



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**20 AUGUST 2019**

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**Tuesday, 20 August 2019**

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

**Ms Tracey Whetnall**  
**Motion of condolence**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (10.01): I move:

That this Assembly expresses condolences on the passing of Ms Tracey Whetnall, a proud Dharawal woman, mother, grandmother and ACT Aboriginal and Torres Strait Islander Official Visitor, and tenders its profound sympathy to her family, friends and colleagues in their bereavement.

I rise today on behalf of the government to express condolences on the passing of Ms Tracey Whetnall. Ms Whetnall passed away on 11 July, having just turned 56, following a long, hard-fought battle with cancer. Today we mourn her passing and acknowledge her legacy of supporting Canberrans, particularly children and young people, and her people, the Aboriginal and Torres Strait Islander community of Canberra.

Ms Whetnall was a Dharawal woman from Sydney who moved to Canberra with her family in 1988. In the ensuing 30 years she established a deep and lasting connection with our Aboriginal and Torres Strait Islander community—although it must be noted that, despite making the ACT her home, she never lost her passion for her beloved South Sydney Rabbitohs.

For 14 years she worked with the commonwealth Public Service Board equal opportunity unit as an Aboriginal adviser; with the Department of Employment, Education and Training, in the Aboriginal employment strategies branch; and in the Aboriginal and Torres Strait Islander Commission as a commission liaison officer.

In January 2011 Ms Whetnall was appointed by the government as the Aboriginal and Torres Strait Islander Official Visitor for Corrections, and in September 2013 her appointment was extended to include children and young people. The role of an official visitor is an important one for ensuring that we have a culturally appropriate monitoring and complaints system for people who are being held in government institutions or who are staying in a community facility and are dependent on the service provider or accommodation manager supporting them.

As an Official Visitor for Children and Young People, Ms Whetnall visited Bimberi Youth Justice Centre, the Narrabundah House Indigenous Supported Residential Facility, and approved residential places of care. Over the past six years she made

over 150 visits to young people in the Bimberi Youth Justice Centre, and over 500 visits to children and young people in residential out of home care. She would have made as many, if not more, visits to inmates at the Alexander Maconochie Centre. Frankly, it would be impossible to count the number of phone calls she received as an official visitor during this period.

Ms Whetnall fulfilled her role as an official visitor with integrity, compassion, impartiality and objectivity. She understood the importance of being there for children and young people, of being someone they could easily approach, of being someone they could talk to, and, of course, of being someone they could trust. She helped them to navigate the world they were in, provided them with a voice and helped them to receive and understand the answers to concerns they raised.

Ms Whetnall's love for her role was evident to all who encountered her. She genuinely cared for those on whose behalf she advocated. She encouraged children and young people to strive to be their best, to look towards the future with positivity and hope, and to make choices that would lead them to a successful future. She was guided by a commitment to the principles of inclusion and self-determination, and had a philosophy of respect, diversity and equal opportunity. This commitment was evident through the relationships she built with the children and young people in out of home care and at Bimberi.

It was with much sadness that Ms Whetnall resigned from the position of official visitor in April 2019 due to her ill health. I know I speak not only for myself and all my colleagues in the ACT government but for the children and young people for whom she advocated and for the ACT government staff with whom she engaged by acknowledging today the important role she played in improving the lives of children and young people, and Aboriginal and Torres Strait Islander people. I have no doubt she will be remembered with fondness and that she will be greatly missed.

**MR COE** (Yerrabi—Leader of the Opposition) (10.06): I rise today to express the opposition's condolences at the passing of Tracey Whetnall, the first Aboriginal and Torres Strait Islander official visitor in the ACT for prisons and youth detention, and our longest-serving official visitor.

Ms Whetnall was born on 30 June 1963 in Sydney. She was one of six siblings born to a Scottish father and an Aboriginal mother. She spent much of her childhood swimming down at the coast or watching the Rabbitohs at Redfern Oval. Although she moved to Canberra in 1998, she would never let go of her first love, the South Sydney Rabbitohs. She was an ardent supporter throughout her life, and this passion was passed down to her children and grandchildren.

By all accounts, Ms Whetnall was an exemplary person—engaging, resilient and always ready to lend a hand. A public service traineeship led her into Defence and the Army Reserve, where she worked temporarily as a cook. She said of her time there:

I'd always imagined myself as a chef on a cruise ship or something but all that discipline was too much for me, spit polishing your boots.

While the Army Reserve may not have been for her, she still married a soldier and later moved into Aboriginal employment services. In the 1980s and 1990s Ms Whetnall ran the cultural training for the AFP, which she said was an eye-opener and gave her a unique perspective on law enforcement.

She undertook significant service through her work at AMC and Bimberi. Although she was part of the council that recommended the creation of her job, Ms Whetnall did not expect that she would be appointed. She recounted that she was very nervous on her first day:

I didn't know many people but I knew their people. With most of them I'd find someone in common.

Ms Whetnall need not have been nervous. Throughout her time as the official visitor, she helped countless people and their families. It was a great disappointment to her that the rates of incarceration of Aboriginal people continued to climb in the ACT. Over the years her role became increasingly important and demanding, but the prisoners loved Aunty Tracey. For many she was the only visitor they had or the only person they could talk to. Nothing was ever too much trouble, or any act of kindness ever too small. She was selfless and generous, but if you wanted something while the Rabbitohs were playing, it would have to be urgent.

Ms Whetnall was a highly respected member of the Aboriginal community. She was very much in touch with her Aboriginal heritage and was keenly aware of mistreatment and racism.

My great aunt, she was one of the stolen generation, she ended up a domestic for Dame Nellie Melba—

she recounted in an interview.

My great-grandfather served in World War I as a light horseman and was never recognised.

Ms Whetnall dedicated her life to ensuring that she left a better world for the next generation of Aboriginal children. Her employment history and volunteer work speak for themselves, demonstrating the commitment she had to her community. She worked as an Aboriginal adviser to the equal opportunity unit of the commonwealth Public Service Board. She was in the Aboriginal employment strategies branch of the Department of Employment, Education and Training. She was a commission liaison officer at ATSIC. She was an Indigenous trainer for Lifeline Australia's domestic violence alert program, providing cultural perspectives and running training programs for front-line workers engaging with Indigenous communities.

She served as an office-bearer for the ACT NAIDOC committee and Gugan Gulwan Aboriginal Youth Corporation. She facilitated numerous cross-cultural training workshops and assisted in stakeholder engagement activities for state and federal government agencies.

She became an official visitor for ACT corrections in January 2011, when she was appointed as the Aboriginal and Torres Strait Islander Official Visitor for Corrections, and she was later appointed as the Aboriginal and Torres Strait Islander Official Visitor for Children and Young People, in September 2013.

In 1989 she was the coordinator of the national management skills program, designed to equip Aboriginal people with the tools needed to compete for middle and higher management positions in the public service. The program was part of a commitment to equitable access for Aboriginals to permanent employment in the public sector and equal representation at all levels of public sector employment. Through a lifetime of service, Ms Whetnall empowered people, and her legacy is vast and intergenerational. She has empowered thousands of people by giving hope and opportunity.

Ms Whetnall was a member of the Dharawal people by birth, but her contributions to the Ngunnawal people of the ACT and other Indigenous communities across Australia have left a lasting impact. Helping people was a generational trait, with Ms Whetnall once saying:

Mum took people in, I take people in and now my daughter does it all too.

It is no wonder that she left such an impression on everyone she met.

Her memory and tireless dedication to community live on in her loving family. She will be greatly missed by all that knew her. Her selfless work will continue to improve the lives of future generations. Again, the opposition pass on our condolences to Ms Whetnall's family.

**MR RATTENBURY** (Kurrajong) (10.13): I rise on behalf of the ACT Greens to offer our condolences on the passing of former Official Visitor for Corrections and Children and Young People, Aunty Tracey Whetnall, at the age of 56 in July this year. Today we mourn the loss of Aunty Tracey, who was a woman of significant achievement. A Bidjigal Dharawal woman on her mother's side, and of Scottish descent on her father's side, Tracey also had ties to the Burra Bee Dee, Gamilaraay and Dunghutti people.

Aunty Tracey lived in Canberra for over 30 years and was well known and respected in the community. She did indeed have a remarkable life. She was a passionate and proud Aboriginal woman who made significant contributions in the areas of health, education, housing, employment and domestic violence, and of course she had a particular commitment to issues of justice.

She was a community board member for a number of Indigenous organisations in the ACT, including the Aboriginal Justice Advisory Committee and Gugan Gulwan, and she was a volunteer for the Aboriginal Circle Sentencing Court.

One of her key achievements was her consultancy business. Aunty Tracey delivered thousands of hours of cultural awareness programs to agencies such as AusAID, the

Australian Federal Police, the department of taxation, the Australian Institute of Criminology and the ACT Magistrates Court, to name only a few.

Aunty Tracey had years of experience serving the community. On 17 January 2011 she was appointed as the Official Visitor for Corrections. Since that time she has spent hundreds of hours inside the Alexander Maconochie Centre, working directly with Aboriginal and Torres Strait Islander detainees to make sure their voices are heard and their rights protected.

As the Official Visitor for Corrections, Aunty Tracey performed her work for our Aboriginal and Torres Strait Islander detainees with passion and commitment through both good health and bad health. She will be sadly missed for her tireless, non-judgemental work, all focused towards making a positive impact on the lives of the disadvantaged men and women she served in this community. She has certainly left big shoes to fill.

Ms Tracey Whetnall has left an extraordinary hole in the Canberra community and she will be greatly missed, but her legacy and spirit will continue to live on. My staff and I, who have had contact with her personally over many years, very much appreciated her warmth, strength and humour, as much as her professionalism and steadfast advocacy. She also had a lot to offer to me in my various portfolios by way of advice and occasionally encouragement, bringing significant wisdom to those conversations.

On behalf of the Assembly, I extend our sincerest condolences to Ms Whetnall's family, her children and her extended family. I say to the Aboriginal and Torres Strait Islander people of this community that I mourn Aunty Tracey's passing with you.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Health and Minister for Urban Renewal) (10.16): I wish to start by thanking Tracey Whetnall's family for inviting me to represent the ACT government at Tracey's memorial service at Boomanulla Oval, to pay tribute to an important leader of the Aboriginal and Torres Strait Islander community.

Although I could not quite bring myself to wear the red and green of Tracey's beloved South Sydney Rabbitohs, it was incredibly touching to see how many people did. Tracey's passion for the Rabbitohs shone through everything on that sad day, alongside her love for her daughter, Shara, and granddaughter, Kalina.

Today we remember Tracey as a strong Dharawal woman and a fierce advocate for Aboriginal and Torres Strait Islander Canberrans, and her legacy will be as strong as her advocacy. Tracey made a difference—to detainees and their families, to the territory's most vulnerable children and young people, and in the wider community, working with non-Aboriginal and Torres Strait Islander people across the ACT and New South Wales to build understanding of why change is important and what change looks like.

As others have noted, Tracey was the ACT's first Aboriginal Official Visitor for Corrections, and for children and young people. Through these roles she not only supported those she visited but showed great leadership in sharing culture with staff and building their capacity to create culturally safe environments. Tracey's advocacy for the children and young people she visited in Bimberi, Narrabundah House and residential care was strong and true. For so many young people in our community, Tracey was a confidante and an advocate, a shoulder and a rock, providing inspiration and motivation.

Her role as a long-term board member with Gugan Gulwan Youth Aboriginal Corporation helped to build and sustain one of the ACT's most important Aboriginal community-controlled organisations. I know she will be greatly missed by Kim Davison and the Gugan family, both personally and for her highly skilled professional contributions.

Many people across our community and more broadly have been affected by the loss of Aunty Tracey. In July I was privileged to lead a minute's silence for Tracey at the AMC NAIDOC family day, and it was obvious just how much she was loved and respected. I know that ministers who worked with Tracey for longer than I had the privilege of doing also greatly appreciated her character, abilities, wit and charm.

Of course, no-one will miss Tracey more than her family. To them I extend my most heartfelt sympathies. On behalf of the whole ACT community, I thank them for sharing Tracey with us and for supporting her in her important work.

*Question resolved in the affirmative, members standing in their places.*

## **Petition**

*The following petition was lodged for presentation:*

### **Yarralumla shops—petition 24-19**

*By Miss C Burch, from 544 residents:*

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that the Yarralumla shops are in a state of disrepair and require the urgent attention of the Assembly to fix security, safety and occupancy of the shops.

Your petitioners therefore request the Assembly to:

- Fix safety and security issues including but not limited to the installation of bollards and improved lighting;
- Improve and increase the availability of parking;
- Upgrade footpaths, kerbsides, toilets, benches and seating, other public facilities and amenity



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

*Pursuant to standing order 99A, the petition, having more than 500 signatories, was referred to the Standing Committee on Environment and Transport and City Services.*

### **Motion to take note of petition**

**MADAM SPEAKER:** Pursuant to standing order 98A, I propose the question:

That the petition so lodged be noted.

**MISS C BURCH** (Kurrajong) (10.20): I lodge this petition today on behalf of 544 Yarralumla residents and business owners calling on the government to improve and upgrade the public amenities and facilities at Yarralumla shops. The petition specifically calls for the installation of bollards and improved lighting, increased parking and upgrades to footpaths, kerbsides, toilets and seating. Yarralumla shops have been in desperate need of refurbishment for far too long. The dismal state of the shops has become both a safety and a security issue for businesses and residents in Yarralumla. Is it really too much to ask that the community has street lighting? Is it too much to ask that the public facilities be maintained and improved over time? Clearly, to this government, it is.

Yarralumla is one of Canberra's oldest suburbs. Yarralumla residents are paying some of the highest rates in our city. Yet this is another example of a community that is being completely ignored by this government. Why are Canberrans constantly paying more from their pocket to get absolutely nothing back? Why is the government so incompetent that it is unable to provide the most basic level of local maintenance?

Local businesses are suffering because of this government's complacency. Yarralumla businesses have been battling ram raids and constant accidents because of the government's failure to install safety bollards around the local shops. The failure to provide lighting around stores has also added to the security risks that these small businesses are facing. Even the most basic things, like providing enough rubbish bins, have proven to be far too difficult for this government, with the consequences of their laziness once again falling on the small business owners of Canberra.

Sadly, under this government Canberrans have learnt to seriously lower their expectations. Basic governance, fixing cracked footpaths and crumbling kerbsides, filling potholes in car parks, upgrading benches and providing safety bollards are amenities that the government have demonstrated they are simply unable and unwilling to provide. Surely it is time for the ACT government to ask themselves: if they cannot even get the basics right, what on earth are they doing? When will the government finally commit to delivering basic services for all Canberrans? Yarralumla deserves better. Canberrans deserve better. The ACT government needs to start delivering basic amenities and maintenance for suburbs, particularly in areas like Yarralumla that have been crying out for upgrades for so long.

This time last year my colleague Elizabeth Lee presented a motion to the chamber bringing attention to the lack of regular maintenance at local shops across Kurrajong and calling on the government to establish and publish a schedule of regular maintenance of local shops and report back on the budget allocation for such maintenance. Of course the government kindly amended the motion to reflect that they already have a public register.

The public register does not have a schedule of shops that are listed for upcoming maintenance, nor does it provide the budget that is allocated for future maintenance projects. However, it provides a list of recent local shopping centre upgrades. Currently there are no upgrades for this year published. But the list does include recent upgrades to Ainslie and Lyons shops—upgrades that took place in 2010. How desperate do you have to be as a government to describe upgrades done in 2010 as recent!

Every year rates go up. In 2019 Yarralumla rates went up by 10 per cent for households and 14 per cent for units. For business owners, commercial rates have gone up by another four per cent in Yarralumla. The ACT government continues to take from the wallets of Canberrans, and what do they get in return? In Yarralumla's case it is cracked pavements, broken lights, unemptied and overflowing rubbish bins and serious safety concerns for business owners and residents.

I call on the Kurrajong members opposite to get out to Yarralumla, to visit the shops, and to see just how bad your government has let it become. Ms Lee and I have constantly fought for basic public amenity for the residents of Kurrajong. Do something. Make a commitment to the residents of Yarralumla that you will refurbish the area and actually bother to conduct regular maintenance and commit to the basic government services that Canberrans deserve.

Question resolved in the affirmative.

