a social engineering program. Its funding should be terminated.

How a former Prime Minister can take a program based on understanding and accepting and twist it into a form of social engineering is beyond me. Hopefully, this view contributed to why Mr Abbott now has a lot more time on his hands.

Cory Bernardi made a string of statements on 23 February which are unfathomable to someone with any kind of common sense. He stated that safe schools is, and I quote:

... intimidating children, they're bullying children and they're indoctrinating children into subscribing to a worldview that no 11 year old should be forced to do within our school system ...

MADAM SPEAKER: Mr Hinder, could you sit down for a moment. Stop the clock. It is form and practice in the Assembly to refer to members by their title—as the minister, or as Mr Doszpot or Mr Hinder. That extends to other parliaments as well; we refer to people by their title—the member for Warringah, Mr Abbott, Senator Bernardi et cetera. Could I ask you to keep that in mind in your comments.

MR HINDER: Thank you, Madam Speaker. Is Senator Bernardi seriously concerned that 11-year-olds should develop a world view based on acceptance of the differences of others? He went on to say that the program was being used to “indoctrinate children into a Marxist agenda of cultural relativism”. I am unaware what decade the senator thinks we live in, but the wall came down in 1989. If people are still talking about Marxist agendas in this day and age it is a bit outrageous. Again I refer to the fact that we are not pinkos and commos.

This comment shows a severe lack of understanding of the program by Senator Bernardi and his Liberal colleagues. But it goes on, Madam Speaker. His backbench colleague Mr Christensen stated on 25 February:

This material is putting children at risk of being sexualised at an early age. If a man exposed a child to these websites, sex clubs, sex shops and online communities on the internet we would call this a paedophile grooming a victim.

If someone is somehow implying that a program aimed at promoting the welfare of young people and making schools a better place is comparable to a sex offender grooming a child it is beyond the realm of anybody with half an understanding of this program. But leave it to Mr Christensen to never let facts get in the way of hard-right alarmism.

Mr Shorten rightly called Senator Bernardi a homophobe. However, all of these federal MPs clearly have a problem with a positive approach to building understanding towards gender and sexually diverse people. They do not seem to understand the nature of bullying in our schools and how important these years are for lifelong self-esteem.

With teen suicide being an epidemic in our country and our territory, I would expect federal MPs to speak in a less inflammatory manner about these issues. My work with Menslink taught me that suicide amongst young men between the ages of 15 and 32 is at epidemic levels. It is completely unacceptable that the Liberal Party is second-guessing mental health professionals and undermining the critical work they do.

It is my intention in this place to speak positively about the LGBTI community and to support our young people towards having happy and fulfilling lives. The facts are that people of diverse sexual orientation, sex or gender identity may account for up to 11 per cent of Australia's population. That is a large proportion of the community which is prone to experiencing marginalisation and harassment without active steps towards understanding. That is why it is important that we as legislators, and the federal government as the body responsible for the safe schools program, actively take strides towards ensuring these people of diverse gender and sexuality are an accepted part of our community.

The bullying figures are significant. Sixty-one per cent of LGBTI young people report experiencing verbal homophobic abuse, while 18 per cent experience physical homophobic abuse. That is a startling figure in this day and age, and shows that the steps we have taken towards making our schools safer spaces have in fact not been enough. These are figures that one would expect in another era, not in 2016. Some of these students experience cyber-bullying, social exclusion and humiliation. Eighty per cent of homophobic bullying involving LGBTI young people occurs at school. This is where we clearly need to target bullying.

As a result of bullying, LGBTI people are three times more likely to experience depression compared with the broader population, and almost 50 per cent of all LGBTI people hide their sexual orientation or gender identity in public for fear of violence and discrimination. These figures are clearly unacceptable and show that the effect of bullying in our schools is lifelong and sometimes irreversible.

I am proud that the Labor Party provided funding towards addressing this problem. The Safe Schools Coalition offers resources and support for staff, students and families. The resources are aimed at creating safe, positive environments for LGBTI students. Aspects of the program include specialised training and workshops for staff, student and staff analysis surveys, and providing a range of free printed and digital resources.

Amongst these resources is the "All of us" tool, aligned to the year 7-8 health and physical education area of the Australian curriculum. This teaching resource is designed to increase students' awareness around gender diversity, sexual diversity and intersex topics. It is simply a further part of their learning of gender and sexuality matters in their first years in high school.

Safe schools operates in 517 schools across Australia, has 15,102 staff members trained through its program and has 95 support organisations. Those 15,000 staff members are all now equipped with the tools to appropriately handle issues of gender and sexuality.

Our teachers are at the front line of student support, and I will always speak in favour of better training and better support funding for them. It means that if a student decides to talk to a teacher about a gender or sexuality issue, they can handle it with professionalism and sympathy and avoid potentially difficult experiences for the student.

There are four schools in my electorate of Ginninderra which receive support from the safe schools program—Florey Primary School, Hawker College, Canberra High School and Melba Copland Secondary School. There are also a further four schools in the broader Gungahlin area which receive funding, namely, Gungahlin College, Amaroo School, Gold Creek School and the University of Canberra High School at Kaleen. I look forward to visiting these schools and speaking to staff about the positive impacts that the safe schools program has had in lowering the level of bullying in their classrooms.

It is important to note that the effects of a program like this go far beyond our schools. They go towards the kind of society that we as Canberrans want to build in this city. Do we want a society built on understanding and acceptance? Do we want our young people growing up knowing that it is unacceptable to judge others for things that are beyond their control? Do we think it is unacceptable that discourse around LGBTI issues in the federal parliament is as poor as it has been in our schoolyards? My answer to these questions, and the answer of most decent Canberrans, is a resounding yes.

But one question remains: do the Canberra Liberals agree with their federal counterparts regarding destroying programs which address the epidemic of bullying in our schools, or will they unequivocally stand with Labor in order to save a significant number of our young people from lifelong low self-esteem and harassment?

MR DOSZPOT (Molonglo) (12.10): I thank Mr Hinder for bringing this motion on for debate in the ACT Legislative Assembly. At the outset, I would like to say that I recognise Mr Hinder is a brand new MLA and I recognise that there are a myriad of rules and protocols to get one's head around. However, in respect of his motion, it needs to be pointed out that, one, the Safe Schools Coalition Australia is a federal program; two, the federal government has recently announced a review of its program; three, the two federal members of parliament and the one federal senator whom Mr Hinder has quoted in his motion are Liberal Party backbenchers and as such are at liberty to express their personal views on any number of subjects, unlike Labor Party members who are not provided with such freedoms.

In Mr Hinder's defence, if he had been observing his colleagues in this place in recent weeks, he would have seen that they have been presenting a plethora of federal issues—from equality in marriage, to euthanasia and the NBN. In fact, Labor have talked about anything but their own ACT-based policies because the only one they have is light rail and it is very much on the nose.

The Safe Schools Coalition Australia, SSCA, is the first national program funded by the Australian government aimed at creating safe and supportive school environments

for same sex attracted, intersex and gender diverse people by reducing homophobic and transphobic bullying and discrimination in schools.

The Foundation for Young Australians has developed the SSCA and works with state and territory education providers and service delivery partners to implement the program. Twenty-three schools in the ACT have chosen to introduce the safe schools program into their schools. It is not a compulsory course and it is at the discretion and determination of the school board, the principal and the school community to make such decisions.

My office, and probably the offices of all MLAs in this place, has been approached by parents on both sides of the argument giving their views—some well-intentioned, some a little inaccurate as to the actual content of the program. Some of the material that is not part of the program but linked to it is certainly questionable. For that reason, if not any other, it is entirely sensible that the program and its links be examined as part of the review to see whether that is an appropriate use of public moneys and whether it is in the best interests of students in our schools and their families.

That is why the federal government, who funds the program, has decided to review it: to examine the program's objectives and its impact in schools. As I said, that is an entirely appropriate course of action. I suggest that Mr Hinder might wait to see what the outcomes of that informed independent review are before reaching any conclusions.

Let me reiterate: it is a federal program. It is optional as to whether a school decides to introduce it and the program is currently the subject of a federal review, which is appropriate for any program that attracts taxpayer dollars. Perhaps had such scrutiny been applied to pink batts and BER programs we might not have had the disastrous consequences to human life and the financial consequences that the former federal Labor Party presided over.

That said, let me say to the Assembly that I find it somewhat hypocritical for someone from that side of the chamber to come into this place and lecture us on this side about bullying—and worse, bullying in schools.

Mr Gentleman: Point of order, Madam Speaker.

MADAM SPEAKER: Mr Gentleman on a point of order.

MR GENTLEMAN: My understanding is that the term “hypocritical” when used in regard to another member is—

MADAM SPEAKER: No, it is not unparliamentary. There is no point of order. Mr Doszpot will continue on the question that the motion be agreed to.

MR DOSZPOT: So, that said, let me say to the Assembly that I find it somewhat hypocritical for someone from that side of the chamber to come into this place and lecture us on this side about bullying—and worse, bullying in schools. But in doing so, he failed to recognise that bullying has many variations and he has chosen a narrow definition.

I am clearly on the record for the last eight years in this place as being the most consistent defender of students and staff who have suffered because of the inertia and wilful blindness of this government in addressing bullying within the ACT education system, in schools, in school playgrounds and in ACT tertiary institutions.

As a migrant starting school in Australia, coming from a country that most of my classmates had never heard of, I think I know a thing or two about bullying at school. As an English migrant, I suspect Mr Hanson might also be able to share a story or two on this topic. I think we need to recognise that it matters not what issue someone is bullied on; there is no measure or gradient of offence. Bullying is bullying and whether it is because of race, religion, sexual preference, disability or intellect, it affects the victim equally and deeply.

We should all be prepared to stand up when we see bullying being perpetrated in the workplace, in our social lives—anywhere—and to call out the bully. I have seen too many victims of bullying come through my office to not appreciate that bullying takes many forms and affects people in many ways. Yes, it affects young people, in fact, any person who has issues dealing with their identity.

But sexual identity is not the only trauma young people face at school. What of those who struggle with a desire to keep up academically with their classmates and live up to their parents' expectation when learning does not come as easily to them as it does to their classmates? What of those kids who live with difficult home circumstances, where alcohol or drugs or domestic violence are everyday occurrences? We had a whole report only late last year about students with complex needs and challenging behaviours. They too face tough times at school being picked on and excluded.

I would particularly highlight Mr Hinder's second call on the Assembly and ask ministers to reflect on what they could or should have done better. Mr Hinder's motion asks the Assembly to work with teachers, students and parents to address bullying to ensure that all students can learn in a safe and inclusive environment. To me, that is the most important and most relevant point in this motion. Why merely single out transphobic and homophobic discrimination, and by doing so suggest that it is the only form of bullying that matters? On that basis I wish to move an amendment to Mr Hinder's motion. I circulate now the amendment. The Canberra Liberals amend the motion as follows—

MADAM SPEAKER: I presume you have more to say, Mr Doszpot.

MR DOSZPOT: I do.

MADAM SPEAKER: We cannot actually move that the amendment be agreed to until it has been circulated.

MR DOSZPOT: My apologies.

MADAM SPEAKER: The amendment will have to be picked up, copied and circulated.

MR DOSZPOT: So on that basis, I wish to move an amendment to Mr Hinder's motion, and I circulate it now. The Canberra Liberals amend it as follows:

Omit all words after "notes", substitute:

"(a) that bullying in all forms is abhorrent and damaging to children of all groups, and that governments, schools—

Ms Burch: Eight years and you still have not got it right, Doszy.

Mr Rattenbury: Seven and a half years of practice.

MADAM SPEAKER: Sit down, Mr Doszpot. I think it is ironic that we are debating a motion on bullying and I just heard two fairly acerbic comments across the chamber from members of the government about a member's performance. Although there was nothing technically disorderly about it, you might like to contemplate what we are talking about here. The question is that the motion be agreed to. Mr Doszpot.

MR DOSZPOT: Madam Speaker, I will again attempt read what the amendment states:

Omit all words after "notes", substitute:

- "(a) that bullying in all forms is abhorrent and damaging to children of all groups, and that governments, schools and the community have a responsibility to take steps to eliminate bullying, harassment and exclusion of our young people, including Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning students;
- (b) that state and national governments have collaborated to create guidelines to promote learning environments which are free from bullying, harassment, aggression and violence;
- (c) that the Safe Schools program was initiated by a Federal Labor government and implemented by the Federal Liberal Government to attempt to address the issue of bullying of our children; and
- (d) that the Federal Government is currently reviewing the Safe Schools program to ensure it is effective and appropriate to create positive and safe environments for all students, including same sex attracted, intersex and gender diverse students; and

(2) calls on the ACT Government to:

- (a) reject bullying and discrimination in all its forms in our schools, including bullying of Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning students;
- (b) support the Federal Government review that aims to provide clarity and assurances to parents about the programs being offered in ACT schools; and

- (c) support teachers, students and parents to address bullying of all types to allow students to learn in a safe and inclusive environment.”.

Madam Speaker, to summarise, bullying is offensive in any form, in any environment—I thank you for pointing that out to our colleagues here in this chamber—and at any time. Let us all commit to doing everything we can to stamp it out: in our schools, in our society and, dare I say, in our chamber.

I commend this amendment to the Assembly.

MADAM SPEAKER: Mr Doszpot, could you formally move the amendment, please?

MR DOSZPOT: I move the amendment circulated in my name.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (12.21): Thank you, Madam Speaker, and I thank Mr Hinder for bringing this important motion here today. I rise to support this motion and to support the work that is being done by the Safe Schools Coalition in schools across the territory and Australia as a whole. Providing a safe environment for the education of young people is paramount to the success of our education system. If a child goes to school, any fear, intimidation or bullying will impact in some way on their wellbeing, on their happiness and general wellbeing as well as their learning process.

The experience that many LGBTIQ people face during their years at school is not nice. It is not fun, it is not safe and it is not fair. The impact of these experiences at school can be lifelong and devastating. It is saddening when you hear stories of people who hid their identity, avoided entering a fulfilling and loving relationship or are still unable to build a loving romantic relationship due to the past experience of stigma at school, at home or in society in general. I cannot imagine having experienced such discrimination and stigma that it impedes your ability to have this sort of relationship successfully, as it is such a great relationship to experience.

Young LGBTI people deserve better. They should not have to face the situation which so many have faced before them. I think it is fantastic to know that there is a program like the Safe Schools Coalition which is being rolled out in schools around Australia. I am glad that this program is being dealt with and that things are beginning to improve for our LGBTIQ youth.

I am truly disheartened by the incapability of some in our community to feel compassion for these kids, people who would rather see these kids suffer, who make ridiculous assertions about the program and who say repugnant things about LGBTI people in our community. The sorts of homophobic statements which have been made during this national debate, and also during the current national debate about a marriage equality plebiscite in the past few months, have already seen a spike in calls to an organisation called Drummond Street Services which operates in Victoria.

The service offers counselling and support to distressed LGBTIQ teens and has stated categorically that they are seeing the direct impact of the awful statements made by people like federal member George Christensen and Senator Cory Bernardi. This has been particularly obvious in the past couple of weeks, with Drummond Street Services noting a noticeable rise in the number of calls being made to their counselling service.

I am further disheartened by the fact that the extreme right-wing faction of the federal coalition has been able to force a review into the program, with the clear intent to have its funding discontinued. It is disappointing that the federal education minister and, indeed, the Prime Minister himself have felt the need to give in to these demands. I urge the federal government to put an end to this farcical behaviour and renew its support for the program, as we in this place are doing today. Today, the ACT government is once again showing its commitment to social justice and the progression of LGBTIQ rights.

To continue on a lighter note, Madam Speaker, it is really great to know that the safe schools program exists and that it is making life better and brighter for LGBTI students. We have come a very long way from when I was at school. When I was young, these sorts of issues were not able to be discussed. Anything to do with LGBTI issues was rarely discussed in society in general, and if they were it was done in an extremely negative way. Harsh ridicule and derogatory comments were used aplenty and segregation was common.

Nowadays, LGBTI people can be a vibrant part of Australian society. I have colleagues and friends who are part of this community and they are accepted, successful, happy people. This societal transition has happened quite quickly, in terms of how slowly society can make positive change, with South Australia, under the Dunstan Labor government, being the first jurisdiction to decriminalise homosexual relationships in 1972 and the ACT being the first to pass a marriage equality bill in 2013.

I would like to note that it has been Labor governments that have enacted the legislative changes to improve the lives of LGBTI people across Australia. The ALP has always been a party which promotes social justice, equity and civil rights and it will continue to do so. While the federal Liberal Party tries to remove a program which helps LGBTI students in school, deliberately outlawed marriage equality in 2004 and are deliberately planning to spend \$140 million to stall a free vote on marriage equality, the ALP is pushing forward.

As recently as December of last year, the Queensland government reinstated that state's civil union laws after they were repealed by the LNP government under Campbell Newman in 2012 in a totally regressive piece of legislation. As we move forward, I have no doubt that this will continue to be the trend. The Labor government in Victoria will soon be enacting same-sex adoption laws under the premier Daniel Andrews and progress will continue under Labor governments around the nation.

As I have said in previous debates on LGBTI issues in this place, not only do programs like the safe schools program and legislation for marriage equality and

adoption laws provide practical support, legal recognition or civil rights to same-sex couples and gender-diverse people, they also represent a deep statement of acceptance by society and government. This is extremely important for the LGBTI community. With the history of legal discrimination, societal discrimination and religious discrimination, statements and actions which show support are pertinent.

To conclude, Madam Speaker, I commend this motion and I thank Mr Hinder for bringing it here today. I hope that it will receive unanimous support in this place. Obviously, the opposition's amendment indicates that it will not.

I also commend the Safe Schools Coalition and the work they do to help and support vulnerable LGBTI students in our schools in the ACT and in the 517 schools in which they operate nationally. I hope to see their reach expanding to other schools so that they may lend a helping hand to students in need of help. I hope to see their work continue to reduce stigma and bullying of LGBTI students nationwide.

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

Sitting suspended from 12.29 to 2.30 pm.

Questions without notice

Drugs—decriminalisation

MR HANSON: Today my question is to the minister for justice. Minister, on 9 February 2016 the Greens leader, Senator Richard Di Natale, called for a national discussion on decriminalising some drugs, including ice. Minister, what is the justice directorate's position relating to decriminalisation of drugs, including ice, and whether decriminalisation of drugs should be the subject of a national discussion?

MR CORBELL: Madam Speaker, I will take the question as the Attorney-General, with responsibility for drug policy.

The government has no plans when it comes to decriminalisation. We do, of course, maintain a very strong harm minimisation approach, which is focused on targeting the people who deal drugs, who traffic drugs and who spread the misery of drugs into our community but, at the same time, seeking to adopt a compassionate approach for those who suffer from addiction and need support and diversion to address their addiction.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Minister, are you aware of any members of your government who are pushing for the decriminalisation of ice?

MR CORBELL: As is common in this debate, there are a broad range of views on the issue of prohibition of illicit drugs, but the government's policy position is quite clear. Our focus is on evidence-based policy. Members may recall that last year we substantially revised the thresholds for personal use and the thresholds for trafficking

commercial quantities and so on in our drug schedules. Those are based on an evidence-based approach that looks at what is happening on the street in terms of how much people are possessing for personal use, how much they are possessing of certain types of drugs for trafficking, and making sure that penalties align so that people who are trafficking are not simply getting away with possession-level offences; equally, that people who are possessing only for personal use are not being charged with trafficking offences. These are the types of evidence-based reforms that the government will continue to adopt.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Attorney, do you support, or does the government support, the publishing of the composition of illegal drugs?

MADAM SPEAKER: Sorry, I misheard—

MR WALL: Publishing the composition of illegal drugs.

MR CORBELL: Mr Wall would have to give more information as to whom and when and how for me to answer that question.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Attorney, how do you reconcile your government's position on drugs given that the justice minister and his party clearly have a different opinion and he is a member of cabinet?

MR CORBELL: This simply points to the inadequacy of those opposite to be able to comprehend the idea of a coalition or series of parties that work together. Parties that work in coalition can have different policies. Those opposite should reflect on the fact that their party and another party have operated in that context for many years. Let us be very clear about—

Opposition members interjecting—

MADAM SPEAKER: Order! Mr Hanson and Mr Coe!

MR CORBELL: At the end of the day, parties can have different views, but there is one government policy. The government and I have made it clear to members opposite what that policy is.

Westside village—costs

MR COE: Madam Speaker, my question is to the Chief Minister. The *Canberra Times* reported on 7 March that the government will apply for a two-year extension to the container village at West Basin. The article also stated that traders at the container village have not been paying rent for six months and are struggling financially. Minister, why were the traders not required to pay rent for six months, and why are they struggling financially?

MR BARR: There have been transition arrangements in place in relation to Westside from the private sector managers to the government. In that period of transition the government was not charging rent to those traders. However, there are rental arrangements being arranged. That was reported on in the *Canberra Times*.

Westside continues to attract new businesses and new events. I note that in the deputy leader of the opposition's comments he, of course, neglected to mention the positive comments that were made by traders in that same article.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Minister, how much revenue has been lost by the government that was budgeted for, due to traders not paying rent, and how many months will it take to recoup the cost of setting up the container village—if ever?

MR BARR: No revenue; and the government was not ever seeking to recoup the costs of the capital investment. We are, of course, seeking to regularise arrangements for tenants in the container village for the period of its operation.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what assumptions were made about visitor numbers during initial negotiations with the traders?

MR BARR: That there would be fluctuations in visitor numbers seasonally and based upon events. There are times when there are tens of thousands of people who access the site. Such a time will again occur over the coming weeks, particularly associated with some major festivals and events that will take place there. At other times, particularly in winter, night-time activities would of course be fewer than in the summer months. The original proposition was for the village to be predominantly open on weekends. There are some traders who operate seven days a week.

MADAM SPEAKER: Supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how will the container village be impacted by other development work in West Basin?

MR BARR: The first stages of that development work will be in areas around the container village, so within a few hundred meters but not directly impacting upon the site.

Planning—Tharwa village

MR WALL: My question is to the minister for planning. Minister, last week saw the end of the consultation period for the Tharwa village plan. Minister, are you satisfied that all the relevant stakeholders had the opportunity to provide submissions during the process?

MR GENTLEMAN: I thank Mr Wall for his question. It is quite important that we do the village plan for Tharwa, as mentioned, in the public arena. It has been quite a long time since work was done in the planning sense around Tharwa. It is our oldest village of that sort and it is important that we have as many stakeholders contributing as we can.

At this stage, I have not got the formal number of submissions made, but I look forward to reviewing those submissions and hearing the comments that those stakeholders made and about the work that EPD is doing with the consultation.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Again, I will ask the first question: minister, are you satisfied that all stakeholders were given a fair opportunity to provide a submission during the consultation? Did you consult with all businesses, including the artisan community, on the Tharwa village plan?

MR GENTLEMAN: No, I did not myself. This was done through the directorate and I have not got the details of each individual they consulted with. But I understand that it was wide ranging and I look forward to reading the submissions from those stakeholders.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, did consultation with other business operators or community organisations operating in the vicinity of Tharwa village take place?

MR GENTLEMAN: As I said, the directorate dealt with as many as possible in the consultation period. They were mainly from Tharwa, of course, but I understand there were other stakeholders involved in the consultation. It is important that we get all of their views, as we go forward, to look at the village plan for Tharwa. If there were any stakeholders missed, I am certainly happy to allow the directorate to talk to them again. There will be other processes involved, of course, in negotiations with Tharwa on the Tharwa village plan and stakeholders around the area.

MADAM SPEAKER: A supplementary question, Ms Lawder.

MS LAWDER: Minister, is this so-called consultation just a half-hearted attempt to appease the residents of Tharwa after 15 years of your government's poor decision-making and neglect of the village of Tharwa and its surrounds?

MR GENTLEMAN: Certainly not. I personally have been involved in consulting with Tharwa over many years; in fact, with 30 or so Tharwa residents. There have been 571 hits to the website in the consultation period. Certainly, there were quite a number of people that wanted to be involved in how Tharwa should proceed. I take that as a good response and I am really looking forward to sending through those responses and doing the best we can for Tharwa.

Crime—domestic violence

MS BURCH: My question is to the Minister for Women: how is the government working across government and local service sectors to address domestic and family violence in our community?

MS BERRY: I thank Ms Burch for her question on this very important issue of domestic and family violence in our community and what the government is doing to address this. It is distressing to know that one of the most common and least reported crimes in our community continues to be domestic and family violence. In Canberra, tragically, we have seen just how destructive and dangerous domestic and family violence can be. The violence does not discriminate between age, class or cultural background and it is important for our community to understand that domestic violence is not just physical; it can take many forms and includes a range of threatening and harmful behaviours, including financial and emotional abuse.

This violence is unacceptable, and every woman deserves the right to live in safety and free from fear. We know that domestic and family violence often involves children, and the effects of growing up in the midst of domestic and family violence can be particularly devastating. The ACT government is strongly committed to working towards the prevention of violence against women and children in our community. We have put in place measures to align our resources to focus our work in this important area.

In May last year we appointed Vicki Parker to the new role of Domestic and Family Violence Coordinator-General to support all of the domestic and family violence prevention response work across the ACT. While many government and non-government agencies have responsibility to respond to domestic violence in our community, the Domestic and Family Violence Coordinator-General is the single ACT government official accountable for coordinating the government's response to domestic violence.

Through this appointment we are determined to achieve the integration of our service system and resources, which are currently spread over multiple agencies, to work more effectively together to address domestic and family violence. We are also realigning our existing resources and boosting funding to those providing front-line services to provide a better response to domestic violence.

I can report that this year the ACT women's grants program has been refocused from previous years and renamed the 2015-16 ACT women's safety grants program. This program is a joint initiative between the Justice and Community Safety and Community Service directorates providing financial assistance to community groups to develop activities that advance the objectives of the ACT government's key document in this area: the ACT prevention of violence against women and children strategy. The 12 projects that have been funded under this program go a long way towards ensuring that women and children are safe, diverse groups of women are supported and early intervention and prevention for children and young people are a priority.

I should also mention that, in relation to the national campaign, it is an initiative that came out of one of the earlier meetings of the Council of Australian Governments last year with a \$30 million commitment from the federal government and, with all state and territory governments, the ACT government is willing to be a contributor to this initiative.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, what action is the government taking to ensure a comprehensive service response?

MS BERRY: The ACT government is committed to ending domestic violence and ensuring that we have the best practices and services in place to protect people experiencing violence when it occurs. As part of the ACT government's determined effort to ensure that we have the best possible services to be placed that support women and children who have experienced domestic violence, a gap analysis has been undertaken that will review our response from early intervention through to crisis and on to post-crisis support. The gap analysis final report is expected later this month and will make recommendations that, once implemented, will bridge the gap between the current service system and the desired service system. Key research and best practice models of integrated domestic violence service delivery at both the national and international levels have informed the gap analysis work.

I can report that the first part of the work on the gap analysis involved a literature review, which was completed in October 2015. Members may be interested to know that this work identified key features necessary for any effective integrated service response, including risk assessment, information sharing mechanisms, clear government structures and strong leadership at the highest levels.

The gap analysis will continue to contribute to the body of knowledge about the needs and experiences of women and children who have experienced violence in the ACT. Additional information that will contribute to this will include the findings of the ACT death review, which reviewed domestic violence deaths in the ACT.

As members can see, the ACT government is committed to improving our understanding of the impacts of domestic violence in our community as well as to gaining a better understanding of and appreciation for the service systems that have worked well in responding both nationally and internationally.

MADAM SPEAKER: A supplementary question, Mr Hinder.

MR HINDER: Minister, what is the government doing to encourage innovative approaches to addressing diverse experiences of violence?

MS BERRY: The ACT government recognises the need to ensure appropriate pathways to access support that are available to address diverse experience of violence. Under the 2015-16 ACT women's safety grants program, for instance, seven of the 12 projects funded were in the diverse experience of violence category. The

grants ranged from the development and trial of specific resources for the LGBTIQ community to raise awareness of domestic violence, the trial of an abuse disclosure act to assist communication and disclosure of abuse in relation to people with moderate to severe intellectual disability and the development of an information package targeted to migrant women, medical professions and support workers explaining aspects of the migration legislation relevant to migrant women who are experiencing domestic violence.

Another example of the ACT government's encouragement of innovative approaches to addressing diverse experience of violence can be seen in our support for domestic violence leave for ACT government employees. The ACT has been a national leader in the implementation of domestic violence leave; I was disappointed to read this morning that it has now been struck out of federal parliamentary agreements—considered by some as an 'enhancement'. Domestic violence leave is not an enhancement or an advantage; it is also not sick or recreation leave. It is a recognition by employers that our whole society has a responsibility for domestic violence and that, as employers, we can step up and do our part by giving this option to people who have experienced domestic and family violence.

As with all good programs that begin as innovative, it is my hope that the federal government will recognise the importance of this to people who are experiencing domestic violence and make it the norm.

MADAM SPEAKER: Supplementary question, Mr Hinder.

MR HINDER: Minister, how does funding for housing and homelessness services assist in addressing the causes and effects of domestic and family violence?

MS BERRY: Domestic violence is one of the main drivers of homelessness across the country. In the ACT over a quarter—27 per cent—of all clients of all specialist homelessness services in 2014-15 identified family and domestic violence as a reason for seeking assistance.

The national affordable housing agreement provides the primary source of commonwealth funding to enable the delivery of homelessness support services in all jurisdictions, and the ACT is no different. The ACT government directs over \$4 million every year to services which directly support women and children experiencing domestic and family violence.

This includes funding to six specialist domestic and family violence services which provide crisis and transitional accommodation as well as outreach support. Outreach support focuses on ensuring client safety and addressing the impacts of domestic and family violence by providing crisis support and court advocacy, crisis intervention visits, information and personal support, case management and domestic violence counselling services.

The national partnership agreement on housing has provided, and continues to provide, critical additional funding for people who are homeless or who are at risk of homelessness at any one time. The current agreement expires on 30 June 2017 and

there is no current commitment from the federal government to future funding arrangements.

As Minister for Women, I have led efforts from state and territory women's safety ministers to make the continuation of this funding for these specialist domestic violence services a priority issue of consideration for my state and federal counterparts at the upcoming council of housing ministers meetings. I will continue to pursue this issue to ensure that funding for specialist domestic violence services is high on the national agenda when future decisions are made for housing and homelessness.

Roads—Constitution Avenue

MR SMYTH: My question is to the Minister for Transport and Municipal Services. Minister, could you please update the Assembly on the status of the works to upgrade Constitution Avenue and advise the Assembly of the expected completion date for this project?

MS FITZHARRIS: I thank Mr Smyth for his question. Certainly, I know that the Constitution Avenue upgrade is a significant project which has been underway for some time. I can advise that the expected completion date is in June of this year. I can also advise, given that it is a 2.5 kilometre road connecting London Circuit in the city through to Russell, that it is a significant road that we have tried to keep open during the entire period of the construction. I am advised that the work that needed to happen underground in terms of relocation of utilities has recently been completed and that that has allowed the contractors to get above ground and finish the main resealing work on the roads. As I said, I think that the road will be completed in June 2016.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Minister, how delayed are these works from the original schedule; and have the costs of the project increased as a result?

MS FITZHARRIS: I thank Mr Smyth for the supplementary. I am not aware that they have been delayed and I am not currently aware of any increased cost of the project.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, what efforts are being made to complete the Constitution Avenue upgrade as soon as practicable, given the considerable traffic congestion caused by the roadworks, particularly during peak periods, and the resulting inconvenience to the Canberra community?

MS FITZHARRIS: I thank Mr Doszpot for the supplementary. Every effort is being made to complete this project as soon as practicable. These are significant works. We provide, through the Territory and Municipal Services Directorate, ongoing advice to the community about any lane changes. It is a major project and we are conscious that it is a project that has been going on for some time. It is a very complex site. Work

needs to be undertaken across the length of the site over the course of the project, so it may be that work is underway on one end of the site while the entire site needs to remain not open to traffic. We should see it finish mid this year. Every effort is being made to complete it as soon as practicable.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, how much of the upgrade project will need to be redone to allow for the proposed light rail project; how much will it cost the Canberra community for recently completed work to be torn up and redone; and what sort of delays will occur again?

MS FITZHARRIS: The government's current decision on the light rail network is for the Civic to Gungahlin corridor. No decision has been made on any extension to that network; therefore it is a hypothetical question.

Canberra Institute of Technology—audit

MR DOSZPOT: My question is to the minister for training: we understand that ASQA—the Australian Skills Quality Authority—has undertaken an audit into CIT. When did CIT first receive a draft of the ASQA report findings?

MS FITZHARRIS: I thank Mr Doszpot for the question. It is my understanding that the CIT board has recently received the ASQA audit, and it is also my understanding that I will soon receive a briefing on that audit.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, have you been briefed on the ASQA findings at this stage?

MS FITZHARRIS: I have received a verbal briefing, but I have not yet received a written briefing from CIT.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what has been CIT's response and when did that briefing you received occur?

MS FITZHARRIS: I received a verbal briefing earlier this week from the chief executive officer of CIT.

MADAM SPEAKER: A supplementary question, Mrs Jones.

MRS JONES: Minister, what was CIT's response, and when do you plan to make public the ASQA report findings. There are two elements in the question.

MS FITZHARRIS: I do plan to make the findings of the ASQA audit public. I do not yet have a date, but I expect that will be in the next couple of weeks.

Mrs Jones: What is the CIT's response?

MS FITZHARRIS: CIT's response is a matter for CIT.

Small business—development applications

MRS JONES: My question is to the minister for planning. I refer to a case raised by you, Madam Speaker, in the matter of public importance on Tuesday, 8 March about a home-based mechanic who is being encouraged by Access Canberra to undertake a development application process for their business. Under what circumstances do home-based businesses have to submit a development application for their business and what consultation has the government conducted regarding any changes to the process?

MR GENTLEMAN: I thank Mrs Jones for her question. In relation to the specific business, a development application could be applied for if the applicant or the person residing in a property wanted to change the use of the property—in this case, as described—to operate a business from that property to certain levels.

As we discussed earlier in that conversation, there are a number of businesses that operate from home in the territory that do not require development applications to operate from home, depending on the size of the business and the operation that takes place. So there can be a development application applied for which allows them to expand the size of their business and take on different aspects of that business.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, how many businesses are being pursued by Access Canberra to apply for development applications that currently do not have development applications, and what sorts of businesses are being targeted?

MR GENTLEMAN: I have not received a brief from Access Canberra on that topic and the number of applicants they have talked to or businesses. I can seek information from the minister responsible for Access Canberra and provide it for Mrs Jones.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, how much does it currently cost for an established home-based business to obtain a development application and can they be granted retrospectively?

MADAM SPEAKER: Sorry, could you repeat the last part of that question?

MR WALL: Can the DA be applied retrospectively?

MR GENTLEMAN: Costs vary for each development application. So that would depend on what they are putting in place. If Mr Wall would like to provide some more information on what is proposed, I will certainly come back with the details for him.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, will you guarantee that businesses currently operating from a residential address and currently exempt from acquiring a development approval will not be unnecessarily pressured or pursued by government officials to do so?

MR GENTLEMAN: Certainly, in regard to the planning side of their businesses, I see no reason for government officials to pursue current businesses operating correctly. However, sometimes the community have a different view. They may have a view that businesses are not operating appropriately; therefore government officials will visit the businesses and go through those processes.