## **Minister for Transport and City Services**

### **Motion of censure**

**MISS C BURCH** (Kurrajong) (10.24), by leave: I thank members for giving me leave today. I move the motion circulated in my name:

That this Assembly:

(1) notes:

- (a) the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages;
- (b) weekend service reliability rates are around 80 per cent, well below the 99.5 per cent target outlined in the Budget Papers and, as of August, over 3000 services have been cancelled; and
- (c) the repeated failures of the Minister for Transport and City Services to deliver more frequent and reliable weekend services, as promised under Network19; and

- (2) censures the Minister for Transport and City Services for his failure to address the ongoing workforce planning issues in the Transport Portfolio, and to deliver the weekend bus network as was promised to Canberrans.

It is disappointing, incredibly disappointing, that I rise again in this place only six days after we last debated this topic to speak again about the weekend bus timetable. Six days ago we debated a motion that I brought forward, a motion that had such support that Ms Le Couteur tried her best to claim it as her own, calling on the government to address the issues with the weekend bus network.

Six days ago Minister Steel agreed to a one-month action plan to promptly investigate and address the ongoing service failures in the weekend bus network. Six days ago Minister Steel told us that he was prioritising driver recruitment and was looking to address service failures as a matter of priority. Six days ago Minister Steel told us that it was a critical focus of the government to step up recruitment, to streamline recruitment and provide flexible training solutions and to move to a rolling recruitment campaign.

Last Wednesday we had a 12-minute speech from the minister, and did he once mention cutting weekend bus services? No. Last Thursday in question time I asked the minister for transport directly if he had any plans to cut weekend services. He said he was focused on driver recruitment. I asked:

Minister, are there plans to cut weekend services because of the staffing issues you have been unable to resolve?

He replied:

As I just mentioned, the government is looking at a range of different issues to make sure that we provide reliability for weekend services. The focus for us is on recruiting more drivers. That is how we will deliver the increased services on the weekend.

You can imagine my surprise, and Ms Le Couteur's surprise as well no doubt, when the very next morning the minister announced that he was cutting weekend bus services and that, instead of looking into other options, he was just scrapping the weekend services. Seventy per cent more weekend services. That is what Canberrans had been promised under this new network. One of the few benefits of network 19 was 70 per cent more weekend services and a true seven-day-a-week network.

Only last week Minister Steel reiterated this promise. He said:

... that is why we are focusing on the solution: recruiting more bus drivers so they can make themselves available on the weekends and deliver the 70 per cent more services we have provided under network 19.

Minister Steel cannot truly think that we believe that sometime on Thursday night he suddenly realised that he actually could not deliver on this promise. Decisions like this do not just happen overnight. Minister Steel must have known when this debate was taking place last Wednesday of the announcement that was to come.

Now the litany of failures with the new bus network is compounded even further by the minister walking away from one of his government's core promises: the promise of 70 per cent more weekend services. Rather than actually taking the time to work through this issue, to fast-track driver recruitment and to offer drivers incentives for working weekends, the minister has decided that it is all just too hard and has walked away from this commitment. Rather than addressing the reliability issues I raised last week and actually finding a way to inform Canberrans about service cancellation, the minister has just decided to slash and burn the weekend timetable.

As if that was not bad enough, we now know that this government was never in a position to fulfil this commitment in the first place. We now know that the Transport Workers Union warned the government years ago of these problems. We now know that this government, under the former transport minister, rolled out a weekend bus network that it always knew it would not be able to deliver. They gave Canberrans promises of 70 per cent more weekend services when they knew that they had far too few drivers—perhaps even up to 200 too few drivers—to ever be able to deliver this weekend network.

Instead of addressing these issues, instead of hiring enough drivers, offering incentives or moving towards a seven-day rostering system, they pig-headedly pushed on with promises of and commitments to a timetable they knew they could not deliver. They encouraged Canberrans to flock to the new weekend network, knowing that these services might not arrive. In doing so, they deliberately left Canberrans stranded at bus stops, waiting hours for buses that would never show up.

While the minister will try to shirk responsibility and claim that he was not responsible for the rollout, here in a weekend bus timetable we have the perfect metaphor for a flailing, tired and out-of-touch government, a government that arrogantly and stubbornly pursues plans despite advice to the contrary, a government that demonstrates such complete disregard and disrespect for Canberrans, a government that will no longer even listen to their union mates. If they are not listening to the union anymore, who on earth is left that they will listen to?

In announcing that he was cutting weekend services and renegeing on such a key promise, the minister had a clear choice. He could have apologised to Canberrans; he could have admitted failure and accepted that this problem was far too big for him to overcome. He could have even blamed his predecessor and said that he was fixing problems that she had created, or thrown her under the bus, so to speak.

Instead, the minister decided to pull out every trick in the book, every attempt at political spin doctoring. The minister actually thought he could pull the wool over Canberrans' eyes. "More reliable weekend bus services", his media release proclaimed. "More reliable weekend bus services", we saw plastered across the top of the Transport Canberra website. You have not for a second fooled Canberrans—cancelling bus services and adding a two-hour wait for suburban services, yet describing them as more reliable. As one constituent aptly put on social media, "There is no more reliable bus service than one that does not exist."

But this is something we have become accustomed to seeing. Whenever the going gets tough or the solutions are not easy to come by, this government simply moves the goalposts and calls it a success. Canberrans are sick and tired of being treated like rubbish. They are sick and tired of their complaints falling on deaf ears.

As we mentioned countless times last week, the people most significantly impacted by these changes are the most vulnerable in our community; it is those who have no choice but to work weekends and those who have no choice but to rely on public transport services and those who do not have a car and cannot afford the Uber or taxi when their bus does not show up.

This is why I am calling on this Assembly to censure Minister Steel today for his failure to address the ongoing workforce planning issues in the transport portfolio and to deliver the weekend bus network, as was promised to Canberrans. When a minister fails to do their job to deliver on their promises, it is Canberrans who ultimately suffer. In not only his failure to address the issues to deliver on his commitment and keep his promise but also his inability to own up to these failings, Minister Steel had the audacity to stand up in question time and in response to my motion last week and lead Canberrans down the garden path, to pat himself on the back for the increase in patronage figures but not mention once the decision he had already made to cut weekend services.

Ms Le Couteur absolutely got it right in her media release on Friday when she said:

... cutting weekend services is unacceptable—everyone deserves a public transport service. This isn't a real solution. The Government's plan comes as a surprise to us, given that less than 48 hours ago, the Government committed to a push from the Greens for a month-long action plan to properly investigate a range of ways to make weekend services more reliable. It's also dismaying and disrespectful that these changes were not discussed in the Chamber, during this week's debate.

I look forward to Ms Le Couteur's support for my motion today. If she is a real crossbencher and if she really believes that cuts to weekend services are unacceptable and that the minister's behaviour is dismaying and disrespectful then the Greens will support this motion today.

**MS LE COUTEUR** (Murrumbidgee) (10.33): I move:

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

"(1) notes:

- (a) the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages;
- (b) during debate in the Assembly on 14 August 2019, the Minister for Transport and City Services did not advise the Assembly that he was considering announcing cuts to weekend services within 48 hours of the Assembly's resolution;

- (c) weekend service reliability rates are around 90 percent, well below the 99.5 percent target outlined in the Budget papers and, as of August, over 3000 services have been cancelled; and
  - (d) the failure of the ACT Government to deliver reliable weekend services under Network19;
- (2) calls on the Government, drivers and unions to negotiate a future enterprise agreement that allows the delivery of frequent and reliable weekend services equivalent to those contained in Network19;
  - (3) calls on the Minister for Transport and City Services to urgently examine innovative options, such as demand responsive services, that can deliver the promised level of service with a lower number of drivers; and
  - (4) calls on the ACT Government to include paragraphs (2) and (3) above in the Action Plan and quarterly reporting agreed by the Assembly in its resolution of 14 August 2019, entitled *Network 19—Weekend bus services.*”.

Just to be clear, I will not be supporting Miss Burch’s motion—

*Opposition members interjecting—*

**MS LE COUTEUR:** That is because, members of the opposition, it contains a number of factual errors and also, unfortunately, does not have a lot about trying to go forward rather than backwards. What I am concentrating on, as far as possible, is going forward, not backwards.

*Opposition members interjecting—*

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

**MADAM SPEAKER:** Point of order. Resume your seat, please, Ms Le Couteur.

**Mr Rattenbury:** Miss Burch’s strong comments were heard in silence. Ms Le Couteur has been heckled since the moment she got on her feet.

**MADAM SPEAKER:** Yes. I will call people to order. That is true: Miss C Burch was heard in silence. Ms Le Couteur.

**MS LE COUTEUR:** Thank you, Madam Speaker, and I appreciate the courtesy, which I hope will soon be shown to me during my address.

The first item in Miss Burch’s motion notes:

... the recent decision from the Minister for Transport and City Services to cut weekend bus services, despite repeated commitments to resolve weekend staffing shortages ...

Miss Burch has made my speech a little shorter by kindly quoting my press release of Friday on this. I was decidedly not impressed with this. I was disappointed. I felt it was incredibly disrespectful. Firstly, it was disrespectful to all of us here. We had a long debate on this subject, and cutting services was not mentioned once.

It is possible that the decision had not been made at that point in time, but even if that decision had not been made on Wednesday, if it was going to be announced on Friday morning, I have to imagine, as Miss Burch did, that this at least had been contemplated beforehand. Minister Steel did not wake up on Friday at 5 am and say, “Oh, look, I have a solution. Let us just cut them.” I look forward to Minister Steel explaining why there was no mention whatsoever of what it turned out he intended to do. It was disappointing and incredibly disrespectful to the Assembly. But more than that, it is disrespectful to the community of Canberra, particularly the travelling public but even the public who are not travelling.

I note that part (b) of the motion is not correct. Weekend service reliability rates are better than 80 per cent; they are apparently 89 per cent.

Part (c) of the motion is an interesting one. It says:

... the repeated failures of the Minister for Transport and City Services to deliver more frequent and reliable weekend services, as promised under Network19 ...

For all the problems of the new weekend service, it has delivered more frequent services. That is a matter of fact. It is also, unfortunately, a matter of fact that it has delivered less reliable weekend services. I gave (c) half marks on that one.

*Opposition members interjecting—*

**MS LE COUTEUR:** I take this one quite seriously, because, to put it mildly, as would be clear from my statements, I am not pleased with what is going on. It is disrespectful. I thought about the words in (2), about the censure of the Minister for Transport and City Services for his failure. I thought that it would be really somewhat unfair to do this. Minister Steel has been the minister for about six weeks. I assume he had nothing to do with setting up the weekend network. I assume that whatever faults there were with it—and as Miss Burch has repeated a few times, it is likely that the government did receive advice from the TWU that it would not work—Minister Steel was not the minister who received this information. If there was someone to be censured, it would presumably be the previous transport minister.

**Mr Parton:** Bit hard.

**MS LE COUTEUR:** Yes. As Mr Parton has noted, that is a bit hard. I think that rather than blaming Minister Steel for problems which eventuated before his time, and recognising that things take time to do, he possibly needs a bit longer to fix all of those. I agree—I am not happy to agree, but I do agree—that there are major problems with the weekend bus network, but the grounds of the censure are not fair.

I thought a bit more about what has led to these problems. Miss Burch probably does not realise how far back the “ongoing workforce planning issues” go. You might be interested to know that the decision to scrap penalty rates was made in 1995 by Tony De Domenico, who I think went to the same high school as me, or some of his relatives did. He was the Liberal minister for urban services. He said that the

introduction of a composite rate of pay, and eliminating overtime and penalty rates and allowances, would save ACTION more than \$0.5 million each year. In addition, productivity was expected to increase by 20 per cent. We all know that, as a result of this, there is no easy, effective way for the ACT government to have a reliable workforce over the weekend. Other transport ministers have seemed to solve this in different ways.

Tony did this because of problems that went back even further than 1995. This was before self-government. The *Canberra Times* of 13 May 1976 reported on a dispute between the TWU and the Department of the Capital Territory about whether drivers should be on seven-day rosters or five-day rosters with voluntary overtime for weekends. The *Canberra Times* of 6 November 1992 reported that as many as 60 shifts a day were not running, due to sickies and absenteeism. The cause was a move, at the TWU's request, to five-day-a-week shifts from the six to seven-day-a-week shifts.

So this is certainly a problem. I have been party to some discussions with previous transport ministers about this issue. It would appear that there is a need to change the enterprise bargaining agreement. But it is not fair to put the entire blame for this particular disaster in the hands of the current minister for transport.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, please! Members! That is enough.

**MS LE COUTEUR:** Since Minister De Domenico, the Liberal minister—

**Mr Coe:** We have an ICAC now.

**MS LE COUTEUR:** We have got an ICAC. I am not sure that that is in any way relevant, Mr Coe.

*Mr Coe interjecting—*

**MADAM SPEAKER:** Members, enough!

**MS LE COUTEUR:** The point I am trying to make—if anyone was interested in trying to solve the weekend bus system issues, as distinct from making cheap political points—is that the decision to scrap penalty rates was made—

*Opposition members interjecting—*

**MADAM SPEAKER:** Enough! No more, members.

**MS LE COUTEUR:** in 1995 by Mr Tony De Domenico, who was the Liberal minister for urban services, and blame or censure for these problems is something which has to be shared between a whole range of people who did not act to solve this problem.



*Mr Hanson interjecting—*

**MADAM SPEAKER:** I warn you, Mr Hanson.

**MS LE COUTEUR:** Minister Steel did behave disrespectfully to the Assembly last week. In this, I totally agree with Miss Burch. I particularly thank her for reminding me of the questions without notice that she asked on Thursday, when the minister's answer could hardly be described as useful or informative and was possibly not even accurate. Obviously I do not know the exact chronology of the minister's thoughts on this, but "unhelpful" would be the most positive description you could give. However, the real point in this is trying to get a better public transport system. Probably the only positive that we can get out of this is that the status of our weekend bus services has considerably risen in this Assembly and for the community as a whole.

I want to say very clearly that I think it is very good that the ACT government is trying to be ambitious and have a weekend bus service that will mean that people in Canberra—the third of people in Canberra who do not drive, in particular—have a real way of going out over the weekend. It is great that we have gone past the idea that you just catch the bus to commute to work and for everything else you should use your own car. I really applaud that. Unfortunately, the execution has only been 89 per cent satisfactory and I understand that on some weekends it has gone down to only 80 per cent satisfactory. As everybody agreed on Wednesday, this is simply not good enough.

I am really pleased to see that, as a result of this the Liberal Party has gotten on board the concept that we want a real, viable public transport system. At some stages it has not always been obvious that that is the case.

Going briefly to my amendments, I have attempted to be factual and positive, looking to the future. The first two acknowledge the recent unfortunate decision to cut bus services despite recent commitments to resolve the weekend bus services—that was not a good move—and that during the debate the minister did not advise the Assembly that he was considering announcing cuts to weekend services within 48 hours of the Assembly's resolution, again, a very poor move, very disrespectful.

Part (c) of the motion has more accurate figures for weekend service reliability. But whatever way you put it, it is simply not good enough. There has been a failure of the ACT government to deliver reliable weekend services under network 19.

Part (2) of the motion says:

... calls on the Government, drivers and unions to negotiate a future enterprise agreement that allows the delivery of frequent and reliable weekend services equivalent to those contained in Network19 ...

My understanding is that if all the parties to an enterprise bargaining agreement want to renegotiate an agreement, they can do so at any time. It is true that it has been signed for a period of time, but that is not something which stops the government

from sitting down with the bus drivers and saying, “How will we solve this problem?” If the Assembly sees fit to pass my motion, this will strongly urge the government to get on with it and solve this.

Part (3) of my motion is about ways to solve this problem. I thought some more about what we had last week. I thought, “What else can we think of that the government appears not to be looking at?” I thought, “How about we urgently examine innovative options such as demand-responsive services that can deliver the promised level of service with a lower number of drivers?”