Access Canberra—unkempt properties

MS LAWDER: My question is to the Chief Minister. Late last year a constituent contacted me in relation to the neglected state of a private property in their suburb of Bonython. In particular, they were concerned that the property was a health and fire hazard, with long grass and broken windows clearly visible from the street and claims of squatters in the premises. I wrote to you on the constituent's behalf, and in your reply you said:

... officers from Access Canberra have attended and inspected the property ... and determined the property does not satisfy the criteria for an unclean leasehold.

The constituent then informed me in February this year that they phoned ACT Fire & Rescue about this property and were told that ACT Fire & Rescue have been trying to get the property tidied up for years. Chief Minister, what action, if any, does Access Canberra take in response to concerns raised by ACT Fire & Rescue about private properties that they consider may pose a fire hazard?

MR BARR: Access Canberra would respond positively to any community or ACT government agency's requests to examine the safety of particular sites. As I have indicated in my response to Ms Lawder, on advice from Access Canberra, they have acted and will continue to monitor the state of that property.

MADAM SPEAKER: Supplementary question, Ms Lawder.

MS LAWDER: Chief Minister, what are the criteria used to determine if there are fire and health hazards in an untreated property and where can constituents look them up?

MR BARR: All that information will be contained in detailed form within regulation. In terms of a specific web address that might provide a more succinct parcel of information, for those who are interested I will get that web address for them.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Chief Minister, when Access Canberra get these complaints, do they check if rates are paid up to date? If not, what action do they take?

Mr Barr: Do they check with—?

MR SMYTH: If the rates on the property are up to date.

MR BARR: Rates specifically are the responsibility of the Revenue Office. In terms of cross-government information sharing, where that does not breach privacy, that is able to occur.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Chief Minister, what avenues do constituents have to pursue the cleaning up of properties which they believe are a health or safety risk in their suburb?

MR BARR: They can formally lodge complaints. There is a formal process where constituents can, as individuals, lodge complaints direct to government. Of course many avail themselves of the opportunity to contact their elected representatives, who make representations on their behalf.

Arts—funding

MR HINDER: My question is to the minister for the arts. Minister, can you inform the Assembly about the range of assistance provided by the ACT government to local artists—like my son—and the arts?

DR BOURKE: I thank Mr Hinder for his question. The ACT government is committed to facilitating the development of a diverse and dynamic Canberra arts sector, valued locally, nationally and globally. The ACT government provides significant support for the arts in our community. This support is provided across the portfolios, including Chief Minister, Treasury and Economic Development, ACT Health, education and training, as well as Municipal Services. I am going to focus on the support provided by artsACT and the Cultural Facilities Corporation.

The Cultural Facilities Corporation is responsible for the Canberra Theatre Centre, the Canberra Museum and Gallery, the Nolan Collection at CMAG, and the Lanyon, Calthorpes and Mugga Mugga historic places. The corporation's support covers the performing arts, visual arts, social history and cultural heritage management. The organisation delivers a range of arts and cultural services to the ACT community through theatre presentations, exhibitions and education and community programs, as well as conserving and presenting significant aspects of the ACT's cultural heritage. Many local artists and arts organisations are included in these programs and benefit from these activities, particularly in presenting and promoting their valuable work and being seen by the over 400,000 patrons that visit the corporation's programs every year.

artsACT manages the artsACT fund and a range of other arts development and funding initiatives for the benefit of individual artists, arts groups, community groups and arts organisations across a range of art forms. The ACT arts fund is the most important and direct way ACT artists and arts organisations are supported by the ACT government.

artsACT also manages a large network of arts facilities that provide key arts infrastructure as a platform to develop, make and present artists' work and for access and engagement by the ACT community. These important facilities include Ainslie Arts Centre, Belconnen Arts Centre, Canberra Glassworks, the Fitters' Workshop, the former bus depot, Gorman House Arts Centre, Manuka Arts Centre, Strathnairn Arts centre, the Street Theatre, Tuggeranong Arts Centre and Watson Arts Centre.

Our recent investments in these facilities include refurbishment of Tuggeranong Arts Centre, upgrades to the Ainslie music centre and Gorman House arts centres, capital upgrades to Strathnairn Arts centre, new rehearsal and office space at the Street Theatre, studios and artists residences at the Watson Arts Centre, as well as upgrades across the portfolio of the Cultural Facilities Corporation, including Canberra Theatre. These investments are providing the community with access to great art and great artists across the spectrum of art forms.

There are also many great stories of outcomes for individual artists from funding assistance. In 2012, a modest \$2,000 grant in out-of-round funding went to assist David Worrall, a music and sound artist, to present his work in Belgium and Germany. This led to David being offered a 12-month artist-in-residence appointment at the prestigious Fraunhofer Foundation Germany, which is renowned for research and innovation. That was a great outcome for David and the further development of his work.

MADAM SPEAKER: Supplementary question, Mr Hinder.

MR HINDER: Thank you for your response, minister. You speak of grants. Can you tell the Assembly about the range of grants available to artists from the ACT government?

MADAM SPEAKER: Before I call Dr Bourke, Mr Hinder is new and I remind him that supplementary questions cannot have a preamble. For future reference, even something as small as "speaking of grants" is a preamble and I ask you to be aware of this issue. I call the minister for the arts.

DR BOURKE: Thank you, Madam Speaker, and I thank Mr Hinder for his supplementary. artsACT provides a broad range of funding categories for access by artists, arts organisations and community groups through a competitive peer-assessed, application-based process. This funding provides community access and participation to the arts, supports great art and great artists and supports the ongoing vitality of our arts ecology.

This includes key arts organisation funding, which is available to support arts organisations that provide critical arts infrastructure in the ACT through high quality programs, services and facilities for five years. Program organisation funding is available to support arts organisations that provide a program of activity enabling the ACT community to have access to and engagement with the arts for two years.

Project funding is offered once a year and presents the ACT community with the opportunity for one-off arts activities. Out-of-round funding supports individual ACT artists who undertake significant interstate or overseas arts development opportunities. In addition, the ACT government offers an annual ACT book of the year award for excellence in literature valued at \$15,000. There are also arts residencies for ACT-based arts and non-arts organisations to offer interstate or international artists a residency experience in the ACT.

There is also Llewellyn Hall funding. Llewellyn Hall is a key musical facility with high quality acoustics, which you have enjoyed, Madam Speaker, as I have, with large stage and back stage amenities, seating 1,440 patrons. That funding is offered annually and enables ACT arts organisations affordable access to the hall for concert performances.

We also support the fringe festival, which is held in conjunction with the National Multicultural Festival, to engage a diverse range of performers.

MADAM SPEAKER: A supplementary question, Ms Burch.

MS BURCH: Minister, what arts organisations have benefited from these grants in the past?

DR BOURKE: A large number and a broad range of arts organisations have benefited from funding over many years in the ACT. These include key arts organisations such as the ACT Writers Centre, Gorman House Arts Centre, Belconnen Arts Centre, Canberra Contemporary Art Space, Canberra Glassworks, Canberra Potters Society, Canberra Symphony Orchestra, Canberra Youth Theatre, Craft ACT, Megalo Access Arts, Music for Canberra, PhotoAccess, QL2 centre for youth dance, Strathnairn Arts Association, Street Theatre, Tuggeranong community arts association and Warehouse Circus. These key arts organisations not only provide access and engagement opportunities for the ACT community to view a range of performances, exhibitions and events but also nurture, develop and support our artists and arts workers with artistic and career development.

A great recent success story has been Craft ACT. Through its strong vision and pursuit of innovation in programming, Craft ACT attracted the highly successful ceramics triennale conference Stepping up to the ACT in 2015 for the first time, and has staged the groundbreaking DESIGN Canberra festival since 2014. Stepping up is Australia's premier showcase for ceramics through three days of conference presentations, keynote talks, panel discussions, individual artist's presentations and exhibitions. DESIGN Canberra connects leaders in arts, business, education, government and research, encouraging those relationships between sectors and providing an important crossover space where cutting-edge innovation is explored. DESIGN Canberra enables local, interstate and international visitors to engage in inspiring public events, exhibitions and activities spanning across the ACT.

Craft ACT was successful in attracting significant sponsorship for the festival, and over time the festival has established itself as an important event for design and signalled its potential to become a major ongoing event for Australia. (*Time expired.*)

MADAM SPEAKER: Supplementary question, Ms Burch.

MS BURCH: Can the minister talk about the assistance that is provided to local film industry and filmmakers?

MADAM SPEAKER: Before I call the minister, I seek some clarification. Does assistance to the film industry come under the arts grants process, because we have been talking about assistance to artists?

Dr Bourke: Yes.

MADAM SPEAKER: Okay. I call the minister for the arts, Dr Bourke.

DR BOURKE: The main assistance provided to local film makers is through ScreenACT. ScreenACT is the ACT office for film, television and digital media and is administered by the ACT Screen Industry Association. It plays a key role in supporting and developing local screen practitioners and the industry. artsACT provides core program funding of \$82,500 per year, and the innovation, trade and investment branch of economic development provides core funding of \$250,000 per year.

artsACT also provides ScreenACT with \$100,000 to administer the 2016 ACT screen arts fund on behalf of artsACT, and this fund supports a range of screen projects, including short films, documentaries and script development for feature films and television series.

The innovation, trade and investment branch also provides funding of \$400,000 for the screen production fund. This co-funds the production of high quality feature films, television series and other screen projects from ACT or interstate practitioners undertaken in the ACT. These projects have significant Canberra elements and benefits and are capable of reaching local and international audiences and delivering commercial success.

A recent highlight was where ScreenACT secured the filming of the ABC production *The Code* in the ACT. This placed Canberra on the national and international map as an ideal location for film production given its ease of access, abundant light and modern architecture, which were all gloriously captured in the television series.

The ACT government also supports a range of film events and festivals in the ACT. The Canberra International Film Festival includes screening of local films and workshops and forums for local filmmakers. Lights! Canberra! Action! Is a Canberra-based filmmakers' competition which asks budding film makers to write, shoot, edit and produce a film across 10 days using 10 mystery articles. (*Time expired.*)

Mr Barr: Madam Speaker, I ask that further questions be placed on the notice paper.

Supplementary answers to questions without notice

Housing—government purchases

MR BARR: Yesterday Mr Coe and Ms Lawder asked me a series of questions in relation to the purchase of dwellings from the private sector for public housing. I can respond to Mr Coe's question by advising that the public housing renewal task force purchased the properties in two ways: under an expression of interest process under the Government Procurement Act 2001, and through Housing ACT under the Housing Assistance Act 2007, in accordance with the public housing asset management strategy 2012-17. All properties mentioned in the *Canberra Times* article were purchased through these arrangements.

Ms Lawder asked about the criteria and policy used to determine appropriate dwellings for purchase, what they were and whether they were publicly available. The answer is yes, as I indicated yesterday. The documents outlining the expression of interest requirements are, of course, available on the tender web page, but I would refer the member to both the livable design guidelines, available at Livablehousingaustralia.org.au, and the adaptable housing requirements as governed by the territory plan. I would also refer the member to the public housing asset management strategy, which guides Housing ACT's purchase of properties. That is, of course, available on the Community Services Directorate website. Ms Lawder finally asked me which agency is now listed on the title. The initial title is, as I mentioned yesterday, the Australian Capital Territory, but on completion properties are transferred to the Commissioner for Social Housing. This means that the title will ultimately be held in the name of the Commissioner for Social Housing.

Small business—development applications

MR GENTLEMAN: During question time today I took a question from Mrs Jones in regard to home businesses and development applications. I can advise that development approval is not required for a home business conducted from a residential lease if it complies with the rules set out in schedule 1, part 1.3, division 1.3.7, section 1.108 of the Planning and Development Regulation 2008. To summarise that, a home business does not need development approval if no more than two people work on the premises at any time, anyone who works on the premises generally lives there, the area used for the business, including storage, is not more than 40 square metres, any vehicles parked at the premises for the purposes of the business are parked in a driveway, garage, carport or location screened from the road and, averaged out over a period of seven days, the conduct of the business does not generate more than five vehicle arrivals each day; and there are also some general exemption criteria. Home businesses that do not comply with those particular considerations would need to apply for a development application. The cost for a development application for a home business is \$978 and then a further cost of \$59 for each additional year, up to four years. There could be some costs if there were some lease searches.

Tuggeranong—offensive odours

MS FITZHARRIS: I refer to questions raised yesterday by Ms Lawder and Mr Wall regarding odours in some suburbs in Tuggeranong. I gave an undertaking that I would check a number of facts on the work undertaken by the EPA in particular to identify the source of the odour. I can confirm the answers and advice I provided to the Assembly yesterday. But specifically in relation to Ms Lawder's question on analysis, I can say that the EPA had certainly commenced its assessment of the source of the odour much earlier than the end of February. This has included collating data from complaints, talking to numerous affected residents, mapping data to look for patterns, talking to experts in the New South Wales EPA, discussing activity with the Mugga tip operator and the operator of the green waste site also located at the Mugga Lane Resource Management Centre. Clearly the EPA is looking at all the data it has to see if there is any pattern or conclusion it can draw about the source, as I indicated yesterday.

The EPA is continuing to investigate multiple possible sources of the odour, including the Mugga Lane Resource Management Centre, the green waste run by Corkhills, sewer out-lines and other possible sources such as open ponds or drains. Obviously that work is not complete. The simple fact is that the data received so far does not show any clear trends which point to a source. For instance, there is no obvious link between the times and places people have reported odours and any activities at Mugga. The more specific and timely data the EPA receives about this, the more accurate its analysis can be.

In relation to Mr Wall's questions, ACT NOWaste defines putrescible waste as material likely to decompose. Further, the ACT's green waste is a separate waste stream. As members would be aware, a large component of green waste in the ACT is recycled.

There is no definitive answer to the question about what other states and territories do and no consistent reporting mechanism that would allow us to check. Members should also be aware that putrescible waste is one of the over 50 waste streams that the ACT waste feasibility study is investigating. I look forward to updating the Assembly on that in the coming months.

Safe Schools Coalition

Debate resumed.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (3.21): I begin by thanking Mr Hinder for bringing this motion before the Assembly today. I think it is important that the Assembly states very clearly our values in relation to this program and our values in relation to the individuals it is designed to support. The government will not be accepting any watering down of the intent of this motion, as we have witnessed from the shadow minister, who in his contribution did almost everything he possibly could to avoid talking about the

substance of the horrific interventions that have come from some of his federal colleagues. Let me be very clear: this government does not believe, like the former Prime Minister, like Senator Bernardi and like Mr Christensen, the member for Dawson, I believe—

Mr Doszpot interjecting—

MADAM SPEAKER: Order, Mr Doszpot! You were heard in silence.

MR BARR: This government does not support any of the outrageous accusations that they have made in the federal parliament—

Mr Doszpot: Nor did we.

MADAM SPEAKER: Mr Doszpot, you are on a warning.

MR BARR: or on the public record. Let me be clear: this program, the safe schools program, is not about social engineering, it is not about indoctrinating kids into “Marxist cultural relativism”, nor is it about the grooming work that a sexual predator might undertake—which would have to be the most abhorrent accusation made in this debate, in fact, on almost any issue relating to LGBTI policy in this country in recent years. It is an absolute outrage that an individual made that statement in our nation’s parliament, about teachers and about the foundation for young Australians who are behind this program and, indeed, in the context of the ACT, about the good work of the team at Sexual Health and Family Planning.

Let me make some more very clear and definitive statements. It is okay to be gay. It is okay to be lesbian. It is okay to be bisexual, transgender or intersex. There is nothing wrong with you, Madam Speaker, if you are gay, lesbian, bisexual, transgender or intersex. You are not abnormal. You do not deserve to be discriminated against and you do not deserve to be treated in the way that the former Prime Minister, Senator Bernardi and MP Christensen have done in the last week or two. You do not deserve that. You do not deserve to have those things said about you. This government will stand up for you, because we believe you are full citizens in this city and in this country, and your rights and your feelings matter to us.

That is an absolute, definitive, rock-solid statement of values. Today we will put those values very clearly on the agenda in this place and demonstrate our support for this program, for LGBTI kids, and we will not stand for what has been said publicly. What worries me is that this sets the tone for the sort of public commentary that we are likely to see in this country if we have a plebiscite on marriage equality.

The fact that the Australian Christian Lobby want to set aside all of the protections that are there against this sort of hate speech speaks volumes for what is coming from the conservative right and the religious right in this country. It is an outrage—and people need to stand up for it, and this place needs to stand up against it—because this hurts real people. These are some of the most vulnerable kids in our city and in this country, and they are going to have no stronger advocate than I and this government to support them in their education and to support them to achieve their full potential.

Why? Because I know a little about what it is like, Madam Speaker, to be gay, to be in the closet, and to suffer from bullying and discrimination in a school and education setting in this city. All I can say is: thank God a lot has changed from the 1980s and the early 1990s to now. But that has only happened because governments, people of good heart and the community overall, have responded so positively to want to include people, to want to eliminate bullying and to want to ensure that very clear statements are made to gay and lesbian, transgender and intersex kids that they are doing just fine, they are normal, and they are a welcome part of our community. We need to continually restate this, it seems, because of the likes of Senator Bernardi, Mr Christensen and others and, sadly, even the former Prime Minister, who have been on the public record with such appalling statements.

What we are looking for today is a clear statement of values from this place. The safe schools program was rolled out to do something about bullying and discrimination that is faced by too many LGBTI Australians. Eighty per cent of the homophobic and transphobic bullying that occurs to LGBTI young people in this country happens at school. That distracts those students from their learning and saps them of their potential. But it has an impact far beyond the classroom. Young LGBTI people are three times more likely to experience depression as compared to the broader population. Almost 50 per cent feel the need to hide their sexual identity or their orientation in public because of the fear of violence or discrimination: 50 per cent, still, in 2016. I can tell you that in the 1980s and the early 1990s it would have been nearly 90 per cent. Things are getting better, but we still have a long way to go. That is why the safe schools program is so important, because young people need to be supported, and this program is making a difference.