Members may remember—I am trying to remember exactly when it was—that for about six months we had a trial of a demand-responsive service for evenings, using ACTION buses. You would ring up ACTION and ask for a bus to pick you up. It would come to where you were. Or you could catch a bus from the Civic bus interchange; you would have the inner north bus and the Belco bus. It would hang around until it got half a dozen people and then it would go to where the people were. That is an—

**Mr Coe:** It was the Nightrider.

**MS LE COUTEUR:** Thank you, Mr Coe. A useful interjection.

**Mr Coe:** They cancelled that as well.

**MS LE COUTEUR:** I know they cancelled it.

**MADAM SPEAKER:** Members!

**MS LE COUTEUR:** I am well aware they cancelled that, but these—

**Mrs Jones:** The Nightrider.

**MS LE COUTEUR:** No; there is the Nightrider and the Smartrider.

**MADAM SPEAKER:** I discourage you from responding to the interjections, Ms Le Couteur.

**MS LE COUTEUR:** The Nightrider is another one which we still have going, but only over the Christmas period. This again could be a short-term solution. If we only have enough bus drivers to do the rapids, what we could do with the Nightrider is have the rapids run, and offer a subsidy to people to get a taxi or an Uber after they have got off their bus. We have not got the resources, it seems, to run the weekend buses.

I urge the Assembly to pass my motion. I urge the government to do the calls in it and the calls of the motion of last week and establish a frequent, reliable weekend bus service which will serve the people of Canberra well.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (10.48): Another day; another stunt from the most conservative opposition in the country. If you want proof that those opposite are replicating Mr Tony Abbott's playbook then you do not have to look too far.

*Members interjecting—*

**MADAM SPEAKER:** Members!

**MR GENTLEMAN:** Here they go again, copying the most radical, conservative federal Liberal leader our country has ever known. Today's motion by Miss C Burch is nothing more than a stunt. It is there to distract from the fact those opposite have no clue, no idea and do not want to talk about the economy or the budget.

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Coe, that is enough.

**MR GENTLEMAN:** Today we are meant to be considering the budget. It is a chance for the Leader of the Opposition to present an alternative case, but instead he is choosing to duck and hide. The Leader of the Opposition cannot string an economic argument together, and that is why this stunt is happening today.

*Members interjecting—*

**MADAM SPEAKER:** Members!

*Mrs Dunne interjecting—*

**MADAM SPEAKER:** Mrs Dunne, you are warned now as well.

**MR GENTLEMAN:** He cannot manage to debate rates in this place for two days, so he has come up with a way to distract from that. Otherwise there could be disquiet in the ranks of the opposition, with Miss C Burch looking to overshadow her own leader's motion tomorrow. As I said, this is nothing but a stunt and a distraction, one that Mr Tony Abbott would be proud of. Well done, Mr Coe!

The motion has no substance. The Minister for Transport and City Services is an excellent minister who is doing a great job for all Canberrans, and I am proud to serve alongside him in this ministry. He has led improvements in city services. He is delivering one of the largest urban tree projects. He is working with our bus drivers and other public servants to improve our city. In recent weeks the minister has delivered new vending machines for our container deposit scheme, delivered improvements to the city interchange, worked with me to enable community groups to gain better access to land and delivered, of course, on the upgrades to Anketell Street, in my electorate of Brindabella.

Despite what those opposite might say, you cannot ignore the facts. The facts are that we have more people catching public transport. The facts are the facts. I understand that in the month of June weekend journeys increased by 32.7 per cent and weekday journeys across the public transport sector were up 6.1 per cent. We have one of Australia's best public transport systems. Yet those opposite spend their time undermining the system and the hardworking Canberrans who keep our city moving. That is why this is a stunt.

Why is it that the Canberra Liberals are obsessed with attacking our public transport network and our hardworking staff who get up early and work late to keep Canberra moving? I suspect the answer is that they do not believe in the public service. They want to do everything they can to undermine confidence in our public transport system so that they can privatise it. Privatisation and cuts are central to the Liberal DNA. Just look at what Mr Tony Abbott did, leading the world's worst federal Liberal government in terms of our city.

Look at South Australia. There is another Liberal government that is attacking public services and privatising public transport. Let me reiterate that. The Liberal government in South Australia is privatising public transport, and this is surely what we can expect in the event of a Canberra Liberal government. When they attack essential public services like transport and health and when they say the words "efficiency" and "red tape reduction", you know it can only mean one thing: cuts to essential services and cuts to the public service.

Unlike those opposite, I would rather see a Minister for Transport and City Services who backs our public servants and our bus drivers, a minister who believes in public services and a government that invests to grow the services in our city—an ACT C Labor government.

**MR STEEL** (Murrumbidgee—Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Transport and City Services) (10.53): I also thank Miss C Burch for bringing this motion to the Assembly. Since the start of the new transport network, record numbers of Canberrans are taking journeys on public transport, particularly on the weekends. Despite the significant increase in patronage, changes to the bus network of such magnitude have been a challenge, and I have acknowledged that weekend reliability in particular is not at an acceptable level, from both the community's point of view and the ACT government's. In the eight weeks since I have been minister for transport I have been working hard to ensure that weekend bus reliability improves.

The motion before us touches on three key issues: ensuring more frequent and reliable services on weekends, improving weekend reliability rates and what measures the government will take and is currently taking to improve weekend services. More people are using buses on the weekend than ever before. Under the new network there have been significant increases in the number of services and the frequency of services provided on the weekend. More buses are running more often on the weekends, with 27 per cent more journeys taken on public transport recorded since the end of the free travel period, compared with the same period in 2018. In the first

10 weeks of the new public transport network there were over 4.5 million boardings recorded on buses and light rail services and over 3.3 million journeys.

Just on the weekend there were 1,377 extra services timetabled as part of the new network. Passenger patronage numbers have increased alongside the increase in services. On an average weekend under the network there have been 11,000 more journeys taken on public transport, compared to the same weekends in 2018. Granted, despite this increase, service reliability has been an issue for passengers and the transport network, and this has not met community expectations or the expectations of the government. We have been actively working on solutions to improve the reliability rate of our weekend services.

On the new network, rapid services make up 70 per cent of boardings. Services are starting earlier and running later than the previous network. While reliability rates are not meeting our targets because of the total increase in services, there are still more buses running more often across our city at more hours of the day. Importantly, as a key element of the redesigned network, weekend services now use the same route number as weekday services.

I have been up-front in acknowledging that weekend reliability of bus services has not met the expectations of Canberrans and the government, and we have been up-front that we are working on a number of solutions to improve reliability on the weekends. I made that clear in my answer to Miss C Burch's question in question time and in the debate in relation to the motion on private members' day last week as well.

The ACT government is working hard to ensure that Canberrans can rely on their weekend buses, and this takes work. Unfortunately for our customers, this also takes time. The first step was to implement a rolling recruitment strategy for Transport Canberra bus drivers. This was planned leading into the new network and we have stepped it up, following the unsatisfactory reliability of the weekend network.

The second step, which I announced on Friday, was to make adjustments to the frequency of the weekend bus timetable as we continue to recruit more bus drivers to our ranks and look at a range of other actions to improve reliability and deliver weekend services. This piece of work requires the assistance of the Transport Workers Union and drivers to ensure that frequency adjustments to the weekend timetable will deliver reliability while we recruit more bus drivers to deliver extra services. These adjustments are proposed to be finalised and in action for the first weekend of the spring school holidays, which is from 28 September onwards.

Adjustments are necessary because the scale of the changes that were made under the new network were unprecedented across a network of around 450 buses and around 800 drivers, who, each weekend, are scheduled to run over 3,700 services, each made up of a shift for a driver and an appropriately sized bus which may deliver multiple different services throughout the day. There is a complexity to the transport network that goes beyond simple rhetoric.

We have been called on to provide certainty by the Wednesday before weekend cancellations. This is not currently possible, for two reasons. It is not how scheduling

works and it locks the government into running fewer services on the weekend than we otherwise might. Shift allocations take place throughout the week and Transport Canberra make the best attempt to run as many services as they can. They will not cancel a service until they are certain that they cannot run it. If they cancel it on a Wednesday it will never run. They do not stop trying to fill shifts on Friday. Sunday lunchtime they are still trying to deliver as many services as they can.

Last Friday I welcomed eight new bus drivers to our ranks, with an additional 12 people in training, and 16 trainees also started their training on Friday. That continues this week. This is a solid start and reflects a key action that I have implemented since becoming the minister for transport, stepping up a rolling recruitment campaign for bus drivers, rather than the previous approach of periodic recruitment.

Transport Canberra has advised that, although it is difficult to assess due to complexities around full-time, part-time and casual driver availability, around 40 additional bus drivers would help us to improve weekend reliability but further work is required to provide certainty of driver availability on the weekend. More bus drivers will be required to be recruited, to satisfy natural attrition and support a transition back to the current level of scheduled weekend services.

I make it very clear that the intent of the ACT government and the adjustments to the frequency of the timetable are meant to be temporary in the medium term as we recruit and train more bus drivers. Under the adjusted timetable, popular elements of the new network are proposed to remain. Frequent rapid services will start early and run late. Weekend services will run on the same route and with the same number as the weekday services.

While Transport Canberra is still working on the weekend timetable adjustments, it is likely that local route bus services will run slightly less frequently, and some of them will run up to every two hours. However, the exact details of the timetable frequency adjustments are under development, in consultation with drivers, and I look forward to releasing the timetable ahead of it taking effect in September.

Once I feel confident that bus driver numbers are at a point that we can deliver more services then I will be asking Transport Canberra to incrementally improve the frequency of services. Creating new bus networks is complicated, and the government said at the introduction of network 19 that we will continually review the implementation of the new network and make tweaks where necessary. These changes are as a result of our continued review of our services.

Last week in the Assembly the government agreed to an amended motion that set out the development of an action for weekend services. I thank the Greens for their suggestion in relation to that action plan in the motion, which was agreed to. Transport Canberra is working on the action plan that will investigate a range of additional ways to improve the network experience on the weekends. As I said in the Assembly last week, we will continue to explore other options to improve the reliability of weekend services, and I look forward to providing further updates to the Assembly and the community.

At the point of agreeing to the action plan on Wednesday, the government had not finalised what our plan for weekend adjustments would look like. I continued to get advice from Transport Canberra after the motion was debated last week to ensure that the announcement of adjusting weekend services was a sound solution for Canberrans, to provide an interim solution to weekend bus reliability. As the information became available, I was able to confidently announce that adjustments could be made to the bus network, which I did on Friday, and made this information available to the public as soon as I could.

While we recruit and train more bus drivers, adjusting the frequency of weekend buses is a responsible interim measure to give certainly to the community. I have been up-front about that with the public, as soon as possible. It is not being disrespectful; it is being honest to the public about where we were up to at a certain point in time in relation to the actions that we were wanting to take. I realise that this would have come as a surprise to members of the Assembly about one of the actions that we were taking. It is not the only action that we are taking. We will continue to work on a range of actions under our plan, consistent with the Assembly motion moved last week.

More people are using public transport, and public transport is now more frequent for most Canberrans. A significant increase in services has been offered on weekends as part of the new network. I have acknowledged the issues being faced with the reliability of these extra services, but have also outlined the steps our government is taking to improve weekend service reliability. I look forward to providing updates on our plans for weekend services in the future and releasing the action plan outlining the next steps forward in the weeks ahead. We will continue to work on a range of other actions to improve reliability, which is what I said last week and what I will continue to say as that work continues. We will not be ruling out options; we will be looking at all options that are available.

I thank Ms Le Couteur for her amendment to the motion and certainly support those extra suggestions in relation to the enterprise agreement. Of course we continue to meet with the Transport Workers Union on these issues on a regular basis, and I am very happy to look at demand response to services, which is something Transport Canberra has been thinking about. *(Time expired.)*

**MR COE** (Yerrabi—Leader of the Opposition) (11.03): What we have heard today is the mumbo jumbo that you would expect from a very tired government. All of this talk today that they are firing on all cylinders does not mean much to the person who is waiting at a bus stop in Canberra on a Saturday morning—that is, of course, if they are at one of the bus stops that has not been ripped out by this government. Hundreds and hundreds of bus stops have been ripped out. Despite the fact that they have ripped out more than 500 bus stops in Canberra, they are still incapable of servicing the ones that are left. It goes to the gross incompetence of those opposite.

Unfortunately, we see here yet another example of these ministers pushing public servants in front of a bus—perhaps a non-existent bus, but they push them all the same. I have no doubt whatsoever that Mr Steel's department would have been

advising him for weeks, if not months, about the problems with the weekend schedule. I would be amazed if that was not the case. Why? Because the people in Transport Canberra are professionals. They are experts when it comes to transport planning. They have been doing this for decades. When they provide advice to the government that something is not possible and it turns out to not be possible, the government seems to be surprised.

This is a gross mislead. Last week in the Assembly the opposition asked numerous questions, and we also had a motion, that gave ample opportunity for the government to clarify their position—clarify, for the commuters of Canberra and all of the people in Canberra that depend on buses, what the future of the network is. And they refused, just as the minister has once again refused to clarify when he got the advice. It does not stack up that on Friday morning, pre-dawn, he received advice, they quickly punched out a media release, and went out at lunchtime to say that all the buses were being cancelled. It does not stack up, and everybody knows that, but they come in here and pretend that their argument actually works. Yes, I am sure it will get you the votes you need with the Greens; that is how you roll. But for the 425,000 Canberrans who depend on buses, on one day or another, the argument just does not work.

As Miss Burch said, it really is those that are most disadvantaged that cop it the most from this government. We see it right across the board with the rates, taxes, fees and charges. We see it with housing affordability and with so many other services that are non-existent or lacking. But the transport disadvantage that this government has created is astounding. It is an extraordinary transport disadvantage. This is coming from a party that is meant to be a social justice party. It has created extraordinary transport disadvantage right across the city, but particularly in the outer suburban areas.

Just imagine someone in a wheelchair, or someone who has other forms of mobility impairments, who is trying to plan their weekend activities, and they are left waiting at a bus stop for two or three hours, all because the vanity of this minister will not allow him to go out and say which buses are being cancelled. They are the victims of this; the victims are the people of Canberra who depend on buses.

The pride of this minister stops him publishing which buses will be cancelled on a Wednesday or a Thursday. He has misled the Assembly, either overtly or by omission, but one way or another it is not a standard that we should accept in this place. It is ordinary. For the rates, taxes, fees and charges that Canberrans pay, it is pretty reasonable, I think, to expect a bus on Saturday. But for some reason a bus on Saturday is in the too-hard basket.

We then had Mr Gentleman's contribution. What a killer speech that was! He just nailed it, didn't he? It is no wonder he is on the ropes with his preselection in Brindabella, as you would know all too well, Madam Speaker. There is no shortage of issues with regard to the Labor team, but the first of them has to be just how disconnected they are from their community. They claim to represent people.

**Ms Cheyne:** It's good to see you're an expert. Actually take the bus, at least.



**MR COE:** I will happily put my MyWay card on the record if need be.

**Ms Cheyne:** Please; go for it. And your whole team's.

**MADAM SPEAKER:** Ms Cheyne, please, enough.

**Mr Hanson:** Madam Speaker, Mr Coe is trying to speak. He is being repeatedly interjected on by Ms Cheyne. I have been warned for a similar situation.

**MADAM SPEAKER:** Resume your seat, Mr Hanson. I have called Ms Cheyne to order.

**Mr Hanson:** Why does she get away with it without a warning?

**MADAM SPEAKER:** Resume your seat. I have called Ms Cheyne to order. Mr Coe, you have the floor.

**MR COE:** Thank you, Madam Speaker. Mr Gentleman failed to address any of the substantive issues that are before the Assembly in this censure motion.

We are not surprised that the Greens would come in here and try to claim that they are the champions of the bus network, but you cannot have it both ways. You cannot claim the successes then wash your hands of the failures. It is a two-way street. For the Greens to claim that the motion that Miss Burch put on the notice paper on Wednesday was their own was misleading.

For them now to come in and say that they are holding the government to account by letting them off the hook is yet another demonstration of just how gutless they are. This is a very tight red-green coalition in the ACT—a very tight coalition. You would think that Ms Le Couteur, in her twilight months in this place, would finally have the courage to stand up, but obviously not. She would much rather have Canberrans across the city standing and waiting at bus stops right across the city.