I want to commend those who are working in 23 ACT schools and in more than 500 schools across the nation to make a difference here. They are, and they should be, supported. The program is professionally run by the Foundation for Young Australians. Participation is voluntary. Of course, principals have the flexibility to choose materials that will work best for them in their school environments to address bullying.

We have had a great uptake here in the ACT. Twenty-three schools, about a quarter of the ACT's public schools, and an independent school—and good on them—are members of the Safe Schools Coalition. The response from the Canberra community, and particularly from our schools, has been overwhelmingly positive. The training, the resources and the advice provided to schools, to staff and to students are high quality and they are highly valued by staff, students and families.

So it is heartbreaking that in 2016 our schools are still unhappy places for many LGBTI teenagers. It is heartbreaking that same-sex attracted and gender-diverse young Australians are six times more likely to die from suicide, with bullying and exclusion at school a major factor in those suicide attempts. It is heartbreaking that an education support program designed to make schools safer and happier for those kids is now under threat. That is something I hope all members in this place can stand against. This program has the full support of my government. It is worth fighting for because every student has the right to feel safe at school.

I am not the only leader in this country making this point. I want to share what I believe are some absolutely pertinent comments from the Victorian Premier that nailed this in three paragraphs. Daniel Andrews said:

...let's be honest here: I don't think these extreme Liberals are actually offended by the structure of the program, or the teachers who lead it.

I just think they're offended by the kids who need it.

They don't like the fact that some young people might be different.

He went on to say:

I'm sick of Liberal politicians telling our kids that there's something wrong with them—when there isn't.

I'm sick of Liberal politicians trying to push us all back, whenever we all take a few steps forward.

Hear, hear! I fully endorse the comments of Premier Andrews. This is what this motion is about today, to state very clearly the values that this Assembly holds, our support for the safe schools program, and our message to LGBTI kids that they are fine, that we support them, and that there is nothing wrong with them. Do not let any Neanderthal conservative tell you anything otherwise.

MR RATTENBURY (Molonglo—Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety) (3.31): I thank Mr Hinder for bringing this motion forward today. It is an important discussion, and I think the Chief Minister has just made the point very powerfully as to why this motion is necessary today—because of some of the public comments we have seen in recent times and how simply destructive they are.

Bullying in our schools is an important issue that we must respond to proactively. It is concerning for the children and young people who experience it, for their families, and for the families of all of those involved. Nationally, approximately one in four year 4 to year 9 students report being bullied every few weeks. Frequent bullying is highest amongst year 5 children in primary school and year 8 children in high school. Bullying takes the form primarily of hurtful teasing, followed by hurtful lies being told about people.

The ACT government has a comprehensive framework to both respond to bullying and teach and support children in developing social and emotional learning. ACT public schools are guided by the providing safe schools P-12 suite of policies, which require them to promote and seek to provide a supportive learning environment in which all students can expect to feel safe. That is the essence of it—about students feeling safe. Providing safe schools P-12 requires all ACT public schools to develop procedures in consultation with students, parents and carers. This policy aims to promote a safe and supportive learning environment.

ACT public schools are committed to providing positive and engaging environments where young people feel connected, feel respected, achieve success and are fully engaged in education. ACT schools use a range of data collection processes to support them in identifying and monitoring student wellbeing trends, such as school satisfaction surveys conducted yearly, suspension data and attendance data, and critical incident reporting by the directorate.

In 2015, all schools participated in a survey called the Australian school climate and identification measurement tool. This survey is jointly constructed by the directorate and the Australian National University and focuses on relationships between parents, carers, students and teachers, connection to the school, and engagement in learning. The tool includes five tests on challenging behaviours, including bullying. While the results are not consolidated across schools and they are not publically available, they are made available to principals and school leaders of individual schools to assist in school improvement.

Students, parents and carers are also involved in countering bullying behaviour. The National Day of Action against Bullying and Violence conference is held annually, involving students from all ACT schools, and students, parents and carers are consulted on school-based procedures. There is also the Safe Schools Roundtable, which considers issues relating to the national safe schools framework and provides a forum for ongoing consultation with stakeholders.

There are also supports for students in ACT public schools: qualified school psychologists, youth support workers, social workers or pastoral care workers. These support staff are able to provide support to victims and perpetrators of bullying. Every ACT public school has identified, trained anti-sexual harassment contact officers and anti-racism contact officers who follow consistent directorate-wide procedures.

No student can learn when they do not feel safe. There is a strong connection between student safety, student wellbeing and learning. Effective student learning and wellbeing are promoted through a safe and inclusive school in which students, families and staff members feel a sense of belonging.

All children and young people need support with this, both those on the receiving end and those who may be involved in bullying behaviours. All ACT public schools take part in social and emotional learning programs such as friendly schools plus, KidsMatter and MindMatters.

Safe schools is an important program run by the Foundation for Young Australians through Safe Schools Coalition Australia. This goes to the issue of today's matter. Mr Doszpot came in here today and talked about the broader element of bullying. The issues that I have just talked about go to that broader agenda. But the Safe Schools Coalition, which I guess is a subset of that in a way, and targets some very particular behaviours, is the very specific element of what Mr Hinder raised in his motion today. I think it is important that that area of focus is provided, because Safe Schools Coalition Australia does critical work with school communities to raise awareness and empathy, respond to bullying and discrimination, and create learning environments that foster the positive values of respect and inclusion.

All members of a school community are responsible for contributing to a safe and supportive school environment where bullying, harassment and violence are not tolerated.

Twenty-three of the 87 ACT public schools are members of the Safe Schools Coalition, and one independent school has joined as well. The Safe Schools Coalition focus is predominantly in secondary schools, but they will provide advice to primary schools on request. The Safe Schools Coalition provides free resources and support to equip staff and students with skills, practical ideas and greater confidence to lead positive change and be safe and inclusive for same-sex-attracted, intersex and gender-diverse students, staff and families.

There has been positive feedback about the Safe Schools Coalition from ACT public schools, and the advice provided by the Safe Schools Coalition to schools and other support staff is highly valued. That is the feedback that the ACT education directorate has received, and I think that is really important to reflect on in light of some of the comments we have seen—that this support is highly valued.

The Safe Schools Coalition has supported the development of an ACT principals network to discuss the needs and challenges of students who are gender questioning. Feedback from the eight principals taking part has been very positive and has allowed the schools to effectively support the students who are gender questioning.

Each school makes its own decision on whether it joins the Safe Schools Coalition. Schools have a variety of ways to communicate to their school communities, and most schools have used their school newsletter to inform parents of their membership of the Safe Schools Coalition. The Safe Schools Coalition is meeting an identified need for support of schools to meet the needs of same-sex-attracted, transgender and intersex students, staff and families.

As we know, the federal government has ordered a departmental review into the safe schools program, which receives \$8 million in funding under a four-year contract. The federal government has indicated that the review will focus on the appropriateness of the resources, and will be undertaken by Bill Loudon from the University of Western Australia and Professor Donna Cross, also from UWA.

Despite announcing the review into the program, Senator Birmingham agrees that there should be support for students struggling with sexual identity, so that is a positive. I have received a letter from Senator Birmingham in regard to this issue, asking the ACT to confirm that parents are being consulted before schools introduce the program. I understand this concern may have come from Senator Cory Bernadi's criticism that children and schools were being bullied into participating.

I will be shortly responding to the federal minister for education, reinforcing the ACT's positive experience with the program and seeking to ensure that the review is designed to strengthen the Safe Schools Coalition. The ACT government does not want to see a political witch-hunt here. We want to see an evidence-based review. I am happy to support a review that is evidence based, but it should not be a forum to

tear down an effective and important program. Unfortunately, that is what we often see, and that is what I am fearful we are seeing here—that this review is being utilised by opponents as the first step to unpick an important government program. I think that is the agenda of some members of the federal parliament in this case.

Mr Hinder's motion outlines some of the ridiculous comments that have been made by some in the coalition. I think they are disgraceful comments, and I think that there is no place for them in public debate. Sure, let us have a free public debate, but the sorts of outlandish comments we have seen are simply unwarranted, unhelpful and disrespectful.

Some of those comments, unfortunately, do not surprise me, coming from the individuals that they have come from. It seems that, whenever there is an effort to educate young people and empower them to make good decisions, conservative ideologues—and that is what these people are—feel the need to label it as a Marxist agenda or even worse. They make not-so-subtle connections between homosexuality and sexual abuse, and I consider that to be entirely unacceptable.

I have reviewed the concerns that George Christensen raised. When you get down to it, you see that he appears to be worried about links to websites that provide accurate and useful information for young people about topics that, frankly, he probably just does not want to discuss. That is his problem, not the young people's. I think he is also underestimating the skills and capacity of our young people to seek out information on the internet as well as their ability to appreciate good quality information when they see it.

We know that it is better to inform young people about the issues that are live for them. Children and young people are interested in and sometimes concerned by their sexuality. Children are identifying younger and younger as being transgender and are making the very brave decisions to come out as transgender, even in primary school. These children need all the support they can get, and we should not be seeking to restrict that just because we are personally confronted by the issues it raises. Of course, material needs to be age appropriate and presented in a manner that is accessible for children and young people. This debate has been had before, with sex education and reproductive health and with sexual health, but we have learnt time and time again that information is important and crucial to young people making informed and safe choices.

Importantly, what do these comments say to those young people who find themselves questioning and exploring their sexuality and/or gender? It says to them that these old, white, conservative men in politics do not understand their issues, do not care about their wellbeing and are not offering them any support. In some ways, it is quite possible that they will not be surprised by that; I think some of these people make it clear that, in fact, that is their position.

What people in positions of leadership and authority need to understand is that these comments can be offensive and alienating to young people who are in the process of working through issues of sexual and/or gender identity. This can be dangerous. We know that the rates of suicide are high in young people who identify as homosexual or transgender, and we know that mental health is everyone's responsibility.

That is why I welcome the fact that Mr Hinder has brought this motion forward today. It is an opportunity for us to stand up and say that we in this place do not share those views; that we value everyone in our community; and that if they are having these thoughts, if they are questioning where they fit in, they should feel safe to do so and they should feel that there is support available to them.

I endorse the comments of the Chief Minister this afternoon. I did feel unclear this morning or in the discussion earlier today exactly where Mr Doszpot was on this issue, because I do not feel that he addressed the actual issue at all; I feel he talked right around it. But that is a matter for him to perhaps clarify at a later point in time if he feels that I am misrepresenting his position.

I will be supporting Mr Hinder's original motion. I will not be supporting the amendment. Mr Hinder's motion calls on the ACT government to continue to:

... support the Safe Schools Coalition and their operation in the ACT;

... work with teachers, students and parents to address bullying, to ensure all students can learn in a safe and inclusive environment; and

... reject homophobic and transphobic discrimination in all its forms.

I can assure the Assembly that as the Minister for Education I will be working hard to achieve those things through our education, hopefully with the support of all members of this place. I think it is quite appropriate that we make these specific comments and note that the very generic nature of Mr Doszpot's amendment, whilst it contains fine words, does not address the matter at hand. That is why I will be supporting the original motion today.

MS BURCH (Brindabella) (3.44): I rise in absolute support of this motion that has been put forward by Mr Hinder today. This is a very important issue of creating an inclusive and positive environment for same-sex, intersex and gender diverse students in the school across ACT. I want to thank Mr Hinder for bringing this to the chamber, and it is telling of his ambitions for an inclusive community that his first motion in this place is one of such importance with such reach into the community.

The ACT has long led the nation with regard to supporting same-sex attracted, transgender and intersex people, and I believe all schools have responsibility to each and every child and young person in their care to create and maintain a positive and engaging school environment, to create and maintain environments that are safe and supportive, and to value diversity and promote pro-social behaviour. I acknowledge and note the crew that are here from SHFPACT here in support of this. We regard highly the work that you do and I am really glad that you are here to witness this debate today. Know full well that we support all that you do in delivering the Safe Schools Coalition program here in the ACT.

Indeed, as my colleagues have said today, the safe schools program plays an important role in supporting school communities to develop strategies to address homophobic and transphobic bullying and exclusion. It is certainly disappointing that as a direct result of the Turnbull government, there remains uncertainty over the future of this necessary program whilst they undertake their review. I hope the Canberra Liberals will not stand by and watch as their federal counterparts try to take Canberra back to the dark ages. We have had one speaker from the Canberra Liberals, Mr Doszpot, and he could not address the issue. We are still unaware of the position of the Canberra Liberals and whether they are in support of the Safe Schools Coalition.

This is a very clear and direct motion. All it needs is for everyone in this place to say, “We support the program and support all our young people across our schools.” Instead, the amendment put forward by Mr Doszpot tries to completely gloss over the environment that some of these young people are living in, an environment that we should not hide from. We need to stand up and have the courage to give them the support they need. There is still time in this debate for the Canberra Liberals to show the broader community their stance on this. That amendment from Mr Doszpot, if that is the position of the Canberra Liberals, is telling of each and every one of you.

Canberra as a community has shown that we are progressive people who believe in the values of diversity and inclusion for all, especially for those that are most vulnerable. Research tells us that thousands of young people across Australia and the ACT—probably not in thousands in the ACT—experience homophobic and transphobic behaviour, discrimination and isolation in schools. That just should not happen. These experiences have serious and often long-lasting consequences for their health and wellbeing, attendance at school and academic achievement. The research also shows and establishes that a supportive and inclusive school environment is essential for all students to be happy and healthy and for them to grow and develop into happy and healthy adults.

I had a keen interest in ensuring that all our students are safe at schools, and I was very proud to introduce the Safe Schools Coalition into our schools in February last year. To me and to the colleagues on this side and to many of our schools and parents and teachers it just made sense to do this. I am very pleased to see that 23 out of our 87 schools and an independent school have signed up voluntarily to this because their teachers and their student community wanted them to do it. It made sense to do this so we could continue to lead the nation in education outcomes but also to have a clear focus on the social and emotional wellbeing of our young people. The safe schools program is a step towards that.

I wish I could say that it shocked me to see the Australian government throw squeaky wheels into the federal debate on this matter but, sadly, I was not shocked by that. I was also not surprised to see one of the most vocal opponents of this program, Senator Bernardi, promote on the front of his website—on which it has the banner, “Common sense lives here”—such language that proves that no common sense prevails at all. From this man, Senator Bernardi:

Bullying isn't something confined to homosexuals yet you are encouraging a program that actually bullies heterosexual children into submission for the gay agenda.

That is appalling. How can anyone who is supposed to represent their community say that to the community he is supposed to be representing? He also went on to say:

Of course, like any other Australian, homosexual activists are free to pursue their cause among the adult community in whatever manner they like, within the bounds of the law. But they should have the decency to leave our children and our education system out of it.

I would say to Senator Bernardi that he should have the decency to stay out of it and to allow our children, our young people, our educators and those in the community that think this is the right and proper thing to do to get about their business and to support all in our community. How is it common sense to be so naive and out of touch as Senator Bernardi is to believe that teaching intolerance is the way for a modern community?

When it comes to student safety, particularly the safety of our students who are from the LGBTI community, common sense is about supporting a safe schools coalition. Common sense is where everybody is having a stake in making sure the programs do what they are meant to do and embrace all in our community to give them a safe space, a valued space and a respected space.

It is well known that during their school years people form a great deal of their understanding and beliefs about encouraging acceptance and encouraging respect. The Safe Schools Coalition program is about that. It is immensely disappointing to hear the commentary from some in this debate. Stereotypes are detrimental for everybody, but they can particularly affect the LGBTI community. If we foster inclusivity at a school level, we will develop people that move into life not being polarised by gender and sexuality.

As the Chief Minister has been very clear about, the ACT government proudly supports the work of the Safe Schools Coalition and is committed to providing a positive and engaging environment where young children feel connected, respected and are able to be engaged in education. Student wellbeing impacts on student learning, and that is a fundamental that I would have thought all in this place understood.

Involvement of the whole school community—parents, students and other organisations—is absolutely critical. I have a number of negative quotes, but I think we have heard them. However, Senator Bernardi seems to be at the top of the pack for this one. He said the program is used to:

...indoctrinate children into a Marxism agenda of cultural relativism ... They're intimidating children, they're bullying children and they're indoctrinating children ...

How can being so negative and divisive and cruel in any way be supportive of our children and young people? But if you go to the safe schools website, there are many positives. A Victorian principal said there is a lot of this. He said:

The Safe Schools Coalition has helped us teach our students how to better navigate the differences. ...

Another one, from Tim Bavinton, is:

What both the classroom teachers and those in welfare roles say is they are feeling very much more confident because they have some good resources and good training now.

That is in reference the information that is provided to the schools that this issue around inclusivity for the LGBTI community is done with respect and regard.

Going back to those most negative comments, they are comments about our community, our neighbours, our sons and daughters. We on this side will not let that go without a challenge and a clear statement to all in this community that we support all, we will stand by all and we will particularly support the Safe Schools Coalition program.

MS BERRY (Ginninderra—Minister for Housing, Community Services and Social Inclusion, Minister for Multicultural and Youth Affairs, Minister for Sport and Recreation and Minister for Women) (3.54): I also want to thank Mr Hinder for bringing this very important motion into the Assembly today for this conversation and to affirm the Chief Minister's commitment that this government does not support any of the disgraceful and appalling comments that have been made by some members of the Liberal Party in the federal government. Yes, this is a national government-funded initiative, but it affects individuals and children who go to our schools here in the ACT and it affects every one of our communities within those schools.

This is more than just about stopping bullying in our schools; it is about supporting kids who are trying to work out their sexuality and, in some cases, work out how they could have been born a certain sexuality knowing that they are a different sexuality. I can only imagine what that would be like, but I would like to know that if it were my child or any children that I knew they would be able to get the support that they needed from an organisation like safe schools, who I know have been able to provide that support to young children who are going through an incredibly difficult time. If they had not been getting the support from safe schools, they would be another statistic of children who would be dying because they were not getting support and that they were being discriminated against in more ways than any of us could ever imagine.

Safe schools is more than just about stopping bullying in our schools; it is absolutely about supporting people. I think it is a shame that Chief Minister Barr should have to come in here and defend his sexuality time and time again. I do not think any of us should have to defend their sexuality. Certainly I have never had to as a straight person—"Hooley dooley, I'm straight!" It is outrageous that we should have to be

having this conversation every time in this place because of some of the disgusting and outrageous comments that are being made by some people in this country that are hurting people. It is exactly as Ms Burch has said—it is cruel. That is bullying; that is absolutely bullying, what is happening from our federal government. That is why this government will continue to affirm its support and affirm that there is nothing wrong with our children. It does not matter what your sexuality is.

We know that one in five lesbian, gay or bisexual Australians currently experience depression. This is more than triple the national rate. One in three from this community experience an anxiety-related condition. As many of us in this Assembly are aware, the Safe Schools Coalition Australia is a national coalition of schools dedicated to creating safe and inclusive learning environments for same-sex attracted, intersex and gender diverse students, staff and families.

I was reading on the safe schools web page just as we were having this conversation here about a parent describing her daughter's transition in her school environment and how the safe schools program and psychologists had supported the school in being able to support that student as she transitioned by welcoming her into that school and explaining it in a way that was age appropriate to all the children and teachers and parents in that school so that that child could get through all of the anxiety she felt through this very difficult time that we could only ever imagine. It was only because of the Safe Schools Coalition that she was even going to school in the first place and getting an education and having a chance at some fairness and some dignity in her life. That is something the Safe Schools Coalition should be absolutely applauded for, and we will definitely continue to support the work they do in our schools here in the ACT and across the country.

The Safe Schools Coalition has rightly identified schools as the place where most homophobic and transphobic bullying takes place. Seventy-five per cent of these students experience abuse or discrimination; 80 per cent of that occurs in the school; and 81 per cent do not feel they are supported in their school. The statistics suggest that among teenage boys 40 per cent would not want a same-sex attracted person as a friend; 60 per cent had witnessed firsthand someone being bullied for their sexuality and a quarter of them believed calling someone a “homo” or a “dyke” is okay. Up to 80 per cent of LGBTIQ teens have experienced homophobic language at school, and one-quarter had experienced physical abuse at school, according to some studies. It is outrageous that we should be allowing this to happen to our kids.

Here in the ACT the government is committed to creating a fair society that is free from prejudice and bullying, a society which thrives on diversity, not merely survives. In the ACT the government works towards this goal by providing support and services to Canberra's lesbian, gay, bisexual, transsexual, transgender, intersex and queer—LGBTIQ—communities, and this is part of the government's commitment to Canberra as a socially and culturally inclusive community that celebrates its diversity and supports LGBTIQ Canberrans.

To date the ACT government has supported the ACT LGBTIQ community through assisting the council with the tender process for the LGBTIQ sector funding, which has totalled over \$330,000. The government is committed to continue to work with

the council on its key role in continuing to work to make Canberra Australia's most friendly city for LGBTIQ people. This government has and will continue to assist the council to monitor the progress of the achievements in meeting their core objectives through consultation with the LGBTIQ community and with the relevant organisations.

I want to acknowledge all of the comments that have already been made by my colleagues on this side of the chamber. I acknowledge the visitors in the chamber today who are experiencing this conversation and debate we are having in this place. I hope any LGBTIQ people who are here in the chamber today or who are hearing this debate online or who hear about it in the future know that this ACT government is absolutely committed to making schools a safe place, to making their homes a safe place and to making our communities as safe and as inclusive as we can be for LGBTIQ people, particularly our young children, our most vulnerable people in our community. They are the last people we want to see bullied or intimidated, and through that creating a higher statistic when it comes to suicide. That is what will happen if we do not find a way to become a much more inclusive community. We should not have to have people like the Chief Minister coming out to defend his sexuality every other day when people in the federal government make the kinds of appalling comments they have about our children. It is not okay.

DR BOURKE (Ginninderra—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children and Young People, Minister for Disability, Minister for Small Business and the Arts and Minister for Veterans and Seniors) (4.02): This timely motion from Mr Hinder is an opportunity to counter the vilification of the safe schools program by extremist elements in the federal Liberal Party. They have been sending a crushing message to lesbian, gay, bisexual, transgender, intersex and questioning young people at our schools for whom the safe schools program is a chance to overcome the bullying and discrimination they face. Who would ever have thought that some in the Liberal Party would take a stand against safer schools for all our children? It is Australia's embrace of diversity that is one of our greatest achievements, but it is something we have to work at constantly. The safe schools program is part of helping students understand the diversity of our community and how they fit in.

By rejecting homophobic and transphobic discrimination in all its forms, we build social cohesion and ensure that every child can reach their full potential. Building social cohesion and inclusion is an essential part of my portfolio responsibilities for children and young people, disability, and Aboriginal and Torres Strait Islander affairs. Aboriginal and Torres Strait Islander children and children of different abilities can already face their own challenges from bullying and discrimination in the schoolyard from peers.

Aboriginal and Torres Strait Islander children who are also trying to understand or come to terms with their sexuality and being bullied about it as well as facing racial abuse suffer severe challenges. The safe schools program can be a lifeline to help these children. It should be supported and not the subject of hysteria. Sexuality and disability are topics being discussed more frequently, yet the discussion of the diversity of sexuality and young people of different abilities can be confronting,

especially for carers. The safe schools program website offers special areas for students and parents. Parents are able to get an insight into the national safe schools framework and explore the wide range of online resources designed for parents.

This is not the secret scheme these Liberal Party extremists portray it as. The resources are clearly outlined for schools, parents and students with age appropriate resources. I am appalled—appalled, Madam Assistant Speaker—that this responsible program, responding to a recognised need in our community, has become the plaything of a leadership and factional contest in the federal Liberal Party.

I hope the Canberra Liberals can support this motion and disown the scaremongering of a few of their federal colleagues at the expense of vulnerable children. Surely we can all agree to work with teachers, students and parents to address bullying to ensure all Canberra students can learn in a safe and inclusive environment.

MR HINDER (Ginninderra) (4.05): I thank members for their contributions to the debate on the motion today. Firstly, I would like to address some of the issues raised by Mr Doszpot. It appears from his remarks that Mr Doszpot has either failed to read my motion or is having trouble understanding its intent. I may be a new member to the Assembly, Madam Assistant Speaker, but rest assured that I am well aware of the different roles and responsibilities of the commonwealth and the states and territories; I recall several months dedicated to that in my undergraduate law and politics degree. I am also well aware that the safe schools program has primarily been funded by the commonwealth.

Mr Doszpot's proposed amendment is a blunt instrument in comparison with the motion that I proposed here today. The amendment seems to distract attention from the fact that his Liberal colleagues up on the hill have been attacking a program that supports LGBTIQ young people and Canberrans at 23 schools here in Canberra. The program is a targeted support program aimed at reducing bullying of LGBTIQ people. It is not about bullying in general, which Mr Doszpot's amendment seems to be. I note that the proposed amendment fails to make any statement about or make any commitment to the support of LGBTIQ young people.

Almost half of the schools participating in the program are in Mr Doszpot's own electorate. The seven schools in my electorate stand to lose this program and this funding, and I for one will fight any potential cuts to support for my constituents. Mr Doszpot and his colleagues know as well as I do that the Turnbull government's review of the safe schools program is designed to do two things: one is to destroy the reputation of an effective program that ensures all students can learn in a safe and inclusive environment; the second is to save the federal government a few bucks because their claims about superior economic management are clearly rubbish and they are creating a record deficit. For me it is incredibly disappointing that members opposite have chosen to shirk their responsibility to Canberrans and not stand with the government in support of the Safe Schools Coalition.

I thank the Chief Minister for speaking so clearly and passionately about the importance of the Safe Schools program and reiterating our government's unequivocal support. I also thank Minister Rattenbury for his contribution and to all the other colleagues on this side of the place.

Alienation and bullying kill people. I call on all members here to stand up for teachers and for schools, to stand up for LGBTIQ young people and their families, and to stand up for a more inclusive and progressive Canberra. I commend the motion.

Question put:

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

The Assembly voted—

Ayes 8		Noes 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Mr Hinder
Mr Hanson		Ms Burch	Mr Rattenbury
Mrs Jones		Mr Corbell	

Question so resolved in the negative.

Motion agreed to.

Tharwa village

MR WALL (Brindabella) (4.13): I move:

That this Assembly:

(1) notes:

- (a) the social and financial impact on Tharwa Village as a result of bad decisions made by successive ACT Labor/Green Governments;
- (b) the long history of a lack of meaningful consultation from the ACT Labor Government with the residents and stakeholders of the Tharwa region on decisions that have adversely affected Tharwa Village and surrounding areas;
- (c) Tharwa Village is the gateway to the Namadgi National Park and is a focal point of Tourist Drive 5; and
- (d) that the Tharwa Village Plan currently being considered by the ACT Labor Government has failed to fully consult with all residents and stakeholders of Tharwa Village and surrounds; and

(2) calls on the ACT Government to commit to:

- (a) extending the consultation period on the Tharwa Village Plan and include face to face consultation with all businesses operating in the surrounding area; and

- (b) the development of a comprehensive plan to invigorate and revive Tharwa Village and the surrounding area, including a plan to assess the existing commercial, environmental and community assets.

The motion I bring here today could have at its heart any number of suburbs, our rural communities or single issues here in the ACT. The common theme that prevails is a lack of meaningful consultation in the wake of a history of poor decision-making by successive Labor-Green coalition governments.

Tharwa village in particular has copped more than its fair share of fallout from these bad decisions. As has been said in this place before, usually by members on this side of the chamber standing for the Liberal Party, Tharwa has a long and proud history. It is the oldest township in the ACT, the gateway to the Namadgi national park and the numerous and rich array of recreational, cultural, ecological and Indigenous offerings of the region.

Over successive Labor-Green governments the view has been taken that Tharwa does not have enough residents to justify further investment or attention, therefore leaving the village to fend for itself. Poor decisions made by successive Labor governments have adversely affected Tharwa and its residents, beyond a shadow of a doubt. It has suffered a series of blows. Notwithstanding natural disasters such as the 2003 bushfires, there have been blows that could very well have been prevented if there had been any electoral value in the region to the Labor-Green governments of the time.

I refer to decisions such as the closing of the Tharwa Primary School in 2006 by the now Chief Minister, Andrew Barr. This decision struck at the very heart of this small but significant Canberra community. It fought back by waging a very strong campaign to keep the school open. Failing that, it has succeeded in keeping the preschool open and, despite being up against it, it is still continuing to see strong, solid enrolment numbers to this day.

The series of decisions that led to the protracted closure in that same year of the Tharwa bridge, the major access point to the village and region, saw the village and its residents cut off from any direct and easy access to the ACT for months at a time. This closure affected business in the region and it affected everyone associated with Tharwa.

A Tharwa village plan is currently being considered. However, some residents of the village and the surrounding district have felt left out of this consultation process, while those who have contributed have felt that the consultation process was not adequate. The planning process that is currently underway is not enough, as was evidenced by the minister's answer in question time today when he was unable to say that he was satisfied with the level of consultation that had occurred there. If the minister does not have confidence in the process, how can the residents? The planning process that is currently underway is not enough. That is not only my view but the view of the stakeholders that are directly impacted by decisions made as a result of this sham consultation.

I have had numerous conversations with a cross-section of the Tharwa community, and this is how they have been made to feel. In the words of one resident who I spoke to last week, the community meeting that was held for residents by the government felt much more like a real estate sales pitch instead of a constructive listening experience being conducted by the government to gauge the views of residents. The residents of Tharwa have already bought down there. They see the benefit; they see the value. They do not need to be told why it is so great.

The residents have also told me that they feel like the process has been a “tick the box” exercise with very little regard having been shown for the views and contributions offered by the Tharwa community itself. In fact I understand that when one resident raised what they felt was a significant issue for Tharwa as a whole, that being the lease arrangements for Cuppacumbalong Homestead, this resident was shut down and officials refused to engage in any conversation on the issue at all.

The other point made to me by many residents is the length of time allocated for this so-called consultation. Less than one month was offered as a time frame for residents to express their views in what is one of the busiest periods of the year, particularly for families of children as they return to school.

The process is summed up nicely in this email that was sent to all members of Brindabella, including the minister responsible, from a resident. It says:

There is a lot of unease building as Planning is rushing the discussions on the draft plan. Unfortunately Planning is seeing the consultation etc as a few weeks’ exercise when it is a very important rationale for a precious little village for the next 50 or more years. I urge you all to keep a finger on the pulse as Tharwa is taken further down the plug hole of governmental and bureaucratic ignorance that has virtually decimated us since self government.

It would be very much appreciated if we could get a bit of respect for Tharwa in the run up to October.

Despite the consultation process there seem to be some ideas put forward by the government. These include a community hub, a pop-up market stall on the tennis court and other tokenistic ideas that will do very little to expand or encourage traffic through the area. I would now like to read into the record one of the comments made on the time to talk website:

I note the Government is proposing to make the shop area a community hub. I imagine this is for the Canberra residents because it already has a Tharwa community hub. You are suggesting the tennis courts be removed and markets being set up. The store is going to be made into a coffee shop. Are you planning on removing the current owner or are you going to update his lease? Who do you imagine will be managing this market district? Have you researched the fact that this was already tried and failed because of the parking and traffic issues?

What are you going to do about curbing the current traffic speed going through the village? With the added traffic mooted I imagine this may cause some public safety issues Also will you upgrade the public toilets? The increased visitor

numbers would put a huge strain on the septic tank and water system. Where are the enhancements to safety? We still have issues with hooners doing burnouts on and under the bridge, speeding through 2 main streets. With 2 small single lane roads how are you going to deal with additional traffic congestion?

That is the end of that feedback from the government's own website. These comments highlight the half-baked attempt at a planning process which is underway and speak volumes about the regard this government has for the Tharwa community—that is, very little. There is much to be said about the resilience of this community and the innovative entrepreneurial nature of those currently doing business in the region.

The detailed carvings on the mace that is present here in the Assembly were undertaken and crafted in Tharwa by a Tharwa craftsman, Myles Gostelow. Artists from Tharwa are world renowned for their skills. Their work is on display all over the country and internationally. These artists have created their own niche markets in response to the hurdles placed in their way and that businesses in Tharwa have had to learn to deal with. Despite not having very much foot traffic through their showrooms, they have made their own success.

There are other entrepreneurs in the region who are also chipping away, and also making their own success in the face of a number of bureaucratic hurdles. Most importantly, there are many good ideas and sophisticated proposals looking for opportunity in the region. These ideas come in the form of unsolicited proposals that could in fact provide a huge boost to not only Tharwa but the region as a whole.

I reiterate here today that all is not lost for Tharwa. Many great opportunities do exist. I believe in a future for Tharwa. I believe in the growth and potential that are waiting in both Tharwa village and the surrounding region, be it the national parks, the deep space tracking station or the nature reserves. There is potential in the whole western district of the ACT. Tharwa is an integral part of that.

I believe in Tharwa; my colleagues in the Canberra Liberals believe in Tharwa, and we are doing everything we can to ensure that this part of our territory is not forgotten, but instead can flourish. It is a shame that the ACT Labor and Greens parties have failed to take the same interest or to demonstrate the political will that is needed to realise the opportunities that exist in Canberra's southern regions, and continue to preside over more disastrous decisions that will leave a lasting legacy for not just this iconic Canberra village but the city as a whole.

MR GENTLEMAN (Brindabella—Minister for Planning and Land Management, Minister for Racing and Gaming and Minister for Workplace Safety and Industrial Relations) (4.21): I thank Mr Wall for bringing this motion here today. I rise to speak about the Tharwa village plan and the positive work that the government is undertaking in this area. I formally move the amendment that has been circulated in my name:

Omit all words after “notes”, substitute:

“(a) the important role that Tharwa has as part of the ACT's heritage and culture;

- (b) the ACT Government's decision to undertake a comprehensive village plan outlining the heritage, culture and liveability of the region;
 - (c) the comprehensive consultation undertaken as stage one of the Village Plan, utilising a nationally recognised engagement website and several well attended planning forums to gather ideas for the draft plan, due to be released to consultation in the next few months; and
 - (d) the ongoing consultation on the Tharwa Village Plan which is occurring prior to the publishing of the final plan, due to be released mid-2016; and
- (2) calls on the ACT Government to continue to work with the ACT community, in particular the Tharwa community, on the development of the Tharwa Village Plan.”.

The ACT government recognises the importance of our rural villages and has a number of plans and strategies in place to retain the unique character of these areas for future generations to enjoy. In 2012, the ACT government released the ACT planning strategy, which calls for new strategies to be prepared to retain the function and identity of the ACT's rural villages, including Tharwa, as distinct places rather than a continuation of Canberra's urban area. While urban growth is focused on existing urban areas, the lifestyle opportunities afforded by these villages will be recognised and supported, providing Canberrans with choice about where they want to live, be it in an urban or suburban environment, in a rural village, in “the bush” or on a farm.

The ACT has many rural villages, and they provide evidence of a pioneer life before the formation of the Federal Capital Territory. They are important in understanding the history and story of our place. These early villages include Tharwa, Hall and Oaks Estate, and each village represents a different part of the region's early story.

Tharwa's story stretches back at least 25,000 years as a significant place for the Ngunnawal Aboriginal community and for neighbouring nations as a travelling route between the plain and the alps, and an ideal place to cross the Murrumbidgee River.

The village of Tharwa was proclaimed in 1861. The track crossing the Murrumbidgee River at Tharwa became the major route from Queanbeyan to Kiandra during the Kiandra gold rush of 1859 to 1861. The rush was intense, with over 10,000 people making their way to the goldfields in its first year. The track was also essential to the pastoral and farming activities to the west of the river, largely used to transport stock across the river. Camps were often made at Tharwa while this occurred.