If the government cannot get a bus timetable right, what hope do they have at the Canberra Hospital? What hope do they have at the Education Directorate? What hope do they have at AMC or at Kids in Care? This government has simply lost interest. They have no respect for Canberrans. They are far more interested in their own vanity than they are in the people they are meant to represent. This government deserves to be thrown out, but in the interim this minister deserves to be censured.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (11.12): The Leader of the Opposition, in what was a series of tirades against individuals, had the opportunity to outline an alternative vision and say something positive about what he and his team might contribute. Instead, he spent his entire speech personally attacking the motives of individuals who have been working hard in their respective portfolios to make Canberra a better place. We have come to expect this type of negativity from those

opposite. It has been their mode of operation for more than a decade, and it is typified by the approach of the Leader of the Opposition.

I will spend 30 seconds highlighting this irony: the Leader of the Opposition is a man who poses in front of Audis, saying, “This would be a better way to spend public money rather than investing in public transport infrastructure.” This highlights the hypocrisy of his speech and of those opposite, who have, over more than two decades, opposed every single significant investment in public transport infrastructure and service provision in this territory.

That is their record, and that is where the Leader of the Opposition stands. He will be condemned forever by that photograph—the big arms out, with a happy smile, saying, “Audis. Audi A3s, they’re a better investment.” That stands on the public record forever. As Canberrans know, that is the position of the Liberal Party, not just this year, not just last year, not just in 2016, but in 2012, 2008, 2004 and 2001, when they consistently opposed government investment to improve public transport.

As Minister Steel has outlined in his remarks today, there are challenges with the reliability of weekend bus services. That is acknowledged. We need to do better, and the minister is focused on that task. He has short, medium and long-term plans to address those challenges. That work needs to take place. He is aware of that challenge, as is the government, and we will continue to work hard with relevant stakeholders, those who are driving the buses, and public transport consumers and advocates, to ensure that what I believe, at least on this side of the chamber, to be the desired outcome of more frequent and more reliable weekend bus services is a reality for Canberrans as soon as possible.

The challenges that are there in the short term have been discussed at length. They were the subject of a private member’s motion last week. They have been canvassed again this morning. Various solutions have been put forward, and the minister has agreed to look at all of them and has already put in place a range of actions to address the short-term challenges.

Sometimes in government you must choose between a series of least-worst outcomes. In this instance I think the minister has made the correct call, and that reliability needs to be put first in the short term. Once that reliability is secured, further services can be offered. I think that, in this instance, is the correct response.

It is not the ideal outcome, obviously. As I said on Chief Minister’s talkback a number of weeks ago, it is the last resort. In the short term, I believe it is the best way forward, with a view that it is only a short-term, interim measure. As members know, any change in the network takes time, and there must be notice, both for drivers and for consumers, and that is, in the short term, a preferential outcome.

The Leader of the Opposition spent part of his speech talking about Labor Party preselections; that gives everyone an indication of the politics and personal spite that motivate a lot of his contributions. Labor Party preselections have absolutely nothing to do with public transport provision on weekends. That contribution highlights how seriously those opposite take public transport issues.

Minister Gentleman is perfectly entitled to highlight the history of Liberal Party policymaking when it comes to public service provision. That is entirely relevant to how the public can view the intent of political parties when it comes to public transport policy. We know the position of the Liberal Party on this matter. We have seen it over the last two decades. We have seen it consistently. That is why there is a lack of trust by the community in those opposite in relation to public transport provision.

We acknowledge that we need to do better with weekend bus services. No-one is denying that, and the minister and the government will get on in the coming weeks with various and many solutions to address this challenge in the medium term. But we do have ambition to provide a better public transport service for Canberra. We are investing more, and we will continue to do so, to improve public transport provision.

I do note, with respect to Ms Le Couteur's comments, that, as a member who has been in this place for a while too, it was not always the case that those opposite would express concern around public transport provision. I accept the point Ms Le Couteur has made; to the extent that we are having this debate at all, it probably does represent an advance. But I think you hear in the context of the speeches that they were highly personal, highly political and did not focus on the public policy issues in question, which is what we have seen from this opposition consistently, Madam Speaker.

*Mr Coe interjecting—*

**MADAM SPEAKER:** Mr Coe, that is enough.

**MR BARR:** It is what we have seen consistently over years and years. In conclusion, we will not be supporting the censure motion. We remain focused on addressing the short and medium-term challenges in rolling out a far superior weekend public transport network. We have the ambition to deliver more frequent and more reliable weekend bus services, and even those opposite acknowledge that the new network provides a much greater span of coverage on the weekends than was previously the case.

On that note of agreement, I believe that, stripping aside all of the politics and all of the personal attacks, each of us in this place wishes for a more reliable and more frequent weekend bus service. Minister Steel will get on with delivering that for the community as part of his core responsibilities as minister for transport. The government will not be supporting the censure motion this morning.

**MISS C BURCH (Kurrajong) (11.20):** I rise to speak to Ms Le Couteur's amendment and to move the further amendment circulated in my name. I move:

Add:

“(5) censure the Minister for Transport and City Services for his failure to address the ongoing workforce planning issues in the Transport Portfolio, and to deliver the bus network as was promised to Canberrans.”

The gymnastics that Ms Le Couteur has proven herself capable of this morning are quite extraordinary. Firstly, I go to her points on my motion being inaccurate. As a small lesson that perhaps Ms Le Couteur needs in reading comprehension, I refer to the paragraph:

... the repeated failures of the Minister for Transport and City Services to deliver more frequent and reliable weekend services, as promised under Network19 ...

I spoke extensively in my first speech about the fact that the government did continuously promise Canberrans 70 per cent more weekend services. That is the point that my motion gets to.

Next I go to Ms Le Couteur's point that we need to give a new minister more time to address these issues. We did that, Madam Speaker. We did exactly that last Wednesday, when we agreed to a month-long action plan in order for the minister to address these issues and look at other options, such as offering driver incentives and increasing driver recruitment, to address these issues. It is unfortunate that the minister has not taken on board the time that we have given him. He has, instead, 40 hours later, come out with the announcement that he is slashing and burning the weekend timetable.

As to the minister's speech this morning, I note some changes in language. Last week they were making tweaks to the bus network; they were continuously making small tweaks to the bus network. Today they are making continuous adjustments to improve the network. Adjustments may be slightly larger than tweaks, but you still have to wonder at which point the minister will actually admit that there are huge failures in this network that still need to be addressed. I am also curious as to whether the 10 new bus drivers that were announced last week suddenly dropped to eight bus drivers two days later.

As for Minister Gentleman's speech, the scaremongering that we have heard this morning about cuts and privatisation is really just laughable when we are literally here discussing cuts that this government has made to local services, cuts that this government has made to weekend bus services. In terms of the South Australian Liberals' privatisation agenda, maybe they are just taking the lead from your government, Mr Gentleman, when it comes to privatising tram operations.

As for blaming a Liberal minister for decisions that were made 24 years ago, that is completely and utterly ridiculous. We are here today to discuss not the history of penalty rates but the broken promises of this government and this government's inability, once again, to deliver basic local services.

This is why I have moved a further amendment to Ms Le Couteur's motion. As I mentioned previously, and as Ms Le Couteur mentioned on Friday and again this morning, if she does truly think that the minister's behaviour has been dismaying and disrespectful, she will support the censure motion. This is why a censure motion is so important.

Question put:

That **Miss C Burch's** amendment to **Ms Le Couteur's** proposed amendment be agreed to.

The Assembly voted—

Ayes 9		Noes 12	
Miss C Burch	Mr Milligan	Mr Barr	Ms Orr
Mr Coe	Mr Parton	Ms Berry	Mr Pettersson
Mrs Dunne		Ms J Burch	Mr Rattenbury
Mr Hanson		Ms Cheyne	Mr Steel
Mrs Jones		Mr Gentleman	Ms Stephen-Smith
Mrs Kikkert		Mr Gupta	
Ms Lawder		Ms Le Couteur	

Question resolved in the negative.

**Ms Le Couteur's** amendment agreed to.

Original question, as amended, resolved in the affirmative.

### **Leave of absence**

Motion (by **Mrs Jones**) agreed to:

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

### **Appropriation Bill 2019-2020**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2019-2020

Cognate papers:

Estimates 2019-2020—Select Committee report

Estimates 2019-2020—Select Committee—government response]

### **Detail stage**

**MADAM SPEAKER:** I remind members that in debating order of the day No 1, executive business, they may also address their remarks to executive business order of the day No 2.

Schedule 1—Appropriations—Proposed expenditure.

Community Services Directorate—Part 1.8

Debate resumed from 15 August 2019.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Health and Minister for Urban Renewal) (11.27): Last week Mr Milligan contributed to this debate, again touting his 18-point booklet of fuzzy ideas for Aboriginal and Torres Strait Islander affairs. I do commend Mr Milligan for his work and the fact that he is actually thinking about these issues and talking to people in the community about what is needed. It is unfortunate, though, that Mr Milligan is unable to admit that many of the things he is proposing are already actually in train.

Mr Milligan talked about Boomanulla Oval, for example, but he did not acknowledge that Boomanulla Oval was refurbished in 2018-19 and reopened for winter sports in May. The Deputy Chief Minister committed real dollars to ensure that the gates could be opened, and now the more complex work of returning their oval to community ownership and control is underway.

Mr Milligan's booklet of fuzzy ideas says the Liberals will establish a new Indigenous sporting collective to manage Boomanulla, in collaboration with a skills-based board. The eventual aim is to return the site to full Aboriginal control, but not immediately. So on one hand he recognises that there are complexities, and on the other hand he criticises the government for taking time to work with the community to get this right.

There is indeed a lot one could say as shadow minister for Aboriginal and Torres Strait Islander affairs. There is a lot still to do to close the gap and deliver equitable outcomes for Aboriginal and Torres Strait Islander people in our community. We here all acknowledge that. Yet Mr Milligan spoke for less than six minutes. In his contribution he spoke about how excited he had been at the prospect of a new 10-year Aboriginal and Torres Strait Islander agreement with the elected body when it was signed in February, yet he chose that same day to launch his own booklet of fuzzy ideas. Rather than allowing the chair of the Aboriginal and Torres Strait Islander Elected Body to be the prominent voice on that day, rather than respecting the work of the elected body, on which he had been briefed in the week before the launch, he thought his own voice was more important. He thought political pointscoring was more important.

This is just one demonstration of an opposition that talks a big game about listening to the Aboriginal and Torres Strait Islander community but whose approach, when push comes to shove, is self-centred and paternalistic.

Our commitment to self-determination is at the heart of the ACT government's approach to Aboriginal and Torres Strait Islander affairs in the ACT. Through the community conversations about the agreement, the government heard clearly about the centrality of strong families and the critical importance of self-determination and culturally specific services. I will take a moment to mention a few of the budget initiatives from across government that were informed by this message.

The ACT government has committed more than \$1.1 million over four years to deliver the ACT's strategic priorities for Aboriginal and Torres Strait Islander health

from 2019 to 2028. These priorities are a 10-year initiative that will help to improve health, wellbeing and quality of life outcomes for Aboriginal and Torres Strait Islander people living in the ACT. They build on the extensive work already underway, including the \$12 million commitment to Winnunga Nimmityjah's new building to deliver community-owned, community-led, Aboriginal community-controlled health services in our city in a brand-new, purpose-built facility.

In addition, the 2019-20 budget included \$300,000 towards a scoping exercise for an Aboriginal and Torres Strait Islander residential rehabilitation service. Again, this funding will support work with Winnunga Nimmityjah Aboriginal Health and Community Services to co-design a culturally appropriate residential rehabilitation service that meets the needs of the local community.

Responding to the Aboriginal and Torres Strait Islander community-driven report *We Don't Shoot Our Wounded*, the ACT government will invest \$354,000 from the safer families levy to deliver specialised programs for the Aboriginal and Torres Strait Islander community.

In recognition of the unacceptable numbers of Aboriginal and Torres Strait Islander people involved in the justice system, we will help detainees on to new pathways after a custodial sentence. This year's budget further invests \$5.9 million in a justice housing program that will provide accommodation for Aboriginal and Torres Strait Islander Canberrans to make sure bail granted by the courts is safe and sustainable.

The ACT government will continue to partner with Winnunga Nimmityjah to extend Yarrabi Bamirr, an intensive family-centric support program for Aboriginal and Torres Strait Islander families, to prevent or delay contact with the justice system. The Warrumbul circle sentencing court will also continue, with operational funding in this year's budget, to enable young Aboriginal and Torres Strait Islander offenders to access culturally appropriate sentencing options.

I am excited about the work the Minister for Education and Early Childhood Development is doing on a new early childhood strategy for the ACT. The strategy includes a program of transition into free, universal access for three-year-olds to quality early childhood education and care. This initiative will commence in 2020 for Aboriginal and Torres Strait Islander three-year-olds.

Delivering on our commitment under the agreement to support Aboriginal and Torres Strait Islander business and innovation and to foster cultural integrity, the ACT government is looking forward to supporting cultural tourism measures. A new investment will support a feasibility study for an Aboriginal tourism and culture precinct at the cultural centre.

These initiatives build on the government's recent investments to build stronger families and a more connected community. This work includes restoring Boomanulla Oval, as I have mentioned, as an Aboriginal and Torres Strait Islander community and sports facility. As part of our commitment to return Boomanulla Oval to community control, we are embarking on a project on Aboriginal and Torres Strait Islander led governance in the ACT. This work, instigated by the Aboriginal and Torres Strait

Islander Elected Body, will look at future options for Aboriginal and Torres Strait Islander management and governance, including for Boomanulla Oval and the cultural centre.

As further recognition of the importance of strong families and the principle of self-determination, the ACT government is establishing an Aboriginal and Torres Strait Islander policy and practice co-design forum. The co-design forum will be a way to ensure that relevant changes to the human services system are developed and led by the Aboriginal and Torres Strait Islander community. Community conversations and consultations have reiterated that better outcomes for the community will only be achieved when the services and programs for the Aboriginal and Torres Strait Islander community are Aboriginal and Torres Strait Islander designed and led. The forum includes members from the Aboriginal and Torres Strait Islander Elected Body, the United Ngunnawal Elders Council and key service providers, as well as members of the Aboriginal and Torres Strait Islander community who have experience in the service system. The first forum will be held in September.

The ACT government looks forward to continuing to work in partnership with the Aboriginal and Torres Strait Islander community and working towards equitable outcomes for Aboriginal and Torres Strait Islander people. We know that Aboriginal and Torres Strait Islander people have the answers. It is up to governments to listen.

**MRS DUNNE** (Ginninderra) (11.35): I was not going to speak on CSD but the minister's outrageous spray means that I am compelled to. The fact that the minister took up so much of her time not talking about the budget but talking about Mr Milligan and the policy booklet that he put forward and to call it a booklet of fuzzy ideas really indicates just how effective Mr Milligan has been in the Aboriginal and Torres Strait Islander space, listening and talking to people, and how much he has got under this minister's skin because of the very positive reception that Mr Milligan's policy plan had in the Aboriginal and Torres Strait Islander community across the board, almost without exception. For the minister to come in here and dismiss Mr Milligan, that is politics; we understand that; that is what this government does. But to be utterly and completely disrespectful to the people who contributed to that document and who have endorsed that document, I think they will find it quite telling to hear the offensive tone that this minister used in disrespecting their views, their policy ideas and the way that they have embraced what Mr Milligan has done in a way that no other shadow minister or minister has ever done in this place.

It shows just how thin skinned this minister is that she would spend so much time doing that. Perhaps she should spend a little more time being concerned at actually doing something about the number of Indigenous children in care, because that is her responsibility. It is not her responsibility to disrespect the work done by Mr Milligan when she is supposed to be talking about the budget. It is not her job to disrespect the members of the Aboriginal and Torres Strait Islander community who have shown support for the initiatives outlined by Mr Milligan.

But when she comes in here to talk about the most important part of the legislative program, the budget, she should be more concerned about what this budget is going to do to improve the lives of Aboriginal and Torres Strait Islander people who are



incarcerated, who are in the prisons, who are in Bimberi, who are in the care and protection system because that is what her job is, not to disrespect Mr Milligan.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Health and Minister for Urban Renewal) (11.38): I understood this was described as a debate where people responded to one another. Mrs Dunne is obviously quite welcome to respond to me as I responded to Mr Milligan. That is what a debate tends to be about.