Just a couple of years ago at Tuggeranong Homestead it was wonderful to hear stories of the life and times of early Tharwa residents and the farmers around the ACT and Tuggeranong—stories about moving sheep and other stock from those early parts up from Smiths Road across through Tharwa to Tuggeranong Homestead for shearing; and also, later on, taking those goods—the wool, if you like, baled—to the Tuggeranong railway station for train delivery to Sydney. There were quite a number of wonderful stories about the social activity that occurred during those operations, including cricket matches at Tuggeranong Homestead, where we had some players actually fly in antique aircraft to play the matches.

Many key elements of the Tharwa village are registered on the ACT heritage register, including the Cuppacumbalong Homestead and its formal gardens; the De Salis cemetery, which I was able to visit last year; the Tharwa cemetery; and the Tharwa bridge. Tharwa village has also been nominated for the ACT heritage register.

As stated earlier, the ACT government is committed to retain the function and identity of regional villages like Tharwa as distinct places within the ACT. The ACT planning strategy recommends that when studies are done, such as master plans, they set out guidelines to retain the character of these villages while allowing for limited and sustainable growth.

The ACT government recognises the significance of the Tharwa village and its role as one of Canberra's oldest European settlements. The government is committed to the protection of the village's unique character and to the value it adds in terms of tourism and recreation for the Tuggeranong area.

The village, with its picturesque rural landscape setting, is also an important link to Canberra's history and development time line. In recognition of this, the Environment and Planning Directorate is currently preparing a village plan for Tharwa, as part of the ACT government's master planning program, to guide the ACT government in its decisions and planning around Tharwa for years to come. A village plan is the most appropriate master planning mechanism to use for the nature and existing scale of a rural village such as Tharwa. Village plans are a common strategic mechanism used by governments to support smaller townships that face location, infrastructure and investment challenges similar to those faced by Tharwa.

The Tharwa village plan study currently underway will provide a shared long-term vision and planning framework to allow for the enhancement and sustainable growth of Tharwa. It aims to define what is important about the village and how its rural character and qualities can be maintained and improved. The Tharwa village plan will also look at locally based economic, tourism, recreation and community opportunities for Tharwa's long-term viability. The development of this village plan for Tharwa is a vital and great opportunity for the community to contribute to and have a say about the future of their village.

The village plan for Tharwa seeks to identify opportunities to enhance the existing open spaces and recreation areas, particularly alongside the Murrumbidgee River. It will aim to improve tourism opportunities in the village, recommend support strategies for development of new businesses and community initiatives, and address infrastructure needs in order to deliver the village plan's goals and aspirations.

The ACT government recognises the important role that local communities and businesses play in shaping future plans. I am pleased to confirm that the Environment and Planning Directorate has already provided opportunities for the community to present their ideas for Tharwa's future. I consider that the consultation process for the Tharwa village plan is a well done consultation process but it is not over yet and I look forward to the next phase.

The directorate commenced a comprehensive community and key stakeholder engagement process for the first phase of the village's plan this year. As part of that process, EPD hosted two focused workshops with the local community at Tharwa, which were both very well attended. These workshops specifically discussed with the community what Tharwa's future could be, what they liked about their village, and what things they believed could be improved. I am pleased to confirm that the local community enthusiastically took part in both workshops and that whilst the discussions were often robust, the community did welcome the opportunity to voice their ideas and aspirations for their village.

The government has invested time and effort delivering and developing effective community and stakeholder engagement processes and practices. To date, the Environment and Planning Directorate has had a highly successful track record in engaging with key parties for the testing and development of planning policy and advice throughout the ACT. To extend these successful practices further, the directorate has invested in a nationally recognised online engagement tool, EngagementHQ. This online tool provides access to a broad range of feedback, information, communication and analysis tools that provide a track record of getting communities involved in community-focused projects such as the planning study that is currently underway for Tharwa. The key strategy for the new engagement tool was to open up further opportunities for the community to offer feedback on ACT planning consultations, especially for people who do not wish to attend public forums or who are unable to attend, for a variety of reasons.

The total number of visitors to date on the Tharwa EngagementHQ site is 571 visits, made up of 38 engaged visitors, including 34 survey responses, and 200 informed visits, which means that the participants have been further involved with the tool. This represents a very positive response to this type of online engagement and provides the community of Tharwa with direct opportunity to participate in the development of a strategic plan for their village.

The Environment and Planning Directorate has also had targeted meetings with key stakeholders as part of the first phase of community engagement for the village plan. These included several meetings with Mr Val Jeffery from the Tharwa general store, Cuppacumbalong Homestead precinct and Outward Bound Australia and in the coming weeks will include Aboriginal representatives from the King Brown tribal group. The Environment and Planning Directorate has also offered individual briefings to the community upon request. I am happy to confirm that the directorate has met with individual Tharwa community members.

The Environment and Planning Directorate is now developing a draft village plan for Tharwa, taking into consideration the recent community and whole-of-government feedback. It is anticipated that the draft village plan will be released later in 2016, and the community will again be invited to provide comment and feedback on the proposal. Phase 2 of the community engagement on the draft village plan will be for a period of six weeks, and I encourage the local community to again participate in the development of the final report. In the meantime, the local community may continue to provide input through the online engagement tool and haveyoursay.planning.act.gov.au.

In conclusion, the ACT recognises the importance of our rural villages such as Tharwa and the role they play in portraying the history of the capital and the region. It is the ACT government's aim to protect these areas from overdevelopment in order to respect their significance and to preserve their beauty and charm for many generations to come.

MR RATTENBURY (Molonglo) (4.32): I thank Mr Wall for moving this motion today. Tharwa is a very engaged community. Certainly when I was the minister for TAMS I got plenty of feedback from the residents of Tharwa about issues of concern. We worked with them on a range of issues such as protecting the river corridor and problems of hooning behaviour, litter removal and the like. There are certainly some issues for Tharwa. It is always encouraging to see people who really are engaged in looking after their community.

Certainly the Greens have held a strong interest in Tharwa and other rural villages over a number of years now. Indeed, following the 2008 parliamentary agreement, the convenor of the Greens at the time, Meredith Hunter, wrote to Minister Barr, the then planning minister, to propose a master plan for Tharwa. I will quote some sections of the speech she gave in this place in April 2009:

In the lead-up to the 2013 Centenary of Canberra celebrations it should be noted that many of the villages that now form part of the ACT were in existence well before the birth of Canberra in 1913. Families from these villages of Hall, Tharwa, Pialligo, Stromlo and Uriarra, and the villages themselves, became a vital part of the new Canberra ... In 1862 Tharwa, where the road to Kiandra crossed the Murrumbidgee, became the first place within the present boundaries of the ACT to be proclaimed a township. There are many of us in this place who can remember great family outings spent travelling to the rural villages within the territory, having picnics and visiting arts and craft shops ... These villages are being left behind because a large part of our planning and policy framework for development in the ACT focuses on the urban areas of the city and leaves little room for villages.

A strategic plan developed in consultation with the enthusiastic village community groups, who often make sound representations to members in this place about issues affecting the future of their communities, would go a long way to re-establishing the link from urban to rural areas, contribute to the financial viability of the rural villages and ensure that money spent by local and interstate visitors remains in the ACT ... However, ACT rural villages in the region continue to struggle to survive. In Tharwa, for example, the village is still feeling the impact of the bridge and school closure. In addition, the famous Cuppacumbalong craft centre and adjacent craft shops are closed, and what was a scenic tourist drive incorporating a number of the area's attractions is no longer popular. Now that the bridge is open again, the community may be able to attract more visitors down to Tharwa and catch people on their way to Namadgi national park.

Those were Ms Hunter's words in 2009. Looking forward to today, it is very pleasing to see that the Environment and Planning Directorate is currently preparing a village plan for Tharwa. The purpose of the planning study is to investigate the locally-based

economic, tourism, recreation and community opportunities for Tharwa's long-term viability. Background studies have informed the planning process, including studies focused on infrastructure capacity and heritage significance. It is always, I think, valuable to do that kind of work as part of a process like this.

I am advised that the first phase of community and key stakeholder engagement for development of the Tharwa village plan commenced on 27 January and concluded on 26 February this year. It is reported to me that EPD staff facilitated two targeted workshops with the Tharwa community to investigate key issues and develop a shared community vision and strategies for Tharwa's future during the four-week community engagement period.

The first community workshop on key issues for the village was held on Saturday, 6 February at the Tharwa public hall. Apparently 35 to 40 local residents attended from the village and surrounding rural properties. I understand that the workshop was well received and the community welcomed the opportunity to offer their thoughts for the village. The second community workshop on developing strategies for community initiated projects was held on Friday, 19 February and 35 local residents attended from the village and surrounding rural properties. I am told that comments received through the first phase of engagement are being used to prepare a draft village plan for Tharwa. I understand that the draft plan will be released in the coming months, with the final report being anticipated to be released later in 2016.

No doubt, there is a long way to go, and that is the nature of this process. It is a lot like the way the processes are done for shopping centre revamps. There is sort of an initial go-and-ask the broad questions and then come up with a draft, go back and test that with the community and then come up with a final. I have no doubt there are still different views. Certainly Mr Wall read out today some that were clearly not happy with some of the ideas that had been put forward. I think that is probably pretty natural at this stage in the process. I would urge the residents of Tharwa and surrounding areas to continue to be involved in the community consultation process.

The draft plan is due to come out soon. I guess the residents will get an opportunity to see whether the things they put forward and the vision they have has been reflected in that draft or not as the case may be. I suspect also that there will be some different views within the community. Of course, the challenge for government is to channel those perhaps divergent ideas of the future into a single, coherent strategy for a community which may have some different visions.

I will be supporting Minister Gentleman's amendments today. I think it is a bit premature to be quite as negative on the process as Mr Wall has been. But there is plenty of distance to go on this and I am sure there will be some good, robust debates. There are more stages of the consultation to go. I will be very interested to hear how it goes from here because I know there is real passion for our rural villages, both within the villages themselves and across the ACT generally. There is a sense of nostalgia for the villages. I will be watching with interest both the draft plan and the community feedback on that.

MR WALL (Brindabella) (4.39): I will close the debate. It is clear from the amendment that Mr Gentleman is seeking to move that the intent and the concern of the residents of Tharwa still has not sunk in. Residents across Canberra are absolutely sick and tired of this government, those opposite, turning up to do consultation with their minds already made up on what the outcome should be.

That is, first and foremost, how the residents of Tharwa feel about how the consultation for this village plan is being conducted. It is not, as Mr Rattenbury tried to sugar coat, about going down there, getting the residents views and reflecting them in the draft plan that will be prepared shortly. Residents feel that when the consultations occurred, the public meetings and the briefing material that was provided clearly already had an undertone to an outcome that the government is seeking to achieve. That is what they are upset about. Their views are not being taken as the first and, I guess, the primary source for forming what the draft plan should look like but, instead, will be bent to suit what the government's agenda is.

Various residents have various views about what that is, be it land release to the cutting of more services. Let us just say that over the past couple of decades the residents of Tharwa have had no reason to maintain faith or confidence in the current government and the way it conducts itself when it comes to their home, which is the village of Tharwa.

I am a firm and keen believer that there is a lot of potential to see Tharwa reinvigorated back into the tourist hub, the hive of activity that it once was. There was a favourite pastime of so many Canberrans to head down to Cuppacumbalong homestead on a weekend for a lunch or a function, enjoy the delights of the historic gardens down there or walk along the river bank. But that seems to have all gone by the wayside.

Currently if you want to go down to Tharwa for a meal or a drink, you cannot do much better than a takeaway from Val's general store or, if you are lucky, he might have a pie in the warmer. But that is because, bit by bit, the tourism and the trade that used to sustain the village of Tharwa has disappeared.

Cuppacumbalong, which is a significant historic site in the ACT, is closed predominantly every day of the year. I think very occasionally there is an open day—very occasionally. But it is not something you can rely on. It is very poorly advertised, and there is a great significant ACT treasure that is being locked up. It was once the jewel in Tharwa's being a bustling and thriving rural village in the ACT.

Mr Rattenbury quoted Meredith Hunter in his speech as referring to craft stores. They are far and beyond craft stalls. These are renowned artists practising their craft but they also have gallery space open to the public hopefully to generate further business for themselves. I would encourage every member in this place to look at and reflect on the mace that sits in front of us on every sitting day. That is more than just a mere craft item. It is something that is truly skilfully and intelligently crafted and reflects the great skill, care and diligence that is evident in all of the works that the artisans in Tharwa produce.

I draw members' attention to other professionals operating down there in the art space. Karim Haddad operates the Tharwa forge. He has carved out very great niche in blacksmithing knives. Very rarely is there a weekend when there is space to undertake one of his classes. Yet there has been an absolute lack of tying together all the different aspects that exist down in Tharwa. You have got Outward Bound on the doorstep. It is the gateway to the Namadgi National Park. Just up the road from the Namadgi visitors centre is the Honeysuckle Creek tracking station that was destroyed in the fires but it is where some of the first images of the Apollo mission were beamed from.

In the northerly direction, we have the deep space tracking station, Corin Forest, a number of dams and the Tidbinbilla Nature Reserve. All the way up that Murrumbidgee catchment there is so much opportunity and potential that is simply not being recognised. The intent of this Tharwa master plan is to encapsulate some of those opportunities within a village plan. That is what the residents need. That is what the residents are hoping for. But what they feel is going to happen is that there will simply be a token gesture in the approach to an election—where the government is looking fairly—to try to appease some of the community by saying, “We have done something down here.” But it is too little, too late.

Residents down there have been fighting for some very basic things—just to have the water tank that was funded by the community many decades ago renewed or replaced. That is a very small capital outlay that is seemingly impossible to get any government support for. The question has to be asked: why? Why does Tharwa not matter to the ministers in this government, to the backbenchers in this government?

For too long residents in Tharwa have been forgotten, much like the residents of all the southern part of Canberra, Tuggeranong particularly. There is a great sentiment that they have been forgotten. Priorities lie elsewhere, and that is evidenced by projects such as the tram going into Gungahlin, a cost that all Canberrans are going to be burdened with. Yet those in the southern parts of Canberra will be suffering as they pay to fulfil that cost obligation for no direct benefit.

I would simply ask those members opposite to give Tharwa in this instance, but also the southern parts of Canberra, the priority, the attention and the focus they need and treat them equally as they do all parts of Canberra.

Question put:

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

The Assembly voted—

Ayes 9

Noes 8

Mr Barr
Ms Berry
Dr Bourke
Ms Burch
Mr Corbell

Ms Fitzharris
Mr Gentleman
Mr Hinder
Mr Rattenbury

Mr Coe
Mr Doszpot
Mrs Dunne
Mr Hanson
Mrs Jones

Ms Lawder
Mr Smyth
Mr Wall

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Asbestos eradication program

MR HANSON (Molonglo—Leader of the Opposition) (4.50): I move:

That this Assembly:

(1) notes that:

(a) on 14 December 2014 the Assembly Standing Committee on Public Accounts unanimously recommended that an ACT board of inquiry be constituted, pursuant to the Inquiries Act, to investigate the full history of the Mr Fluffy legacy and report by 1 March 2016; and

(b) the ACT Government has failed to establish any inquiry to date; and

(2) calls on the Chief Minister to immediately establish a board of inquiry (BoI) into the Mr Fluffy legacy. The BoI will:

(a) be conducted by a retired Judge or Magistrate;

(b) be established by 30 March 2016;

(c) invite written submissions;

(d) have public hearings;

(e) notwithstanding the provisions of the Inquiries Act, provide an interim report which is made public within six months;

(f) provide a full report within 18 months; and

(g) have the following terms of reference: For the period 1989-2016, inquire and report on:

(i) the adequacy and effectiveness of loose-fill asbestos management regimes in the ACT;

(ii) all official reports and enquiries into asbestos within the ACT, their outcomes and the effectiveness of implementation of any recommendations;

(iii) the management regime which resulted in ACT homeowners remaining ignorant of the dangers of loose-fill asbestos and in some cases to proceed with home modifications unaware of dangers present;

(iv) the process by which the seriousness of the danger posed by loose-fill asbestos was discovered, how that information was managed and the decisions which eventually resulted in the ACT buyback scheme;

(v) the ACT Loose Fill Asbestos Insulation Eradication Scheme;

- (vi) the adequacy of the ACT legislative and regulatory frameworks in respect of loose-fill asbestos;
- (vii) the plans put in place to monitor and manage future health impacts of exposure to loose-fill asbestos;
- (viii) the plans put in place to manage impacts on third parties exposed to loose-fill asbestos (eg tradespeople, home services personnel etc);
and
- (ix) any other matter related to or reasonably incidental to the above.

I must say that I am a little disappointed to be back here speaking about this issue again because I genuinely believed that by this point we would have an inquiry well underway. My reason for that is there was an inquiry that was chaired by Mr Smyth which comprised two Liberal members and two Labor members that looked into the issue of Mr Fluffy loose-fill asbestos. That committee tabled its recommendation quite some time ago. We are all aware of this committee. I will read from the report:

The Committee recommends that an ACT Board of Inquiry be constituted, pursuant to the Inquiries Act, to investigate the full history of the Mr Fluffy legacy. The Board of Inquiry should report by 1 March 2016.

Quite clearly, that has not happened. That was an inquiry, as I said, that had two Labor members—Ms Berry, who is now a minister, and Ms Porter—who voted for that. That statement I just read out was one that Ms Berry supported and it was one that Ms Porter supported. But it has not eventuated. That is most disappointing. There have been mixed messages coming from this government about the issue of an inquiry.

On 6 November 2015, a newsletter from the ACT government Asbestos Response Taskforce website, talking about the board of inquiry, says:

Chief Minister Andrew Barr reconfirmed in the Assembly last week that the ACT Government is committed to investigating the full history of the Mr Fluffy inquiry.

The ABC News in July 2015, under the heading “New inquiry expected on loose-fill asbestos”, says:

ACT Chief Minister Andrew Barr has confirmed he will create an inquiry to consider the handling of the issue, on the day the full Mr Fluffy address list was publicly released.

That was some time ago. “I will make announcements on that board of inquiry when the government is ready.” In answers to questions on notice and without notice in question time in September last year, Mr Barr said:

I never disagreed with the need to establish a board of inquiry...A board of inquiry remains important...

On being asked further questions, Mr Barr said:

There is a range of matters. There are more than 1,000 households who have 1,000 different circumstances that require the attention of the task force.

He went on:

I refer the member to my previous answers. The question is not one of disagreement over whether a board of inquiry will be established; it is one of the priorities.

“It is one of the priorities”. We see very clearly that the Mr Fluffy board of inquiry is not a priority for this government. We see the sorts of things that are a priority for this government, but something that was a burning issue clearly is not a priority any longer for this Chief Minister. Indeed, by October last year the Chief Minister was rejecting calls for an inquiry into the Mr Fluffy disaster. We saw in the *Canberra Times* on 4 March under the headline “Chief Minister Andrew Barr all-but abandons Fluffy board of inquiry”:

Chief Minister Andrew Barr has all-but abandoned the full board of inquiry into the Fluffy affair...

The news came as a body blow to some owners of the asbestos-contaminated houses who have been holding out for an inquiry to get to the bottom of how the dangerous loose-fill asbestos insulation was allowed to be pumped into ceilings and its handling since.

That has, I know, become very disappointing for large sections of the community. Mr Rattenbury was reported as saying that he wanted an inquiry: “Mr Rattenbury to push for Mr Fluffy inquiry sooner rather than later.” But when I have spoken to Mr Rattenbury since then his comments have not filled me with any comfort that he is not just going to fall into line with what Mr Corbell in question time identified as “the coalition”. I will be interested to see what Mr Rattenbury has to say today, because it appears that the government never intended to hold an inquiry; they never wanted an inquiry. A couple of their members did.

Clearly from that Legislative Assembly committee inquiry we have seen disingenuous comments from both the Chief Minister and the Greens minister pretending to the community that there is going to be some sort of inquiry. They created the illusion that there was going to be some sort of inquiry. But when we get to the point where we now have the opportunity for members to vote for a board of inquiry to be set up—when it comes to the rub—we see all the Labor members and the Green members, this self-described coalition, voting against an inquiry. If that is the case, if that is your position, be honest with the community and say, “We lied before. We weren’t telling the truth. We’re not going to do an inquiry.”

As we know, this is an issue that has affected 1,200 home owners as their houses are in the process of being demolished. But, much more than that, it has affected the people who have lived in those houses previously and many members of the

community—particularly tradies who have had to crawl through the loose-fill asbestos—such as their friends and family. By the government’s reports, tens of thousands of people have been either directly or indirectly affected by this. I remember Ms Berry being on that committee. Some of the stories we heard were harrowing. Many of us have heard great stories of distress and hurt.

This is enormously expensive as well. The impact on the budget is \$400 million. It is an enormously expensive program. It is equivalent to the Cotter Dam, to put it in perspective. The health risks are in a sense unknown regarding the number of people exposed to loose-fill asbestos. By virtue of the fact that this place agreed unanimously that we would spend \$400 million or thereabouts to finally get rid of those homes, it suggests, even on a cursory glance, that this was a significant health risk that had to be dealt with.

We have entered a period now where the work of the task force is quite mature. All of the homes have been identified. By and large, the issues have been resolved. It is now a matter of the task force getting on with its business. The excuses that we have heard about matters needing to be resolved before the inquiry starts have, by and large, gone.

The Chief Minister keeps saying, “We need to have a look at this as a joint inquiry and get the other jurisdictions involved.” The reality is that this is an issue of great importance to the ACT, but not so New South Wales in terms of the impact on New South Wales. Clearly this is an issue that we have had to lead on since self-government. I often hear in this place Mr Rattenbury and Mr Barr say, “We’ve got to stand up for ourselves. We’ve got to take the lead on issues. We’re a mature parliament.” I have heard it in this debate on numerous occasions. We heard it on the issue of euthanasia just recently—that we should be able to repeal the Andrews bill, so-called, so that we can go it alone.

But it seems that the instant Mr Barr and Mr Rattenbury see something they do not like, they hide behind the skirts of the federal parliament and the New South Wales parliament saying, “You couldn’t possibly do this unless it’s a joint inquiry.” That is rubbish. It is disingenuous. Under the ACT Inquiries Act we can have an inquiry. My conversations indicate that other jurisdictions would cooperate, whether or not it is a joint inquiry, particularly noting that most of the issues affecting the federal parliament predate self-government.

This becomes a matter of timing and priorities. It is quite clear that for this government this is no longer a priority. For the Canberra Liberals it is a priority, and it has been. Our position has been consistent throughout this whole process. We have been calling for the board of inquiry since 2014. The Assembly committee reinforced that position, as we well know. So it is a matter of priorities. I turn to some of the comments that Mr Rattenbury made. It used to be a priority for him too. He said in *Hansard* on 20 October 2015:

Certainly the scale of this problem is right up there with and perhaps even larger than the 2003 bushfires, with more than 1,000 homes and families affected directly and of course then the impact on neighbours, relatives and workplaces of those people who have been caught up in this as well. And we of course have the ongoing issue of the fear felt by individuals who have lived in Mr Fluffy houses

and who have the uncertainty of knowing what impact it is going to have on their health and the health of their loved ones over the longer term, having now unknowingly lived in those houses.

That is a compelling argument, one would say, but something that is not so compelling is that this is no longer a priority for Mr Rattenbury, who has moved on to grander schemes that perhaps better suit his constituency. Mr Rattenbury said on 9 April 2014, “The appointment of a board of inquiry should be undertaken in circumstances where there is a suspected failure of due diligence or governance in relation to these issues.” Clearly, something went very badly wrong.

We have heard, as I said before, some pretty sad stories. I note Mr Kefford from the task force is in the chamber today. I know that he has been on the front-line of dealing with some of these issues. To humanise it I think is very important because there are people facing significant financial hardship because of the Mr Fluffy issue; it will have a considerable psychological impact on them. There are people who are essentially going to be dislodged from their homes and their communities after 50 years. Many people simply cannot afford to buy back their old block. Many people are seeing that the price is changing. Their properties were valued in one market and now they are being required to purchase them back in a very different market, one that makes it, for many people, simply unaffordable.

I know that Mr Kefford and, indeed, the Chief Minister are aware of the circumstance of a family with a profoundly disabled child. They had invested enormous sums to make their home fit for that child who had been disabled from birth. When it was valued, it was worth well below what they had expected and what they could afford, in part because of the work that they had done. That family are now left in a situation, essentially, where they are in ruin. They are in a position where, with a profoundly disabled son—they are in their 60s and have no wealth—they are going to be significantly disadvantaged.

We need a board of inquiry. That was the unanimous position of the committee. It was the unanimous position of this place. Some years on, with the task force mature in its work and with the program well established, there is no longer an excuse not to do this inquiry. The Mr Fluffy home owners that I have been speaking to certainly see the government’s position as an excuse. The government do not want this to happen for perhaps a number of reasons. They have other priorities, be it light rail or whatever. What is being put to me is: why do they not want this? Perhaps they have something to fear.

If one reflects on some of the actions taken since self-government by both political persuasions—indeed, in the earlier days of this government under previous chief ministers leading all the way up to today—there are some significant questions that I think need to be answered. I would hate to think that it is the desire of this Chief Minister to bury the actions of previous Labor governments who have this issue all over their hands and are simply using disingenuous excuses to prevent a board of inquiry looking at this issue, because it needs to be done. That was the unanimous position. When I say in here that I am disappointed, I know that is also the position of many hundreds of owners of Mr Fluffy homes.

MR BARR (Molonglo—Chief Minister, Treasurer, Minister for Economic Development, Minister for Tourism and Events and Minister for Urban Renewal) (5.05): The motion moved by the Leader of the Opposition today demonstrates a continued unwillingness to understand the complexity of the Mr Fluffy asbestos legacy for Canberra. More disappointingly, it shows once again that he is happy to let the commonwealth coalition government off the hook yet again; he lets them wash their hands of any responsibility for Canberra and the affected residents. He is willing to wipe their role from history by proposing terms of reference today that only allow an inquiry into a period commencing in 1989, just as he has acquiesced to them in refusing to honour their commitment to co-fund the clean-up.

He neglects to mention in his contribution that when the billion-dollar price tag was settled to finally resolve this issue, at an expected net cost to our community of \$400 million, the commonwealth did not meet its obligations to the territory, moral and otherwise. It did nothing to support affected residents and it did nothing to support the ACT government to achieve a just outcome.

That is why the territory government has stepped in and borne this cost, which we need to pay back with interest as a loan to the commonwealth. This motion shows a further complete lack of regard for the process agreed to by the Assembly when we debated this same issue just 3½ months ago. Indeed Mr Hanson seems to have forgotten that debate in even framing this motion this afternoon. For these reasons the government will not be supporting his motion in its current form. I have circulated an amendment in my name, which I now move:

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

“(1) notes:

- (a) in the Government response to the Assembly Standing Committee on Public Accounts’ inquiry into the proposed Appropriation (Loose-fill Asbestos Insulation Eradication) Bill 2014-2015, the ACT Government noted the need to consider the full history of the Mr Fluffy legacy;
- (b) the ACT Government, through the Asbestos Response Taskforce, is currently responding to the Mr Fluffy crisis, that many Fluffy owners remain in their homes, that the demolition process has only just begun, and that it will take up to five years to rid the ACT of the toxic Mr Fluffy legacy;
- (c) an inquiry launched immediately would mean substantial distraction to the work of, and diversion of resources from, the Asbestos Response Taskforce, cost many millions of dollars, and delay the implementation of the Government’s response at the expense of those directly affected by Mr Fluffy;
- (d) the Mr Fluffy legacy extends back to 1968, well before self-government in the ACT, and that the Commonwealth Government has played a central role in the Mr Fluffy legacy;

- (e) the Mr Fluffy legacy extends into NSW, with the NSW Government creating a taskforce similar to the ACT to respond to the presence of loose-fill asbestos in homes throughout NSW;
 - (f) an inquiry into the legacy of Mr Fluffy could only achieve its goals with the involvement and close co-operation of the Commonwealth Government, and preferably the involvement of the NSW Government, as the ACT does not have jurisdiction over activities of the Commonwealth and NSW Governments; and
 - (g) that the Commonwealth has not, as this point, honoured its previous undertaking to materially contribute to the clean up, and has not provided any assurance it will financially support and co-operate with any review process; and
- (2) calls on the ACT Government to:
- (a) continue to raise this issue with the Commonwealth and NSW Governments to seek the engagement of those Governments in order to properly consider the full history of the Mr Fluffy legacy; and
 - (b) seek financial support from the Commonwealth and NSW Governments for the joint establishment of a review.”.

The amendment properly reflects the history of this matter in this place and in our city. This goes to the commitment the government has to resolve the Mr Fluffy legacy once and for all and our ongoing work to determine the best way and time to examine this legacy and the response of many governments to it.

In his closing remarks Mr Hanson touched upon a conspiracy theory of sorts. Let me respond directly to that. I was not born in the late 1960s when this toxic stuff was pumped into houses. I was still in high school in 1989 when the first territory government was engaged in dealing with this matter, and I was not in the Assembly until 2006. So any conspiracy theories about allegedly covering up past involvement are factually incorrect: either I was not born or I was still a school student, or I was not in this place.

Let me respond directly to those series of allegations. I want to take the opportunity this afternoon to reiterate to those opposite and, much more importantly, to the broader Canberra population, the government’s approach to this issue. We have always maintained that the Mr Fluffy legacy and government responses should be examined fully and thoroughly at the appropriate time. The government’s response to the report of the public accounts committee cited by the Leader of the Opposition in this motion clearly sets out this position. The government has said so repeatedly since then, and I am happy to restate that commitment today.

However, the government has also consistently made it clear that there is no point in engaging in what would undoubtedly be a very significant and very expensive undertaking without the full participation, agreement and support of the commonwealth government and the highly desirable participation of the New South

Wales government. This issue is—and I agree with Mr Hanson on this point—big and important, but it is too big and too important for it not to be reviewed in its entirety and with rigour. Arbitrarily excising the commonwealth's role in this matter would reveal only half of the story, and it would leave affected residents and the wider Canberra community severely short changed.

Members will, of course, recall the crisis faced by our city in the first half of 2014 as home owners responded to the letter from the Work Safety Commissioner of 18 February 2014 suggesting that they have asbestos testing conducted inside their homes. It emerged that there was sometimes very significant contamination inside houses remediated in the original program conducted in the early 1990s.

The ACT government responded quickly in establishing the asbestos response task force to oversee a program of emergency assistance, information provision and support and to develop advice on a long-term solution to what was and remains an unprecedented and complicated health, social, practical and, of course, financial issue. The task force provided its advice in August 2014 in a report which makes very plain the history of this issue. In September 2014 the government sought financial assistance in keeping with the memorandum of understanding with the commonwealth government that was signed during the original removal program.

At the end of October the commonwealth government announced—not to us but to the media—that it had reneged on that MOU and would offer a loan to the territory. The ACT government nevertheless decided to implement its loose-fill asbestos insulation eradication scheme—as all have acknowledged, an unprecedented undertaking in the territory's history, and one that comes at a very significant financial cost, but one that is absolutely necessary to protect the health of our residents and to finally put an end to this cross-generational toxic legacy.

Why such a significant step was necessary and why a full and non-time-limited examination is so necessary can be traced back to the late 1960s in the advice provided to the commonwealth that, and I quote:

It is considered desirable that D Jansen and Company Pty Ltd should be dissuaded, or even prevented, if possible, from using asbestos fluff as insulation material in houses. Not only are men being unnecessarily exposed to a harmful substance in the course of their work, which is against best public health practices, but there is some evidence that community exposure to asbestos dust is undesirable.

It is a tragic fact of history that this advice from the Acting Director of the ACT Health Services Branch of the then commonwealth Department of Health was not heeded.

Any examination of how we arrived at this point must also be informed by a proper understanding of the evolving state of knowledge, over 50 years now, about the danger of asbestos. Through the 1970s raw loose asbestos was installed in around 1,100 houses across 56 suburbs. In the late 1980s there were major removal programs for other forms of asbestos in public buildings like the National Library. The issue intersects with debates about self-government for the ACT.

A critical component of the story is the decisions made before self-government about the design parameters of the original removal program and, of course, in its implementation by the then fledgling ACT government. The balance is the decisions by successive territory governments over time as asbestos in all forms was ultimately banned from use and as the regulatory framework continued to evolve.

This history underscores why it is just ludicrous to suggest that any inquiry into the Mr Fluffy issue starts in 1989. Any inquiry into this issue that takes 1989 as a fixed, unreviewable starting point would be fundamentally flawed. More importantly, this history underscores why it is critical that the commonwealth be fully engaged and involved in any examination. The commonwealth was responsible for the day-to-day management of Canberra before, during and after Mr Fluffy was installed. The commonwealth designed the original removal program.

If we can ever hope to provide the full story, we must openly and thoroughly review the period before self-government when a known hazardous substance was, at best, not prevented from being installed in over 1,000 Canberra houses. Any examination simply must have access to commonwealth documents, legal advice, commonwealth officials and the records of the commonwealth executive. As many have observed correctly, given that we are a territory, there are real legal issues in this regard, but these could be overcome with the agreement of the commonwealth government to fully participate.

Because of the central role of the commonwealth in the history of the Mr Fluffy issue, the government has determined that it will not embark on a review without commonwealth participation and assistance, including in defraying the obviously very substantial costs involved. By effectively proposing the ACT equivalent of a royal commission but by so severely restricting its parameters, the Leader of the Opposition is proposing spending many millions—quite likely tens of millions—without actually achieving what the affected residents and the community state they want: the full truth and the full history.

The ACT government has already published key documents which it created. To commit further very significant expenditure to an inquiry process unless we are going to properly get to the bottom of the issue once and for all would be completely counterproductive.

The other critical consideration relevant to this debate today is that the enduring solution to the crisis faced by our city in 2014 will come only when houses are rebuilt on remediated blocks. This can only happen when the task force completes the demolition of houses acquired by the territory government under the scheme. Today that number is 836, of which nearly 100 have been removed. Including the current work underway, any inquiry would only serve to delay our goal of getting the affected resettled as quickly as possible, whether on their original blocks or elsewhere in the community. It would add to the time families are dislocated from their homes and their neighbourhoods.

We all agree that affected contaminated houses need to be demolished. We all agree on that. It is the only way we can prevent future generations of Canberrans from being exposed to this risk. But this is an incredibly complex, distressing and challenging set of circumstances. We must do everything we can to ensure that the critical demolition work is completed as quickly as possible so that the physical, social and psychological rebuilding can begin.

When this issue was canvassed in October last year I stated clearly:

A story of this magnitude, this complexity and this significance deserves to be reviewed and written through a process that is robust, that is comprehensive and that, above all, provides proper and considered answers as to why this city faced the crisis it did ... To do less than this, to heed to some sort of political timetable as outlined by the Leader of the Opposition, would be an enormous disservice to the community—not just for the owners who have lived and raised their families in those properties, but for anyone who has ever worked on those properties and for visitors who frequented them over that time.

That remains my view, and the view of the government. I will continue to advocate for the involvement of the commonwealth and New South Wales governments in any future review. I have raised this personally with the New South Wales Premier and the Prime Minister, and I will continue to do so. But in the meantime our focus has to be on what we can do right now to help every affected resident. So I encourage members to support my amendment today.

MR RATTENBURY (Molonglo) (5.20): I have put my views on the record many times before that the Mr Fluffy legacy has been a tragedy for Canberra and for many families. It has seen people displaced from their homes, it has had serious impacts on people's health and it has been highly upsetting and disruptive for thousands of people. All of the people affected have my deepest sympathies.