I rise at this point in time to talk about my disability portfolio. I am very proud to be the Minister for Disability in the Barr government. We have a lot to be proud of but we also, again, have a lot that we need to do to build a stronger and more inclusive community for people with disability across the ACT. We know that we are a stronger and a better community when everyone is respected, everyone is valued, heard and empowered to meet their full potential, and this government is working towards full inclusion and participation of people with disability in our community.

The national disability insurance scheme is, of course, the most significant social reform that the nation has undertaken since Medicare. This budget delivers on our commitment to the NDIS by fully funding the ACT government's share of the ongoing funding for the scheme. In March 2019 the ACT government signed a bilateral agreement for full-scheme NDIS arrangements, which commenced in July 2019. The bilateral agreement sets out the key financial arrangements for the scheme and shows that the ACT is contributing more than \$700 million to the scheme over four years.

The ACT government is also working closely with the commonwealth and other jurisdictions to monitor the implementation of the NDIS and to address issues as they arise. I am pleased that we have recently resolved several issues related to key policy areas, including health and child protection interfaces.

The transition to the NDIS has not been a smooth transition for everyone. That is why we established the integrated service response program in 2018. The program has made a difference to more than 70 Canberrans with disability who have complex support needs. It has supported people to ensure that they have an NDIS plan and access to mainstream services to support their needs. The funding in this budget will allow the program to continue to work collaboratively with the National Disability Insurance Agency and mainstream service providers to ensure that a participant's plan meets their needs and that every individual receives the support they need to live a good, ordinary life.

The staff at the Office for Disability who work on this program continue to provide an important service to people with disability, working with the National Disability Insurance Agency and service providers to resolve crises and complex situations for people with high-support needs. We remain committed to all people with disability, which includes the majority of Canberrans with disability who are not receiving an individual support package through the NDIS.

The ACT government has committed an additional \$40.57 million through this budget, not only to fully fund our share of the NDIS but also to maintain existing disability services that are not eligible to be considered as in-kind contributions to the NDIS. These services include the children and young people's equipment loan service, which provides specialist paediatric equipment and assistive technology to young people with disability, their carers and health professionals; the child development service, which offers assessment, referral, information and linkages for children zero to six years where there are concerns relating to their development; the ACT taxi subsidy scheme, which supports NDIS participants and other eligible Canberrans with their transport needs by subsidising regular taxi trips; and the rehabilitation, aged and community care services that are no longer eligible to be claimed as in-kind NDIS supports, ensuring that we continue to deliver integrated and effective services for rehabilitation, aged care and community care throughout the ACT, including healthcare and support for people with acute, post-acute and long-term illness.

As the NDIS has been rolled out in the ACT, people with disability, their families, carers and the organisations that represent them have told us how important these services are, and the ACT will continue to fund these mainstream and universal services.

We also continue to support the key outcomes of the national disability strategy and our essential work towards creating a more accessible and inclusive community where all people with disability can fully participate and enjoy their rights as citizens. This is demonstrated through the ongoing delivery of the disability inclusion grants, International Day of People with Disability activities and grants, the ACT companion card scheme and the Chief Minister's inclusion awards. It is also seen through the development and implementation of the ACT disability justice strategy and aligned projects such as supported decision-making, enhanced advocacy and the introduction of an intermediary scheme.

I was very pleased, with my colleagues, to be able to launch the disability justice strategy recently. The strategy is a 10-year plan which aims to ensure that people with disability in the ACT have equal access to justice and support for their right to equality before the law. The strategy recognises that people with disability experience a greater need for legal support than many other people in society and face a range of disadvantages that make them more likely to come into contact with the justice system as victims, as witnesses and as potential offenders.

Significantly, the strategy was developed with and by people with lived experience and with stakeholders from across the entire justice system. The process of developing the strategy was, in itself, a significant piece of work which has already brought about cultural change in the system. My deepest thanks go to all those involved in developing the strategy and delivering the actions under it. I thank particularly the staff who have worked to deliver this critical piece of work and call out Amanda Charles from the Office for Disability and Robyn Bicket from the Justice and Community Safety Directorate who led this work.

We also continue our partnership with the ACT Inclusion Council and their inclusion in employment project, partnering with the Canberra Business Chamber. It is only when we are all allies across the community, with businesses in the community and with people with disability that we are able to make real change, adjust our focus and create an inclusive Canberra that benefits all people and reflects the values of all Canberrans.

These are important initiatives in making Canberra a fairer and more inclusive community, and I am proud to commend them and the bill to the Assembly.

Proposed expenditure agreed to.

### **Leave of absence**

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (11.45): Before we go to the next item, I move that leave of absence be granted to Bec Cody for today due to illness.

**Mr Hanson:** Is the term “Ms Cody” or “Bec Cody” correct? I just ask, Madam Assistant Speaker, if you could clarify and if the minister has made an error you could correct it perhaps.

**MADAM ASSISTANT SPEAKER** (Ms Orr): Minister, would you mind, for the sake of clarity, correcting your motion.

**MR GENTLEMAN:** I move:

That leave of absence be granted to Ms Cody for today due to illness.

Question resolved in the affirmative.

### **Appropriation Bill 2019-2020**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2019-2020

Cognate papers:

Estimates 2019-2020—Select Committee report

Estimates 2019-2020—Select Committee—government response]

### **Detail stage**

Schedule 1—Appropriations—Proposed expenditure.

Superannuation Provision Account—Part 1.9

Debate resumed.

**MR COE** (Yerrabi—Leader of the Opposition) (11.46): I am delighted to be speaking about the superannuation provision account. I may well seek my second 10 minutes but we will cross that bridge when we come to it. Of course, the superannuation provision account is a pretty extraordinary asset as well as a liability really for the territory. The forecast is \$8.1 billion, of which \$3.6 billion is unfunded in terms of the overall liability. This is an ongoing issue that we confront every year at estimates. That is, of course, what the discount rate is and exactly how it is that we calculate what the liability is and what it is that is unfunded.

When you look at the consolidated financial statements from 2012 to today the ACT government has consistently underestimated the liability by about 50 per cent on average. Of course the discount rate makes this quite complex. In the 2014-15 budget it was estimated that by 2017-18 the liability would be funded at just over 60 per cent. However, in reality the actual result is a little over 40 per cent. Over the past few years the forecast appeared to be considerably out. This is something that we all have a responsibility to be diligent in keeping an eye on, because it is an extraordinary liability that we have. The decisions that we make today will have a huge impact on the value of the fund in the coming decades.

Debate (on motion by **Ms Cheyne**) adjourned to a later hour.

**Sitting suspended from 11.49 am to 2.00 pm.**

### **Questions without notice**

#### **Canberra Hospital—emergency department bypass**

**MR COE:** I have a question for the Minister for Health. During the Canberra Hospital emergency department bypass on 14 August, patients were discharged late at night in order to reduce pressure on the hospital. Minister, how is it clinically appropriate to discharge patients after 10 o'clock at night?

**MS STEPHEN-SMITH:** I thank Mr Coe for the question. First, I would like to assure the Assembly that no patient would be discharged in a situation where that was not clinically appropriate. My understanding is that there was a lot of work done to identify patients who could be discharged, potentially at night but particularly in the morning. There was a lot of work done across the different wards and areas of the hospital; executive directors worked with staff in those wards to identify patients who could be discharged early in the morning. The work was done to prepare those patients for discharge. There would, of course, have been no patients discharged where that was not clinically appropriate.

**MR COE:** Minister, were normal discharge procedures carried out? If so, why isn't this activity happening every night?

**MS STEPHEN-SMITH:** As I said, my understanding—and I had a conversation about this with the CEO of Canberra Health Services on Friday—is that primarily the discharge arrangements were that there was work done within each of the areas of the Canberra Hospital to identify patients who could be discharged early in the morning.

Doctors did come in earlier than usual to work through that discharge process. But that was the primary process they used to discharge patients who were clinically appropriate for discharge. Again, I can assure the Assembly that patients would not have been discharged that were not clinically appropriate.

**MRS DUNNE:** Minister, how many patients were discharged late at night on 14 August?

**MS STEPHEN-SMITH:** Thank you. Madam Speaker, I will take that question on notice.

### **Planning—development**

**MS LE COUTEUR:** My question is to the Chief Minister and relates to the apartment development sector, noting the recent failure of several apartment developers interstate. With infill running at around 70 per cent of new dwellings and the largest developers each controlling up to around 25 per cent of the apartment development market, does the government consider the potential failure of a large developer as one of the ACT's economic risks?

**MR BARR:** It would be one of the risks but I would not want to overstate that any one commercial or residential property developer entering into difficulty would in and of itself create an economic crisis. It would not.

**MS LE COUTEUR:** Does the government consider the risks of allowing a developer to become too big to fail when assessing tenders for the purchase of renewal sites?

**MR BARR:** The government, in assessing tenders, will assess the financial capacity of a tenderer to perform work, but most commercial and residential building activity is outside government procurement and would, in fact, be private sector related activity.

### **Building—surveyors code of practice**

**MS ORR:** My question is to the Minister for Building Quality Improvement. Can the minister update the Assembly on the implementation of the government's certifiers code of practice?

**MR RAMSAY:** I thank Ms Orr for her question and her interest in building quality matters. This government has committed to an aggressive series of building reforms to change the building industry for the better. I am pleased to say that we are continuing to meet these commitments. The code of practice for certifiers, or building surveyors as they are sometimes known, was one of 28 reforms that I committed to complete by 30 June and it has been implemented.

The certifiers code of practice is a truly significant piece of reform for the building industry. One thing that we have heard from consumers in the ACT is that there can be confusion as to the role of a certifier and what they are required to do. The code

clearly sets out what we expect a certifier to do when they are discharging the statutory duties that they take on themselves when they undertake this kind of work.

This is a vital reform. As many in the chamber would be aware, certifiers have seen their insurance premiums rise lately. One of the reforms that the insurance industry has been asking for is a clear level of professional standards set across all certifiers which is then enforceable. This reform does just that. It provides certainty to insurers as to what we expect of certifiers and it ties this to their licence.

This also helps support our good quality certifiers. It helps prevent a race to the bottom on pricing of services and it makes it clear what all certifiers must do. This reform is about supporting the industry and it is about making it clear what we expect of a certifier so that they are empowered to undertake their statutory responsibilities well.

**MS ORR:** Can the minister please explain what this code of practice will do?

**MR RAMSAY:** I thank Ms Orr for the supplementary question. The code prescribes the minimum standards of practice for licensed building certifiers and informs landowners engaging the services of a building certifier, and also the community, about the standards of practice that are expected from a building certifier. It sets out the minimum practice requirements for all licensed building certifiers in the ACT and it will complement the builders code of practice which is currently under development.

As many people do not understand the role of a building certifier in relation to the inspections that they carry out for the property owner, it was important for the code of practice to provide clarity around the general obligations for building certifiers when they are performing licensable services and functions. These obligations include to act in the public interest, to comply with relevant laws, to ensure that their decisions are fair and reasonable and to take appropriate enforcement action. These obligations are similar to those in place in other jurisdictions and for public officials in the ACT.

The code of practice also provides general and specific requirements for undertaking particular roles such as that of an appointed building certifier, including the various stage inspection requirements and guidelines.

Contrary to what some have said in this place, the code does not expand the role of the statutory building certifier, and it does not create new approval processes, mandate additional inspection stages, or make building certifiers responsible for complaints against builders. It simply makes clear what we see as the minimum required due diligence that we expect of them when they are discharging their duty.

**MR PETTERSSON:** Can the minister explain the impact that this code of practice will have on the industry?

**MR RAMSAY:** I thank Mr Pettersson for the supplementary question. This change is designed to ensure that everyone has a common understanding of the role of a certifier. It makes clear to those undertaking this important statutory function what is required of them and it links these requirements to their licence so that they are enforceable.

This will have a very positive impact on the industry. It will hold dodgy certifiers to account by clearly outlining what we expect. It gives the regulator an even more precise tool to remove from the industry those certifiers who are doing the wrong thing.

It will work in tandem with the builders code of practice that we are currently finalising, to ensure that all parties are aware of their duties and what we require of them. It links to the minimum documentation requirements that we have introduced, ensuring that certifiers are checking that the technical details are adequately canvassed in the documentation regarding buildings.

This is nation-leading reform. Other jurisdictions have asked to come to speak with our directorates on this to see how it can be replicated in their jurisdictions. It meets the recommendation of the Shergold Weir report regarding certifiers codes of conduct.

This code of practice is enforceable, it is prescriptive and it will be an important tool for holding those in the building industry to account. It is an important step forward in lifting the quality of buildings in this city by ensuring that only those of the highest integrity are permitted to work in this industry.

### **Canberra Hospital—emergency department bypass**

**MRS DUNNE:** My question is to the Minister for Health. Minister, on 16 August this year, the president of the AMA, Dr Di Dio, told the media:

... when Canberra Hospital is on ambulance bypass, regardless of the time of year, we're justified in asking – what's going on and why aren't we able to cope.

The Canberra Hospital has been on bypass three times—so we have been told—this year: on 20 May, 1 July and 14 August. Minister, on 20 May, 1 July and 14 August, what was going on at the Canberra Hospital that warranted a decision to put the hospital onto ambulance bypass?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the question. It is an important question in relation to why a hospital would go on bypass occasionally. I will take the question on notice in relation to whether there was any obvious reason for a surge in demand or other reasons in relation to 20 May or the 1 July. I already stated last week in the chamber that there was no obvious cause for the surge in admissions last week other than seasonal fluctuations. Following further conversations with Canberra Health Services last week, it appears that some delays in discharge from previous days may also have contributed to the capacity issues at the Canberra Hospital.

I emphasise that it is not uncommon for health systems across the nation to face periods of increased demand. This is why Canberra Health Services has clear processes in place to ensure the best possible ongoing care for all consumers in those circumstances. On occasion that will involve an ambulance bypass. As I have previously stated, only stable patients who meet clinically appropriate criteria are diverted. Paediatric patients, those with life-threatening emergencies and trauma patients are always taken directly to Canberra Hospital.

It is also not true, as the opposition claimed last week, that an ambulance bypass is the same thing as emergency being closed. People can turn up at emergency under their own steam and they will be seen. The emergency department was not closed, is not closed and does not close, as those opposite claimed.

**MRS DUNNE:** Minister, why wasn't there, as a matter of course, a public announcement that the hospital was on bypass on 20 May, 1 July and 14 August?

**MS STEPHEN-SMITH:** This is an internal arrangement with the ambulance service. As I have stated, the public can turn up to the emergency department because it was not closed, is not closed and does not close to people who turn up under their own steam.

**Mrs Dunne:** A point of order.

**MADAM SPEAKER:** Resume your seat, minister. A point of order?

**Mrs Dunne:** It is on relevance. The question was direct: why wasn't there, as a matter of course, an announcement? I would ask you to ask the minister to be directly relevant to the question.

**MADAM SPEAKER:** In the time you have left, you may come to that.

**MS STEPHEN-SMITH:** I believe that I answered the question, Madam Speaker, but I would also note that Canberra Health Services did make an announcement on its Facebook page that overnight the hospital experienced a large increase in demand through the emergency department. They thanked all staff for working extremely hard to ensure that patients were cared for in the most clinically appropriate place, and asked people to remember that the emergency department is for genuine emergencies. They also provided information for people who required non-urgent medical help: that there are a range of other accessible services near them that do not involve a trip to hospital.

**MR COE:** Minister, on how many days between 1 May and today have patients been accommodated on trolleys in corridors at the hospital and how many corridor trolleys are there?

**MS STEPHEN-SMITH:** Obviously I will have to take that question on notice.

### **Canberra Hospital—emergency department bypass**

**MR HANSON:** My question is to the Minister for Health. Minister, who is responsible for deciding to place a public hospital onto ambulance bypass and who is responsible for deciding to lift the bypass status?

**MS STEPHEN-SMITH:** I thank Mr Hanson for the question. My understanding is that it would be the CEO of Canberra Health Services. I will confirm that but, as I have stated before and I will repeat for the benefit of the Assembly, it is not



uncommon for health systems across the nation to experience periods of increased demand. Ambulance bypass is one of the strategies used to ensure that there can be a small amount of pressure taken off the emergency department when there is a surge in demand. As it was explained to me on Friday, it is as much about sending a signal to the staff of the emergency department that something is being done to ease the pressure: you do not have to worry about an ambulance turning up unless it is a paediatric or critical patient. My understanding is that, on that particular night, only three patients were, in fact, diverted from the Canberra Hospital emergency department to Calvary. I will obviously correct that if that number subsequently has to be corrected. While it is a rare occurrence in the ACT, it is part of Canberra Hospital's system to ensure that all patients can be managed clinically appropriately when there is an increase in demand for services.