I have also been clear that there needs to be a serious and significant investigation or inquiry into the history of the Mr Fluffy saga. How was this able to occur? How do we ensure it does not happen again? Where do responsibilities lie? I also think and hope that the inquiry can help individuals and families from a personal healing point of view. If it is conducted in the appropriate manner, such an inquiry can help people move on and can be therapeutic for people that have been harmed by the Mr Fluffy legacy.

Unfortunately, I acknowledge that at the moment there are real obstacles before the ACT government which mean that now is not the right time to hold this inquiry. Mr Hanson is already aware that I support setting up the inquiry, but he also knows—and I have put the view—that I do not think this is the right time, and I have said it on radio again today. I will be clear why I think this is the case.

It was interesting to read Saturday's paper. I do not think the headline actually matched what I said, but that is the way these things go. I do think we need to have an inquiry but I do not think this is the right time. There are two primary reasons for that. Firstly, the asbestos response task force is in the middle of responding to the

Mr Fluffy crisis. Fluffy owners are still in their homes or in the midst of relocating. Demolition and remediation of houses and blocks is underway.

There is no question that an inquiry would be a significant call on the resources of the task force and take them away from the work they are currently focused on. I believe that would lead to a possible delay in the implementation of the task force's response. It would lead to fewer resources being available to affected families. And bear in mind that at this stage there are still well over 100 households that have not taken a decision about what they intend finally to do. So we have the significant process of not only working with all of those households that have opted into the scheme but also dealing with all those who have not yet made a decision on what they wish to do. I think that is where the task force's efforts should be focused at this time, and not on needing to work as a secretariat to an inquiry and having to work through all of the work that would be involved in that.

There will be a time, in my view, when the task force will get over what we might call a hump, when a lot of the work will have been done and they will be into a bit of an auto pilot mode where they will just be working through things. I do not think we are at that point yet. When that point comes, that will be a better time for the task force to be involved.

The second reason why I do not think now is quite the right time is that the government has not been able to secure the agreement or the assistance of the commonwealth government. I have asked Mr Hanson to assist the government and me in attempting to get the commonwealth government on board. He said today that he thought they were on board. That is not what the Chief Minister has been told, so clearly there is miscommunication, different messages or misunderstandings—I do not know what it is. But we need to get to a point, before we start this inquiry, where we have an agreed position between the two governments on what form the inquiry will take, in what form the participation will be from all of the parties and on the financial basis which will cover the inquiry. I think the commonwealth does have a role in that space.

I would like to see ACT federal members and senators working hard to achieve commonwealth government cooperation on the issue of a Mr Fluffy inquiry. When it comes to New South Wales, my view is that it would be better to have New South Wales involved because they are also affected, but I do not think New South Wales is critical to it. In an ideal world we would see them involved as well because there are people in Queanbeyan, just across the border, who are affected. There are people in other parts of New South Wales who are affected. I think it is better to look at the whole thing in one go, but if that is not possible, if New South Wales will not participate, so be it. I certainly think we need to have an agreement with the commonwealth on those things I have mentioned: the form of the inquiry, the terms of reference, the financing of it and the availability of documents and witnesses.

We all know that the Mr Fluffy story involves the commonwealth government to a large degree. They are central to this story and need to be central in any inquiry. To have an inquiry in isolation from the commonwealth simply would not cover the full scope of issues or responsibilities relevant to the Mr Fluffy story. That story, of course,

started many years before self-government. I think it is also reasonable, given that history and that legacy, that the commonwealth share the costs of whatever inquiry takes place, because undoubtedly it will be an expensive process. And it is money we need to spend at some point. I think we should continue to work harder to get the commonwealth on board. I do not agree that we should just—as Mr Hanson proposes today for his own motivations—go ahead with this without seeking to work harder to get that in place. I think it will be a far more thorough and a far more effective inquiry if the commonwealth are involved.

I would ask Mr Hanson to recognise these limitations. I would ask that he does not seek to politicise the issue by claiming that the government or I do not want to deal with the Mr Fluffy issue. I found some of the arguments put forward by Mr Hanson today and the motivations he ascribed to me and some members of the Labor Party to be, frankly, grubby. I have been absolutely clear that I believe there needs to be an inquiry. The fact that we have a difference on how and when that should happen does not warrant the sort of aspersions that are being cast by Mr Hanson. I know there are some people in the community who share those views. They want the inquiry, they want it now—they wanted it sooner than now. But I respectfully disagree with them for the reasons I have spelt out today. That does not mean I do not agree with them that there needs to be an inquiry. There must and there should be.

We must work to get the right inquiry so that we get the right outcomes and so that we resolve the many issues that are being asked about in the community. It is quite clear to me that people have a number of different things they want to see come out of the inquiry. I think we have some more work to do to pin that down. I was surprised by the terms of reference proposed by Mr Hanson. I do not think they are the right terms of reference either. Rather than slugging this out in the chamber, let us get on with working together behind the scenes to get this sorted and come to this place with agreed terms of reference. I think we can make much better progress on this issue.

MR HANSON (Molonglo—Leader of the Opposition) (5.27): I am disappointed but not surprised that this motion will not get support.

Just turning to Mr Rattenbury's comments, what I would say is that if Mr Rattenbury has preferred terms of reference for the inquiry, I would be delighted to see the terms of reference. I forwarded this document to him well in advance of this debate; I have not received any response on the terms of reference or any commentary on it to date. I retain the offer: if Mr Rattenbury would like to work on the terms of reference and then get back to me with what he thinks are better terms of reference, I would be very open to that; very open to that in terms of the time and the scope for the inquiry, in terms of pre-self-government, post-self-government and what times they are, and in terms of the matters that are inquired into. Let us do that. I look forward to him responding with better terms of reference, as he has alluded to today. If he does not like my terms of reference, if he thinks they can be done better, I expect him to come back with better terms of reference. I am a bit surprised that he has not moved an amendment to the effect today—unless that is yet another little excuse not to proceed with this today. I look forward to him sending new terms of reference to me.

With regard to Mr Barr, he seemed to have an argument that “This was all well before my time. I was in high school or primary school when this all happened. Nothing to do with me, guv.” That is not quite true. There are many matters related to Mr Fluffy that happened in Mr Barr’s time. In fact, Mr Berry, a previous Labor leader, in 2004, when he was a minister, said on 25 August 2004:

In the ACT, as a result of the Mr Fluffy efforts, there were, I think it has been said here, about 1,000 houses where asbestos had to be removed. All of the houses were identified and samples were taken from, I think, all ACT residences at the time. I am not quite sure of the detail of that, but there was a massive amount of information collected in relation to those houses. I know that the fire service had a store of that information so that if the fire service was despatched to any of these houses it would know if it had loose asbestos ...

It has been an issue that has been debated in this place by many people. Mrs Cross asked questions of Ms Gallagher about this in 2004. Ms Gallagher responded:

The government has been accused of playing politics with matters of life and death on this issue.

These were questions that were being asked in 2004. Mr Barr was not at primary school then. He was actually in Mr Hargreaves’s office, as a staffer and then his chief of staff. He was well aware of these issues. There are many issues that could be examined in the period of time that Mr Barr has been in this place. Some of the issues that need to be clarified, need to be examined, have been covered and litigated in the media and in this place. I will quote from the *Canberra Times* of 28 August 2014:

ACT Chief Minister Katy Gallagher was warned personally and on multiple occasions since 2005 that Mr Fluffy home owners were at risk of coming into contact with the deadly insulation.

Documents obtained by *The Canberra Times* show that as industrial relations minister responsible for asbestos, Ms Gallagher received numerous recommendations to deliver “explicit”, “regular” and “systematic” warnings to more than 1000 Mr Fluffy home owners that remnant asbestos within their wall cavities posed a potential health risk.

That was 2005, Madam Deputy Speaker. The article continued:

While all levels of government understood that when the \$100 million Commonwealth Removal Program wound up in 1993, some amosite remained and renovations, or even minor work, on these homes could be dangerous, this was not adequately conveyed to the public.

Two independent internal reports—the 2005 Report on the ... Asbestos Removal Program, commissioned by the ACT Asbestos Taskforce, and the 2010 Asbestos Management Review, commissioned by the government—both recommended Ms Gallagher put in place stronger protections for buyers potentially purchasing a Mr Fluffy home, renters moving into them, and tradespeople who may work on them.

Continuing, the article said:

Critically, she was asked to raise far greater awareness around Mr Fluffy insulation among affected home owners.

Mr Fluffy residents were issued just one formal letter under Ms Gallagher during the past nine years regarding the asbestos.

The minister was told by reports commissioned by the government that she needed to put in place stronger protections, that there needed to be regular warnings. We got one letter. The article continued:

It wasn't until February this year—

that is, 2014—

that the government wrote directly to owners ...

And, if you remember, that was not even directly to home owners; that was a letter to the household—or to the home owner; I cannot quite remember. But it was a generic, unaddressed letter.

The article continued:

In 1993, the Follett government sent its first letter to Mr Fluffy homes to warn them of remnant asbestos at the conclusion of the Commonwealth clean-up.

... internal correspondence shows it bowed to then Mr Fluffy owners, who “negotiated” changes to the letter so as not to affect the value of their properties.

The letter said simply: “Prior to undertaking any building alterations to internal or external walls or ceilings, please contact ‘Building Control’ ...

This approach was criticised by Trevor Wheeler—a former general manager of the Asbestos Branch, which handled the Commonwealth clean-up—who was commissioned to document the details of the abatement program by the 2004 ACT Asbestos Taskforce.

His ... report clearly outlined the risk of residual amosite left behind in walls.

You can see it from the document. He said:

It was acknowledged at the time that not all asbestos could be removed ...

The article continued:

Mr Wheeler took the unusual step of writing a private cover letter to the taskforce to underline his concerns.

The article continued with the recommendation:

It is sensible not to dismiss the possibility that some houses remain that have loose asbestos insulation either in bulk or residual form.

There may also be some non-residential dwellings in a similar situation. The article said:

Whether an acknowledgement of such a possibility justifies a major survey effort at public expense is a matter for judgment.

One could argue that judgement was wrong. The article continued:

There should be little debate however about the need to be prepared to raise awareness, to provide explicit information, and to learn from the experience of the 1988-93 program ...

The article continued:

In a private ... briefing on the report ... to Ms Gallagher in ... 2005, the head of the taskforce, Lincoln Hawkins, raised the prospect that Mr Fluffy owners may have had no idea their homes were affected, and that the government should act to redress this ...

The article continued:

There is no guarantee that current owners of these houses are well informed—or informed at all—about this issue.

A strengthened system is required for providing appropriate advice to owners and potential purchasers about the management of any residual asbestos fibres.

I could go on and on about a whole bunch of information that is certainly relevant, that is important, that takes us from the point of the original remediation through to the present day. I am sure that other jurisdictions would cooperate to support any inquiry set up in this place to look at issues that happened prior.

I end today by expressing my sympathies to everybody who has been caught up in this issue—not just the 1,200 current home owners who have lost their homes, but the many thousands who have been affected either directly or indirectly by what has been a tragedy, which I think we would all accept.

We finish in this debate with different positions. There is a unanimous view that there is a need for inquiry, but when it comes to a matter of priorities it is clear that we on this side see that it is important to move forward. It will never be a perfect world. We may never get everything we want in terms of costs from other jurisdictions or whatever it might be. But simply burying our head in the sand, using the excuse that other jurisdictions are not going to engage fully or meet the costs, is not good enough. There is enough to get on with. There really is. There is enough to get on with. I am confident that the work of the asbestos task force can work in parallel. An inquiry established under the Inquiries Act would, I think, go a long way to understanding

what happened, which will be an important part of making sure this never happens again, and provide a significant comfort for the many thousands who have been affected.

Question put:

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

The Assembly voted—

Ayes 9		Noes 8	
Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Mr Hinder	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

Question so resolved in the affirmative.

Motion, as amended, agreed to

Adjournment

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

That the Assembly do now adjourn.

Clean Up Australia Day

MS LAWDER (Brindabella) (5.41): Last night in this place I spoke about a Clean Up Australia Day event down at Lake Tuggeranong, but on Sunday I also had a Clean Up Australia Day event at Fadden pond, not far from where I live, and a number of locals came along to help me. About 15 people came along, and it was a great event. Fadden pond has some grasslands around it, a children's playground, a bridge and across Nicklin Crescent are tennis courts with a small car park. Traditionally, the tennis courts get quite a bit of rubbish dropped around them, so members of the tennis club, through Max Lack the secretary, also came down to help with the clean-up activity. It was quite a hot afternoon on Sunday, so it was great to see that the people who came down had their sunscreen and their hats on. There were some family groups there as well as people who had been there last year and the year before for the clean-up at Fadden pond as well. It was a really good event.

I spoke yesterday also in the adjournment speech about the origins of Clean Up Australia Day and Ian Kiernan and that it is in its 26th year this year. I express my appreciation to those members of the local community who came along. They will get their little certificates in the mail for their participation, and I encourage them to come again next year.

Many locals have made suggestions to me about other areas around our local area that could also be cleaned up. One of the things I found this year was that, whilst there appeared to be overall less rubbish than last year, there were lots of small pieces of paper and plastic. It appears that perhaps the litter had not been picked up prior to the mowing, so litter was shredded throughout the area.

Some of the people who attended on Sunday also took the opportunity to do a bit of beautification of the area, pulling out some weeds and trimming some bushes quite near the children's playground. That is a really positive result. I think the members of the tennis club also did some trimming of a tree branch that was hanging over the tennis courts and starting to bend the wire around the tennis court. Overall, the area is looking much nicer than it was. There are ducks on the pond, there is all sorts of wildlife around the area. Kangaroos often go down to graze on the grass near Fadden pond, so it is a fantastic local resource.

I have received a wide range of suggestions from locals about that area—everything from a picnic table with perhaps a cover and a barbecue. They would like the grass to be mowed more frequently. One person suggested a community garden in the area. Also some maintenance needs to be done. There are some broken chairs. There is a fort, a sort of tower in the children's playground. When my children were little they used to use it, but it has been boarded up—apparently it is not safe for some reason. More recently some children perhaps—I am not sure—have pulled off some of the boards so they can get access to the larger area. That is a subject that I will be writing to the minister for municipal services about because the structure is not safe in the state that it is in.

Once again, many thanks to those locals who assisted with the clean-up. I hope to join them again next year. In the meantime, many locals assure me that as they walk around the area on a daily or weekly basis they pick up rubbish as they go. Well done to all those locals, and thank you very much for your support of the event.

Canberra area theatre awards Clean Up Australia Day

MR COE (Ginninderra) (5.45): I rise to complete the names of the winners of the CAT awards which I commenced last night.

Best director of a musical or variety show, Amy Copeland, *Little Shop of Horrors*, So Popera Productions, Wollongong; best dance production, *Alchemy*, Wollongong High School of Performing Arts; best production of a school or youth musical, *The Boy from Oz*, Chevalier College; best production of a school or youth play, *The Complete Works of William Shakespeare (abridged)*, Narrabundah College; best production of a variety show, *A Taste of Tinseltown*, Free-Rain Theatre Company; best production of a play, *Tuesdays with Morrie*, Queanbeyan City Council; best production of a musical, *Mary Poppins*, Free-Rain Theatre Company; in the spirit of the community award, Justin Watson, for providing opportunities for young people to be involved in theatre; silver CAT award for significant contribution to theatre over many years, Lawrance and Robyn Ryan, for the contribution they have made to the Cowra Musical and

Dramatic Society over many years; and the gold CAT award, Amy and Peter Copeland, for the contribution they made to theatre in Wollongong during 2015 in direction, choreography, puppet direction, set design, production management and technical direction.

I would like to express my gratitude to the businesses and individuals who sponsored the awards. Without their involvement, the CAT awards could not have been as successful as they have been for such a long time.

The efforts of the board and judges of the awards should also be acknowledged. They are all volunteers and generously donate their time and skills. Of course, thank you to the wonderful Ms Coralie Wood OAM. A founder of the awards, Coralie continues to work extremely hard for the performing arts in our region. Her dedication and energy are to be applauded. At the event, Mr Brendan Smyth, the shadow minister for arts, was pleased to announce that, if elected this year, a Liberal government will commit \$25,000 per year to the CAT awards to ensure their continued success in the region.

Finally, I thank the talented people who are involved in the performing arts in the ACT, particularly for their contribution to making Canberra such a vibrant place to live.

Madam Speaker, I would like to acknowledge and thank everyone who participated in Clean Up Australia Day here in the ACT last Sunday, particularly those who worked to clean up the area around Giralang Pond.

Co-founded by Ian Kiernan AO and Kim McKay AO, the first Clean Up Australia Day was held in 1990 and it is now Australia's biggest community participation event. According to Clean Up Australia's website, since Clean Up Australia Day started, Australians have devoted more than 27.2 million hours towards the environment through Clean Up Australia Day activities and collected over 288,000 tonnes of rubbish.

Last year an estimated 536,000 volunteers removed almost 16,000 tonnes of rubbish at over 7,000 sites across the country. Clean Up Australia Day provides a great opportunity for all of us to show how much we care for our local environments by the giving of our time to take practical action to keep our parks, gardens, roads and waterways healthy and litter free.

The Giralang Pond Landcare Group registered Giralang Pond as a Clean Up Australia Day site. Volunteers met at the weir in Giralang early on Sunday morning. Volunteers came equipped with gum boots, lots of sun screen and hats as we fought the 30-plus degree weather. We had a very successful event, with over 20 bags of rubbish being collected. We also had a wonderful visit by Forrest Gump, Giralang's resident llama, that came to lend a hoof to the event.

Regrettably, in spite of the success of Clean Up Australia Day and the wonderful work they have done over many years, litter remains a huge problem everywhere. If people disposed of their litter properly and thoughtfully, a real difference could be

made in terms of keeping our environment clean, safe and healthy. I thank all the volunteers at Giralang Pond and across Canberra for their contribution to this good cause.

Question resolved in the affirmative.

The Assembly adjourned at 5.50 pm.