**MR HANSON:** Minister, with regard to the bypass on 14 August, when were you notified of that event? Was it prior to or subsequent and what action did you take?

**MS STEPHEN-SMITH:** I was called by the CEO of Canberra Health Services at 11 on that evening. I had a conversation with her about what ambulance bypass meant and what was happening to resolve the situation, the relationship with Calvary and the work that they were doing to use private hospital services. I considered whether it would be helpful for me to get out of bed and go into the Canberra Hospital but I thought that probably I would not be particularly helpful in the situation. Frankly, I went back to sleep, trusting that the CEO of Canberra Health Services had it all under control.

**MS CHEYNE:** Minister, do you have confidence in the management making a decision on whether a bypass is appropriate?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for the supplementary. Yes, I absolutely have confidence in the CEO of Canberra Health Services and her staff to make those decisions about what is clinically appropriate and what is appropriate in the management of the hospital. The CEO of Canberra Health Services is a very experienced person with respect to working in hospitals—as you know, a former nurse, Madam Speaker—and has been and is doing an excellent job in Canberra Hospital and Canberra Health Services.

### **Canberra Hospital—emergency department bypass**

**MISS C BURCH:** My question is to the Minister for Health. Minister, during the Canberra Hospital emergency department bypass on 14 August 2019, patients were discharged late at night to the National Capital Private Hospital to ease pressure on the hospital. Minister, how many patients were transferred late at night on 14 August to the National Capital Private Hospital and, of those, how many were transferred back to the Canberra Hospital?

**MS STEPHEN-SMITH:** I thank Miss Burch for the question. I would note that “discharged” is not the same as being transferred to the National Capital Private Hospital. That is not a discharge; that is a transfer to a different hospital that can provide the service that that patient needs. I was assured by the CEO—

*Mr Coe interjecting—*

**MS STEPHEN-SMITH:** I was assured by the CEO of Canberra Health Services—

*Mr Coe interjecting—*

**MS STEPHEN-SMITH:** If Mr Coe does not want to hear the answer to the question, that is fine, but for other members of the Assembly, let me say that I was assured by the CEO of Canberra Health Services that patients who were transferred to the National Capital Private Hospital as part of the arrangements that exist with the private hospitals across our health system were not going to be transferred back to Canberra Hospital, and were not transferred back to Canberra Hospital, but would receive their treatment fully in the National Capital Private Hospital.

**Mr Coe:** Point of order.

**MADAM SPEAKER:** Mr Coe, point of order.

**Mr Coe:** On being directly relevant, the question was: how many were transferred back to the Canberra Hospital—

**MS STEPHEN-SMITH:** I think you will find that the question was: how many were discharged?

**Miss C Burch:** How many were transferred.

**MADAM SPEAKER:** Ms Stephen-Smith.

**Mr Coe:** The question, which I can help you out with, was: how many patients were transferred late at night on 14 August to National Capital Private Hospital and, of those, how many were transferred back to the Canberra Hospital? She has not yet answered that question.

**MADAM SPEAKER:** Yes, but the word “discharged” was used.

**Mr Coe:** Only in the preamble.

**MS STEPHEN-SMITH:** Sorry, in the preamble; yes, you are right. I will take the question on notice in relation to how many patients were transferred to National Capital Private Hospital. As I have said, my understanding is that none was transferred back.

**MISS C BURCH:** Minister, does Canberra Health Services have a standing arrangement to buy beds from the National Capital Private Hospital? If so, what are these general terms?

**MS STEPHEN-SMITH:** I thank Miss Burch for the supplementary. As I have said, Canberra Health Services does have arrangements with private hospitals across the

territory. Mostly, that is for elective surgery. I will take on notice the terms in relation to what happens in these kinds of situations.

**MRS DUNNE:** Minister, what did it cost to transfer patients to and accommodate them at National Capital Private Hospital on 14 August and subsequently?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the supplementary. I will take that question on notice but I want to emphasise for the benefit of the Assembly that all of these arrangements are part of the Canberra Hospital's plan in managing surges in demand for its services. It is, as I have said repeatedly, not uncommon for hospitals across the nation to face periods of increased demand, and that is why Canberra Health Services has clear processes in place to ensure the best possible ongoing care for all consumers.

I said last week and I will say again that of course the team at Canberra Health Services eases pressure across the hospital by creating internal capacity, discharging appropriate patients and transferring suitable patients to private hospitals. These are all totally legitimate strategies for managing an increase in demand on the Canberra Hospital, and I fail to understand what the opposition thinks they are seeking to achieve by pointing out to everybody that the Canberra Hospital has multiple strategies in place to manage an increase in demand.

### **Government—online community engagement panel**

**MR PETTERSSON:** My question is to the Chief Minister. Chief Minister, can you provide an update on the government's election commitment to introduce an online community engagement panel?

**MR BARR:** I thank Mr Pettersson for the question. I can advise members that around 2,200 Canberrans have now joined the panel. It has reached a point of statistical significance. It is both demographically and geographically representative of our city, with Canberrans from Tuggeranong, Gungahlin, Belconnen, Woden, Weston Creek, the inner north, the inner south and the Molonglo Valley all participating in the panel.

Input from the panel will help shape policies, programs and services for the future and allow the government to engage with a statistically significant and representative group of Canberrans. We will continue to seek to grow the panel and, each time it features in the media or in the government newsletter or in social media, membership grows.

**MR PETTERSSON:** Chief Minister, what data has the online panel already contributed to government policy?

**MR BARR:** The initial engagements have particularly focused on ACT government events. We have some useful information from the panel in regard to attendance and types of activities that people would like to see at events like Floriade, Nightfest and Enlighten, and the Wintervention festival that is the subject of current engagement from the panel. We look forward to utilising the feedback from the panel to help build and shape future ACT government events.

**MS CHEYNE:** Minister, why is it important that a broad range of Canberrans have the opportunity to have their say on government policy?

**MR BARR:** There certainly is a risk that the overwhelming majority of Canberrans can have their voices crowded out by the loudest voices or the usual suspects. So it is important for the government to consult widely and to seek input from as many Canberrans as possible. This will give us a clearer sense of community priorities.

For example, we know through that broader community engagement that the majority of Canberrans want to see the ACT government continue to advocate for a repeal of the commonwealth's legislative bar on the territories legislating on voluntary assisted dying—overturning the Andrews bill. We know that an overwhelming majority of Canberrans supported marriage equality. We know that an overwhelming majority of Canberrans support the government's decision to ban greyhound racing in the territory. We know that an overwhelming majority of Canberrans want to see the ACT continue to show leadership in combating climate change. We know that a majority of Canberrans support the government's delivery of the first stage of the light rail network.

So we know through this deeper engagement how Canberrans feel about important issues in our community and we know that we can continue with confidence to pursue the issues that the majority of Canberrans want us to continue to pursue. This provides valuable information in between our four-yearly democratic cycle.

### **Hospitals—emergency department performance**

**MR PARTON:** My question is to the Minister for Health. Minister, how did the Canberra Hospital and Calvary hospital public emergency departments perform against their targets in the fourth quarter of 2018-19?

**MS STEPHEN-SMITH:** I thank Mr Parton for the question. I will take that one on notice.

**MR PARTON:** Minister, how are our emergency departments tracking against their targets in the first quarter of 2019-20?

**MS STEPHEN-SMITH:** Today is 20 August. The first quarter of 2019-20 is not yet complete.

**MRS DUNNE:** Minister, are you satisfied that enough is being done to ensure that the ACT will not continue to have the worst performance in emergency department waiting times?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the supplementary question. It is clear that in a number of triage categories the emergency department does not have the performance that we would like to see. As I have spoken about a number of times in this place, we are making significant investments in capacity. Of course, we have recently expanded the Canberra Hospital emergency department. We have invested in

expansion of the Calvary hospital emergency department. We have made additional expansions in capacity across the hospitals.

Canberra Health Services is also implementing the timely care strategy, on which, in my first week as health minister in this place, I offered Mrs Dunne a briefing. When she finally gets around to attending that briefing in October, she will hear that Canberra Health Services continues to work on its timely care strategy. Several initiatives have already been implemented, including daily multidisciplinary staff ward huddles, hospital-wide flow management meetings, strategies to reduce barriers to discharge, and identifying and discharging appropriate patients early. Working groups are continuing to refresh and refocus systems and processes by using a whole-of-government approach, including looking more and more closely at the data that is available, and at how those processes are managed. I look forward to Mrs Dunne having that briefing.

### **University of Canberra Hospital—hydrotherapy pool**

**MRS JONES:** My question is to the Minister for Health. Minister, how much time exactly, and at what times of the day, is the hydrotherapy pool at the University of Canberra Public Hospital made available for use by clients of organisations such as Arthritis ACT?

**MS STEPHEN-SMITH:** I thank Mrs Jones for the question. I will take the detail of that question on notice but I know, from my visit to the University of Canberra Hospital recently and visiting the pool and talking to managers, that there have been conversations with Arthritis ACT about extending the hours at which that pool is available into the evening.

**MRS JONES:** Minister, has the Canberra Health Services discussed with Arthritis ACT whether the availability of the pool at the University of Canberra public hospital meets their needs? If so, what were the agreed outcomes?

**MS STEPHEN-SMITH:** I will be getting another update on hydrotherapy later this week. There were a number of conversations about it last week. I will take the detail of that question on notice but I do know that there is an ongoing conversation between Canberra Health Services and Arthritis ACT.

**Mrs Jones:** Point of order.

**Ms Stephen-Smith:** I have taken the question on notice, Mrs Dunne.

**Mrs Jones:** I am Mrs Jones. The point of order goes to relevance.

**Ms Stephen-Smith:** I don't see how you can have relevance when I've taken the question on notice.

**Mrs Jones:** If I could make my point of order, you might be able to have an opinion about it.

**MADAM SPEAKER:** Mrs Jones, straight to the point of order, please.

**Mrs Jones:** I am working on it, but I keep getting interrupted. The question was whether there was an agreed outcome between you, the Canberra Health Services and Canberra—

**MADAM SPEAKER:** Mrs Jones, can you resume your seat. The minister took the question on notice and said that she would bring back more information.

**MRS DUNNE:** Minister, does the University of Canberra public hospital refer rehabilitation patients to Arthritis ACT for hydrotherapy after they are discharged from the hospital? If so, how many have been referred during 2018-19?

**MS STEPHEN-SMITH:** I thank Mrs Dunne for the question and apologise for the mistaken identity earlier. I will take that question on notice.

### **Schools—Miles Franklin**

**MRS KIKKERT:** My question is to the Minister for Education and Early Childhood Development. Minister, the government is proposing to erect a fence around Miles Franklin school. This will include fencing the adjoining south-west Evatt oval and limiting access to a shared path running along the eastern boundary of the oval. At a recent P&C meeting, officials from both the school and the directorate told the meeting that they would not be consulting with the local community. They said it was up to the school community to inform—not consult with—their neighbours. Minister, why are you expecting the school community to do your job for you?

**MS BERRY:** I thank Mrs Kikkert for the question. I can provide some information on fencing around schools. The decisions that are made about fencing around schools are made by the school community and the P&C. When the P&C at Miles Franklin said that they were considering putting a fence around their school and the adjoining oval, the process is that they have to—they must—show that they have support within the school community and with the broader community for the fence. That is the process so far. There has been no decision by the government, the Education Directorate or the school at this point in time to construct a fence—

**Mrs Dunne:** That is not what the P&C was told.

**MS BERRY:** It was the P&C's decision to have this conversation. That is where it came from. The P&C first have to show that they have support for a fence around the school. That is the process that is in train right now. There is consultation occurring. That is the process for every school. Regardless of whether a fence is there or not, if there is a fence put around the school, it must comply with the government's policies of being accessible to the broader community.

**MRS KIKKERT:** Minister, why are you willing to deprive the local community of access to a public space without a proper and effective consultation process?

**MS BERRY:** I think, Madam Speaker, that Mrs Kikkert might not have heard what I said earlier—

*Mrs Dunne interjecting—*

**MS BERRY:** but I can also provide for the Assembly's information a flyer that was distributed to the community last week—

*Mrs Dunne interjecting—*

**MADAM SPEAKER:** Mrs Dunne, your colleague pointed out how difficult it was to talk when people are interjecting, so I remind you to behave.

**MS BERRY:** Thank you, Madam Speaker. I understand that there are some people who have been agitated about this proposal, but there is no decision. The consultation is continuing. I table a copy of this flyer for the information of members of this place:

Miles Franklin Primary School Proposed Fence.

I note that there are lots of reasons why P&Cs and school communities make decisions about having their schools fenced. Some of that is because our schools accept everybody regardless of how they arrive at our schools or the different kinds of challenges that they might experience in getting there; some of it is also for keeping their school premises safe. But it is very early in the conversation.

I understand the community has been agitated about it. I have ensured that that flyer goes out to explain the process. There is no decision from the government at this stage—or the directorate or the school—because that consultation is continuing.

**MS LE COUTEUR:** What impact will the proposed fence have on the current users of the oval and the open space around it?

**MS BERRY:** There is no decision about the proposed fence. It is a proposal, exactly as Ms Le Couteur has suggested. So there is no fence at the moment. There is no agreement for a fence. The school community is having consultations with the broader community about the fence. They must show that there is broad agreement for a fence around the school before any agreement for a fence to be built will be made, and it must comply with the government's policy of allowing open access to the broader community even if there is a fence.

### **Schools—public school upgrades**

**MS CHEYNE:** My question is also to the Minister for Education and Early Childhood Development. Minister, why has the ACT government committed over \$100 million to public school upgrades?

**MS BERRY:** I thank Ms Cheyne for the question. The ACT government is focused on providing healthy and comfortable teaching and learning spaces to maximise

learning outcomes for all children and young people. As student needs change over time, physical environments should be flexible enough to respond and adapt to the future needs of students and families in an evolving education system.

Infrastructure upgrades are one important way of ensuring that public schools are places where students feel safe, welcome and ready to learn. In 2017 the ACT government allocated \$85 million for the public school infrastructure upgrade program. This delivered on a key government election commitment. The government extended its commitment to public school infrastructure with a further \$17.96 million delivered in the 2018 budget for the roof replacement program, and \$15.96 million in 2019 for energy efficient heating upgrades, bringing the ACT government's investment in school upgrades to well over \$100 million.

Through these investments Canberra's public schools are being renewed with new learning spaces, toilets and change rooms, car parks and bicycle parking facilities, garden and horticultural facilities. There is also a range of upgraded outdoor learning and teaching environments being delivered through this investment, including sensory gardens, cultural spaces and playgrounds.

To assist schools to be more efficient in their energy use and improve the comfort of students and staff, a program of targeted efficiency upgrades and building audits is being undertaken annually. The program is improving maintenance of internal temperatures, efficiency of building heating and cooling systems, and reducing gas and electricity usage. Solar panel expansions and an annual tree planting program are also part of the infrastructure upgrades being delivered in schools.

**MS CHEYNE:** Minister, what school upgrades has the ACT government delivered in 2019?

**MS BERRY:** The ACT government has committed to a number of school administration area upgrades and these have been completed at Neville Bonner Primary School, Malkara School and Lanyon High School as well as Dickson College where upgrades have been completed on student toilets. The cafe at the Woden school has also been upgraded and a new disability hoist and specialist play equipment have been installed at Black Mountain School, including an in-ground trampoline, Roman rings, squeeze tubes, climbing structures and mirrors, a water misting arch, storage shed and rubber soft fall.

I am also pleased to advise that the Erindale College Active Leisure Centre has also been reopened following extensive repairs. Turner Primary School has also had upgrades to the glazing of the hydrotherapy pool area as well as their change rooms. Car park upgrades have been completed at Theodore Primary School and Wanniasa Hills Primary School, with works nearing completion at Amaroo School and at Fraser Primary School. Secure bicycle parking facilities have also been installed at Calwell Primary School and Latham Primary School.

Outdoor learning upgrades have been completed at Hughes Preschool and Kaleen and Latham primary schools. In addition, Fadden, Hawker, Wanniasa Hills, Monash, Garran, Bonython and Wanniasa schools and Caroline Chisholm Junior School were



all part of the tree planting program in 2019. Sensory gardens have been constructed at Garran and Evatt primary schools and a cultural space has also been constructed at the Narrabundah Early Childhood School.

**MRS DUNNE:** Minister, in relation to upgrades of fencing, will you guarantee that all Evatt residents are letterboxed in relation to the proposed fence at Miles Franklin Primary School?

**MS BERRY:** Yes, I can do that.

### **Sport—ice sports facility**

**MR MILLIGAN:** My question is to the Minister for Sport and Recreation. On 19 December 2018 you stated:

The government will open an Expression of Interest (EOI) process in early 2019 seeking interest from suitably qualified and experienced parties to design, construct, operate and maintain a new ice sports facility in the ACT.

In May of this year it was reported that the expression of interest was imminent. It is now August and no expression of interest has been seen. Minister, when will the ice sports facility expression of interest be released?

**MS BERRY:** I see that Mr Milligan has noted the social media activity over the weekend regarding the ice sports facility in the ACT. I thank him for his question in acknowledgement of that activity. There were some issues that needed to be resolved with the Government Solicitor's office in developing the expression of interest, which will be released very soon. I know that it has been frustrating for the ice sports community and they want to get on with finding out what sort of interest there is out there and within the community regarding an ice sports facility. I will be meeting with sport and rec tomorrow to find a final date and time and an appropriate place to make that announcement.

**MR MILLIGAN:** Minister, given the lengthy delay in releasing the expression of interest, how long can the community expect to wait for the outcome?

**MS BERRY:** I might have misunderstood; the outcome of the expression of interest?

**Mr Milligan:** Yes.

**MS BERRY:** That is a bit of a hypothetical question. I could not say.

**MRS DUNNE:** Minister, is the expression of interest document ready now? Are you just waiting for a media opportunity?

**MS BERRY:** No. I know that Mrs Dunne has a personal interest in the ice sports facility. I can assure you that I am not interested in a media opportunity; I am interested in making sure that the ice sports community is engaged.

**Mrs Dunne:** I think they've been engaged for a long time before you.

**MADAM SPEAKER:** Mrs Dunne: enough thank you.

### **Light rail—stage 2 update**

**MR GUPTA:** My question is to the Minister for Transport and City Services. Minister, can you please update the Assembly on the progress of light rail stage 2.

**MR STEEL:** I thank Mr Gupta for his question and his interest in light rail. I know he is a regular light rail commuter up in Gungahlin and he also helped me recently to launch the light rail safety week.

The ACT government is doing the work necessary to bring light rail to Woden as soon as possible. The first step has been that the ACT government has sought formal environmental approvals from the commonwealth through the commonwealth Environment Protection and Biodiversity Conservation Act.

We are currently progressing the planning approvals for light rail for the city to Woden corridor in two components: 2A from the city to Commonwealth Park and 2B from Commonwealth Park to Woden. This approach will allow any complexities arising in the 2B component to be addressed without holding up the start of development of light rail from the city to Woden, and by making two environmental planning approvals we hope that this will enable works to progress earlier on the light rail route to Woden sooner rather than later.

Light rail to Woden is vital to establish a north-south spine for our transport network, and the ACT government is committed to getting light rail to Woden as quickly as possible.

**MR GUPTA:** Minister, why did the government decide to lodge its submission under the commonwealth's Environment Protection and Biodiversity Conservation Act in two stages?

**MR STEEL:** I thank Mr Gupta for his supplementary. The commonwealth's Environment Protection and Biodiversity Conservation Act applies throughout the country for major projects and requires a rigorous analysis of the environment and heritage considerations in constructing a project like light rail. Indeed we made a referral under the first stage of light rail. This year in July the ACT lodged two referrals under the act to progress planning approval for light rail to Woden.

The first submission, as I said, is for the extension from the city to Commonwealth Park. This stage will get light rail through city west on London Circuit through to the edge of the lake. This will involve relatively simpler issues than the second component, from Commonwealth Park through to Woden.

We acknowledge that that segment requires more complex consideration by the commonwealth, the National Capital Authority and the commonwealth parliament, and may take more time to approve. We want to allow time for the heritage and environmental issues to be worked through properly and for Canberrans to understand

them, without holding up the construction of the first stage, 2A, from the city to Commonwealth Park.

That is why I have decided to split the project into two. The two-stage EPBC referral that we have lodged is the fastest way to get light rail to Woden. With the skills and expertise we have learnt and built up from constructing the Gungahlin to the city route, we will be getting on with the construction of the first stage of the Woden line as soon as it is approved.

**MS ORR:** Minister, how is the government engaging with the local businesses and community along the light rail stage 2 route?

**MR STEEL:** I thank Ms Orr for her question. We have certainly learned from light rail stage 1 route and the feedback we received from business owners along that corridor, particularly during construction. Only a few weeks I spoke about how that has informed our planning and communication strategies for future infrastructure projects, including stage 2 of light rail. Constructing light rail to Woden needs significant communication with businesses along the route. We are committed to taking a proactive and consultative approach to engagement.

In May this year we commenced a preliminary business impact assessment process. Earlier this month the city to Woden light rail team commenced consultation with businesses in city west to gauge awareness of light rail; establish communication; learn about trading hours and peak times of those businesses; start the communication and discussion around signage, marketing, access and logistics for those businesses; and together build a communication strategy going forward.

Businesses will be able to provide feedback on an ongoing basis through online and hard copy surveys, face-to-face conversations with the light rail team visiting their businesses on a regular basis, and a light rail coffee date this coming Thursday. In just the first week of the engagement, over 350 businesses in city west had already engaged in face-to-face discussions with the city to Woden light rail team. This early engagement with businesses will help us to design a program of support, advice and activation that will keep city west vibrant during construction and ready for operations.

**MR BARR:** I ask that all further questions be placed on the notice paper.

### **Supplementary answer to question without notice Canberra Hospital—emergency bypass**

**MS STEPHEN-SMITH:** I was asked earlier today who makes the decision to go on ambulance bypass. The decision to go on ambulance bypass is made by the hospital commander on duty. On the night of 14 August, the hospital commander was the chief operating officer, Liz Chatham.

### **Papers**

**Madam Speaker** presented the following paper:

Estimates 2019-2020—Select Committee—Schedule of answers to outstanding questions on notice for the period 30 July to 30 August 2019, dated 19 August 2019, including a copy of the relevant answers.

**Mr Gentleman** presented the following papers:

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

Legislation Act, pursuant to section 64—

Energy Efficiency (Cost of Living) Improvement Act—

Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice 2019, including a regulatory impact statement—Disallowable Instrument DI2019-194 (LR, 9 August 2019).

Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice 2019, including a regulatory impact statement—Disallowable Instrument DI2019-195 (LR, 9 August 2019).

Government Agencies (Land Acquisition Reporting) Act—Government Agencies (Land Acquisition Reporting) Regulation 2019—Subordinate Law SL2019-19 (LR, 5 August 2019).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2019 (No 4)—Disallowable Instrument DI2019-197 (LR, 8 August 2019).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Service) Taxi Licence Exemption 2019—Disallowable Instrument DI2019-193 (LR, 5 August 2019).

**Appropriation Bill 2019-2020**

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2019-2020

Cognate papers:

Estimates 2019-2020—Select Committee report

Estimates 2019-2020—Select Committee—government response]

**Detail stage**

Schedule 1—Appropriations—Proposed expenditure.

Superannuation Provision Account—Part 1.9

Debate resumed.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (2.47): The financial operations of the superannuation provision account help the government to manage the defined benefit employer superannuation liabilities of the territory. This is an extremely important task because these liabilities are made up of the defined benefit

superannuation entitlements of past and current ACT public service employees who are members of the Australian government's commonwealth superannuation scheme and public sector superannuation scheme.

At present, the superannuation provision account recognises a defined benefit superannuation liability for over 35,600 past and current ACT employees. The annual budget appropriation to the provision account is used to fund the territory's annual employer superannuation liability to the Australian government. The provision account paid \$256 million in superannuation benefits to the Australian government in 2018-19, and is estimated to pay \$290 million in 2019-20. Meeting these liabilities is a significant annual expense for the ACT budget, and rightly so when it contributes to the quality of life in retirement for so many current and former ACT public sector workers.

The government remains committed to the goal of fully funding the future defined benefit superannuation liabilities, as this will safeguard the retirements of the ACT's public sector workers as well as supporting the broader sustainability of the territory budget.

The past year has been one of ongoing volatility in global financial markets, and we have seen the domestic money market and bond interest rates fall to historic lows. This has created a more challenging investment market environment. Considering the outlook for returns over the next decade, the government acknowledges that a concerted effort will be needed to achieve our goal by 2030. But incorporating the investment return outcome for 2018-19 of 7.7 per cent, the superannuation provision account portfolio will have generated a nominal investment return of 7.8 per cent a year, or CPI plus 5.3 per cent a year, over the past 23 years. It is important because this is above the current long-term investment return objective. Managing the long-term liability and working towards fully funding it is a long-term project, and we will continue to set our policies in each annual budget in that long-term context.

I commend this part of the appropriation bill to the Assembly.

Proposed expenditure agreed to.

Environment, Planning and Sustainable Development Directorate—Part 1.10

**MRS JONES** (Murrumbidgee) (2.50): In the absence of Ms Lawder, I will speak to this and heritage. I foreshadow that I may need the extra 10 minutes. The recent environment estimates hearings covered a wide collection of subjects. It is confusing and incongruous that environment is grouped with heritage and planning and sustainable development, when each area spans energy policy through to the natural environment. Environmental concerns started on day 1 when several community groups raised their concerns. In particular, Landcare ACT, represented by Dr Maxine Cooper, outlined their concerns regarding the uncertainties around funding and the need for continuous funding beyond annual offerings.

The Canberra Liberals value the work that Landcare ACT does through its catchment management groups—Junior Landcare, Frogwatch, and Waterwatch—and the replanting of grasslands, and the protection of Black Mountain. The list is endless.

Minister Gentleman's claims that the federal government has abandoned Landcare in the ACT does not align with the evidence taken about the significant funding of the healthy waterways project. Minister Gentleman stated that this significant project was a \$15 million contribution from the ACT government and about \$80 million from the commonwealth. This was soon corrected by the minister to \$8.5 million only from the ACT government and \$85 million from the commonwealth, a significant amount.

My colleague Elizabeth Lee and the Canberra Liberals have promised ongoing surety of funding with a four-year funding envelope of \$2.4 million over four years for the three catchment groups should we win the 2020 election, showing our appreciation of Landcare's genuine role in protecting our natural environment in the ACT.

Regarding the Office of the Commissioner for Sustainability and the Environment, the office is always somewhat confusing from a budgetary perspective. The office's main function is to prepare the state of the environment report once every four years, yet funding envelopes are on a different time frame. That is why the committee recommended that funding be in a single four-year grant to avoid variances each year.

Again, questions were asked about some of the meaningless accountability indicators, including the 100 per cent completion rate of complaint investigations for years when no complaints were received or investigated. That is why the committee has recommended that this accountability indicator not be recorded as 100 per cent success when no work has actually been done.

There was a great deal of discussion about the *Heroic and the dammed* report on water abstraction charges. The government did not accept the commissioner's recommendation that the water abstraction charge be directed to catchment management. The committee recommended that moneys raised by the water abstraction charge be hypothecated to preserving drinking water and waterways, rather than just collected in consolidated revenue. That is no doubt what the community rightly expects that money is for.

The commissioner and the committee examined the value of opening up catchment areas and other forest areas for vehicles. This recognises the fine line balance between people getting benefit out of all the ACT has to offer, keeping the fire trails open, and preventing people spoiling the natural environment by bad driving and car dumping.

Regarding the minister for the environment's time before the committee, feral horses seem to be a preoccupation of many, even though almost none have been sighted in the ACT. Apparently one single lone stallion has been seen occasionally in recent years. Instead, ongoing cooperation between the ACT and New South Wales over appropriate surveillance should put concerns into abeyance. In fact, the committee discovered that it is debatable that pigs and deer are more likely intruders, and their numbers and impact could be more damaging.

The government's plan to replant Ingledene forest with 500,000 trees at a cost of approximately \$3.40 per tree is a positive and well-targeted initiative. The new forest will be able to be accessed and used for a number of outdoor recreational activities, from horseriding to dirt bikes, as well as allowing forestry.

The ongoing debate about kangaroo populations in the ACT is a regular talking point, whether from a motorist's perspective, a farmer's perspective or the perspective of those who believe that the kangaroo is under threat of extinction and we should be able to co-exist. Anyone who has had the misfortune to hit a kangaroo will appreciate that it is not in the kangaroo's best interests to roam freely on highways. However, the claims about the need for ongoing fertility trials are dubious, and to suggest that the Gold Creek golf course is an appropriate enclosed space to trial contraceptive drugs would be challenged by nearby residents who too often have kangaroos in their gardens and on nearby streets.

Regarding climate change and sustainability, given the previous history of pink batts and solar panels catching fire elsewhere, we need to be vigilant, as the ACT has a high adoption rate for solar energy. In questions about this sustainability measure, Minister Rattenbury was confident that appropriate licensing arrangements were in place for sellers of solar panels. Minister Rattenbury advised that consultations are ongoing about improvements to the energy efficiency improvement scheme.

I note the minister's enthusiasm for people to become all-electric households and to move away from gas, but there must be a cost consideration in pushing hard on one form of energy only, if this leads to cost increases and price gouging. The stories of people freezing to death because they cannot afford to heat their homes do not belong in a modern and caring society.

Ms Lee's office has had a recent constituent complain that the most efficient hot-water systems on the market are not eligible for ActewAGL's rebate. This does not inspire a positive image among concerned potential consumers.

Support and education for households to adopt more energy efficient systems, be they hot-water systems or reverse-cycle air conditioning, is a positive contribution from government, along with a more appropriate design for our hot summer and cold winter climate.

On the question of an all-electric ACT government fleet within three years, Ms Lawder remains somewhat sceptical that the time frame is possible. Recharging time frames are improving but we would be interested to see what evidence there is to suggest that it will be sufficiently fast to not impact on service delivery.

I am pleased that during estimates the minister confirmed that the ACT is not, in the foreseeable future, ready to abandon diesel and petrol cars from ACT roads. The minister advised that the 2025 emissions target action plan No 3 report would be published soon. He also acknowledged that there would be a cost to driving a 65 per cent reduction in emissions by 2030.

The suggestions by officials that cost savings will come about through increased active travel leading to less health expenditure and less chronic disease are tenuous. We can indeed do things better: we can have better buildings, use energy more efficiently, plant more trees and reduce waste. All these things the average family can and should be encouraged to do.

The committee heard little discussion on waste, but Ms Lawder's colleagues from Brindabella know that the smell from the Mugga Lane facility is a talking point at any mobile office. Ms Lawder believes we need to think about how we will manage our waste as the ACT grows. We acknowledge that FOGO has a significant cost associated with it, and there is much controversy about waste to energy through incineration. But this is a debate that must be had if we are to responsibly manage our waste into the next half century. There are active contractors undertaking composting and recycling; that is encouraging and to be encouraged.

As the ACT looks to deal with the challenges that waste management offers, it is crucial that Canberrans understand what is taking place and how it affects them. How the ACT government will address future options for waste management, given the rapid population growth in the ACT and the limited scope for expansion of the Mugga Lane facility, is an important environmental concern for this government and for all Canberrans.

Relating to heritage, our heritage is our city's character. All the greatest cities in the world are defined by their heritage character, so I would like to start by acknowledging some of the good work being done by the EPSDD in heritage.

In particular, I refer to Lanyon valley homestead. The upgrades to Lanyon valley homestead are something to be welcomed. The installation of water infrastructure at the homestead will, firstly, ensure that the gardens on site will remain beautiful, which will help preserve the historic character and landscape of the homestead. Secondly, the new infrastructure means that the fire protection system will be adequately pressurised, protecting the homestead in an emergency. Finally, a supply of clean water will make this historic property more accessible and amenable to visitors and safer and more hygienic for staff, volunteers and tenants.

The construction upgrades at the homestead will combat structural deterioration issues which cannot be fixed by routine management, such as rising damp, drainage, and timber and masonry conservation. The installation of new security infrastructure will ensure that this important site will be protected day and night and will reinforce public safety during events. The development of the Ngunnawal trail near the homestead will improve accessibility to the homestead and is forecast for completion by the end of the year. This is good work and a good investment.

On the revitalisation of heritage buildings, the work being done for Albert Hall and the Civic merry-go-round are also welcomed. Each of these projects is an investment in an important and iconic landmark in our city, and I look forward to seeing their completion over the next 12 months. I also note an investment into Manuka Pool. *(Second speaking period taken.)* That should make it a more accessible and enjoyable heritage amenity for the public.

Unfortunately, there are some other areas where things are not going so well in heritage, for example the felled scarred trees. Two heritage-listed scarred trees were felled in Wanniasa. One of those trees ended up in the mulcher. These trees, which were inadvertently or accidentally cut down, were the subject of two investigations.



The earliest of those investigations was concluded in November 2017 and the other in December 2018. As of estimates 2019, the minister was still looking at a toolkit for how to avoid this happening again as we move forward. This is not good enough.

I note that the minister has told the *Canberra Times* that he intends to introduce tougher penalties for breaking heritage protection laws and make it easier for the government to enforce those laws. This is a direct result of a recommendation from the estimates committee, recommendation 132:

The Committee recommends that the ACT Government expedite efforts to remove any judicial, legislative, or other loopholes to the enforcement of offenses arising from damage caused to heritage protected places, items, or objects.

To quote the minister, these new laws will:

... cut red tape and give the Heritage Council more flexibility in dealing with problems, allowing quicker, more appropriate outcomes.

I am glad the minister has come to the party on this matter. But his legislation has not yet been drafted. At the moment, this is nothing more than hot air, and words are wind, Madam Speaker. Apparently, the minister intends to give a statement on these matters to the Assembly. I look forward to it.

On heritage processing times, let us talk about the elephant in the room: the backlog of nominations of places or things nominated to be listed on the heritage register. For years, the Select Committee on Estimates has recommended that the minister implement an accountability indicator, with a target of nominations processed. The committee made the recommendation again this year. The government have again disagreed with this recommendation. They say:

... it does not accord with the criteria for effective, accurate and appropriate accountability indicators.

They say it is “at the discretion of the independent Heritage Council and is also subject to resource diversion based on the number of appeals”. They cite the Heritage Act 2004 and note that the act does not provide statutory time frames between nomination and a provisional registration decision.

Be that as it may, this is a hands-off, head-in-the-sand approach. Resourcing falls directly within the purview of government. Indeed, the government quite recently provided additional resourcing in the heritage space, which will be focused on development applications. The ACT does not provide a statutory time frame; this is true. But when has that ever precluded anyone from setting standards on processing or response times. You do not need statutory time frames to have standards. Moreover, if this government had the political will, it would be completely within their scope to amend the act.

I disagree with the government’s assessment on the appropriateness of the accountability indicator, as does the estimates committee. That is a debate we will no

doubt continue. But why do we care, Madam Speaker? According to question on notice E19-508, there are 88 nominations waiting for provisional registration. Forty-two of those were made in the year 1999 or before. That is 47 per cent of nominations. Almost half of all nominations have waited 20-plus years to be assessed. They were nominated in the last century. If they did not qualify for heritage listing then, they probably will now.

It is disappointing, Madam Speaker. Heritage is so important, and the directorate has shown that they do great things for Canberra's heritage. But consistent mismanagement by this government, with under-resourcing, delays and intentional ignorance, is holding us back. With proper ministerial management, ACT heritage would be empowered to do even more. That management will not be found under this government.

**MS LE COUTEUR** (Murrumbidgee) (3.05): I am going to be talking about the planning and land development parts of this rather large directorate. The first thing I am going to talk about is the climate emergency. The ACT Assembly has declared a climate emergency. That declaration is basically saying that this needs to be factored into our planning system. If it is truly an emergency, it needs to go up to the top of the considerations for our planning system. We need to make sure that how our long-lived assets, both public and private, are built, planned and changed make this a consideration. The regulation for this needs to be changed to recognise and build for the climate emergency.

The reality is that buildings that are built today, buildings that are approved today, are going to operate in a very different future climate. It will be hotter; it will have more extremes; there may well be more floods; the winds will probably be stronger. It is going to be a more extreme climate and it is not going to be a positive development.

As well, in our current evaluation of the ACT's greenhouse gas emissions, we basically just look at the emissions that occur in this territory, which are the operational emissions. When we look at long-lived infrastructure buildings, roads, trams or whatever, we need to start also looking at life cycle emissions. I think that concrete used to be only two per cent of global emissions, but now, if you look at it all together, more like seven or eight per cent of global emissions come from concrete around the world. It is big enough to be a medium-sized country all by itself from a greenhouse gas emissions point of view. These are the sorts of things that we have some responsibility for. There is a large concrete building being constructed outside my window as I speak.

I hope EPSDD will accelerate climate-related work over the next year. Let me give a few examples of the work they are doing. One is the EER review. This is a parliamentary agreement item. It has been started but, unfortunately, has not yet been finished and delivered. Another is making room for trees in residential development. This is a project that EPSDD has been looking at but has not yet finalised. Apartment design guidelines are in the same boat. With phasing out natural gas in some new estates, there has been a change for one of the new suburbs of Ginninderry, but this needs to be something for all of Canberra, not just a small part of Canberra.

Earlier we have talked a bit about the light rail stage 2 corridor and the urban renewal there. I welcome the money for planning along this route. The process will be controversial; thus, it is really important to do a very good job of consultation, planning and listening before it is actually constructed. Clearly there were some issues with that in light rail stage 1; we need to do better in light rail stage 2. We need to do enough planning in advance that local communities have some idea what is likely to happen around them and potential developers know where development opportunities will probably occur.

The budget includes \$1.9 million for the Ginninderry environmental management trust. While I am in favour of environmental management and looking after the river corridor there, it is a real shame that the ACT is having to set this up. We should be having a cross-border national park; that is much better than a trust. Unfortunately, the New South Wales government does not agree. I think that in the long run the solution is moving the New South Wales and ACT border. Moving that border was a parliamentary agreement item, but the issue is that the New South Wales government is not willing.

Once this happens, if it happens, there can be an ACT national park in that area. There will be many ongoing benefits for the people who end up living there. We have discussed that at some length. I would urge the ACT government to keep on talking to the New South Wales government about this; the current situation is going to be a very poor solution for the people who will be living in the New South Wales part of what will basically be the ACT.

Looking at the western edge study, \$1.1 million of the budget initiative, due diligence to deliver a strong housing pipeline, is for the western edge study, which is going to look at possible development between the existing bits of Canberra and the Murrumbidgee River. The other way of describing this is the area covered by the former LDA's dodgy land purchases. The western edge study, as the Greens have said a lot of times, should have been done before the LDA went out and bought these pieces of land. It is particularly important because this area has some very strong environmental values. It would seem very unlikely that the Greens could support development of quite a bit of this area. A question that we need ask ourselves is: is developing this area in the western edge study consistent with our climate emergency declaration? And do we really think that Canberra should be growing all the way to the Cotter?

While I am not standing here to advocate development on the Kowen plateau, it would appear that the Kowen plateau is less environmentally significant. Is the major reason we are doing it in this area just that the LDA bought it, so we had better do something with it? Or is there is some other reason? Another possible reason may be that the infrastructure costs would appear to be less in this area than the Kowen plateau, but I do not think we have had a real look at the environmental issues of doing this.

On a more positive note, I welcome the extra funding for development assessments. In estimates we discussed the problem of developers who may be using multiple

DA amendments to avoid proper assessment of everything, who get something passed and then amend it so that it is not as environmentally or socially desirable as the original DA was. I am hopeful that if there are more DA staff at EPSDD, this sort of bad practice will be detected and controlled.

I have some comments on the affordable housing responsibilities of EPSDD and the SLA, but the Housing ACT session is going to be happening very soon and I will talk about all of these housing issues together.

**Mr Parton:** I look forward to it.

**MS LE COUTEUR:** Thank you, Mr Parton. In conclusion, there are some good planning and land development initiatives in the budget, but overwhelmingly my comment is that we need to do a lot more work to change our planning and change the direction of Canberra to recognise that there is a climate emergency. I say that to all of the Assembly. We voted to recognise that there is a climate emergency. The ACT Assembly has made some efforts to reduce the climate emergency, but we need to make a lot more if things are not to get considerably worse than they are.

**MR PARTON (Brindabella) (3.14):** Madam Deputy Speaker, the Environment, Planning and Sustainable Development Directorate is responsible for the very form and fabric of our great territory. The output areas of EPSDD, for which I have shadow responsibility, have a total cost of almost \$68 million in 2019-20, with the appropriation tipping in a little under \$61 million in 2019-20.

The directorate has a staffing target of 685 FTE in 2019-20, which is up somewhat from the 629 outcome for 2017-18. This staffing level covers all the directorate's outputs, not just the planning, urban renewal, and public housing renewal taskforce outputs.

The directorate staff involved in planning have the task of managing the Territory Plan and also delivering this government's planning objectives. This is no menial endeavour in a jurisdiction where strategic planning performed by state governments and the functions otherwise performed by local councils all fall within the same organisation.

While the directorate can exploit the efficiencies from vertical integration, the functional structure does involve a significant customer interface, namely the Canberra community. Setting aside areas of National Capital Authority responsibility, nothing can be built in Canberra without planning and development approvals processed and issued by this directorate.

Those approvals must conform with the mass of codes and zoning rules oversights by this directorate. It has a pivotal role in developing not only the land release targets but also what the land can be used for. So its responsibilities touch on and affect the lives of most of us in one form or another. They will shape our future, our aspirations for a family home and our day-to-day lifestyles.

At one end of the spectrum, these responsibilities include ensuring that new structures do not encroach onto a neighbour's property and that property boundaries can be quickly validated for people requesting that information. At the other end, these responsibilities include making sure that developments in suburban areas are sympathetic to the character of that suburb and also that the views of the local community have been properly heard.

With such enormous responsibilities the community and, I am sure, both sides of this chamber have high expectations regarding the way this government provides resources to enable EPSDD to effectively serve our community.

Whether the entirety of the territory's community agrees it or not, the directorate will have a major role in delivering the so-called compact city and other major developments such as the city plan, East Lake and the Molonglo River Reserve, and many others. But the government's agenda for these headline projects often presents a smokescreen to obscure the things that frustrate and, I dare say, infuriate the average Canberran.

Local communities become embittered over consultation failures. Where there is consultation, this is sometimes perceived as an arrogant act of steamrolling over the views of local communities. The use of obscure technical amendments to make planning changes by stealth only serves to irritate the community and to further foster cynicism rather than foster confidence.

The building industry also suffers from the way that this government determines the directorate's priorities. Development applications languish in administrative black holes with 72 working days taken, on average, in 2018-19 to process a DA. We are promised 45 working days in 2019-20, or nine working weeks. In the meantime, mums and dads have borrowed to add a dwelling for their kids or major developers have borrowed millions and are currently paying interest while their DAs sit on the shelf. Time and time again when you talk about this you fully understand that there is no understanding from the government on the commercial realities of building something, whether it be big or small, in this jurisdiction. This budget brings good news with processing times forecast to shrink from 14 weeks to nine weeks, but we wait to see if that can be delivered.

Building quality, of course, is another area which is well and truly in the headlines. It easily slips under the radar, but not so easily after shows like the *Four Corners* program. Thankfully, resources have been added in a sufficient quantum to complete 15 reforms in 2018-19 and a further 15 in 2019-20. These outcomes will be greatly welcomed by industry and the community alike.

Only time will tell if the budget in the planning area creates genuine improvement in the things that worry and frustrate the community, or whether yet again we will see this out-of-touch government continue its contempt for Canberrans in the planning management area. Thank you.

**MR STEEL** (Murrumbidgee—Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Transport and City Services) (3.19): The ACT government continues to plan for more community facilities through the budget.

We are releasing in the land release program 294,000 square metres of community use land, including 146,000 square metres for community facilities, and we are doing the necessary planning for new facilities as well. In the 2019-20 budget we have made an initial investment of \$1.75 million to prepare feasibility and design documentation for a new community centre in the Woden Town Centre.

The Woden Community Centre will meet the growing needs of both not for profit and government service providers and provide a new home for Woden Community Service. It will serve as a central location for the surrounding region to access a range of integrated services and spaces for events, meetings, learning, and the arts.

The full scope of the design and service offerings will be informed by engagement with Woden Community Service and the broader Woden community. I look forward to seeing how these conversations take shape over the next 12 months. Needs analysis, concept design and detailed design begin this year and key stakeholders will be involved in the detailed design process.

The project will be ready for construction in 2021. As both the Minister for Community Services and Facilities and a local member for Murrumbidgee, it is exciting for me to see the next stage of this project take shape. I am looking forward to the procurement for the feasibility and design occurring soon.

Building a dedicated Woden community centre is just one example of the ongoing work that our government is doing to ensure that Canberrans from all walks of life can access spaces to come together, learn, connect, and give back to the community.

**MS CHEYNE** (Ginninderra) (3.21): Madam Deputy Speaker, as you know, the natural beauty of Canberra is astonishing, and, as the bush capital, we are the envy of Australia for our striking environment, an environment that has been maintained and improved while accommodating a growing urban landscape. With this budget the government continues a legacy of sustainable urban growth and the protection of our natural landscape, ensuring that Canberra continues to be a shining example of a capital city.

This budget paves the way for our territory's development and sustainability for decades to come. Our goals include reducing natural gas usage, mitigating the urban heat island effect, striving towards increasingly sustainable public transportation, protecting our waterways and strategically planning for an increasing population.

The government's climate change strategy and our living infrastructure plan are integral to the protection of our natural environment and to the sustainable growth of our city. This budget commits \$12 million over the next four years to these initiatives so that we can get on with the crucial task of making our city more resilient to the detrimental impacts of climate change and to meet our emission reduction targets.

Being on track to achieve the incredible result of transitioning the ACT to be completely powered by renewable sources of energy by 2020, a focus of this budget is our continued push towards the ambitious target of achieving zero net emissions by 2045. By 2020 we plan to have achieved a 40 per cent reduction in emissions in comparison to our 1990 levels. By 2025 we are striving to reduce this by an additional 10 to 20 per cent.

Unlike the federal coalition government, which drags its heels in the face of the climate crisis, the ACT government has fought to make Canberra a trailblazer in sustainability and environmental protection. Our economy must adapt to combat climate change and achieve a cleaner future, and this budget recognises this need.

In addition to reducing emissions, the climate change strategy and living infrastructure plan also outline how this government will take action to protect and improve our environment to 2025. One measure is the bolstering of Canberra's tree canopy. Madam Deputy Speaker, while technically it has been covered in an earlier part of the budget, it is worth emphasising again that over the next four years more than 17,000 trees will be planted across Canberra, including, of course, in our electorate of Ginninderra.

A green landscape is worth so much more than its aesthetic value. It is essential to lessening the heat island effect in Canberra's urban areas. A beautiful and thriving natural landscape is key to making sure that Canberra's urban areas are kept cool. A lot of Canberra's charm and beauty comes from our lovely green streets and the way our natural and urban landscapes can blend. We are lucky to live in a lush and livable city.

Transport is also an essential consideration when it comes to sustainability in growing cities like ours. The government has consistently proven itself committed to connecting our community with public transportation that is reliable, comfortable and low in emissions. The integration of 84 new fuel-efficient buses under this budget is central to our continued push for a well-connected and environmentally focused Canberra.

As I have already stated, we are incredibly lucky to live in a city filled with and surrounded by nature. We are dotted with green space and nature reserves. National parkland is on our doorstep. This includes the lower Cotter catchment, which is responsible for most of Canberra's water supply. Unfortunately, our national parkland and our water supply are under threat, due to the inaction of our neighbouring state. Despite the advice of environmental experts and organisations, the New South Wales government stands by its legislation that prevents feral horses in the Kosciuszko National Park from being culled.

I have spoken before about the environmental devastation that feral horses leave in their wake. To this day they pose a significant threat to the Namadgi National Park and, consequently, to 80 per cent of Canberra's drinking water and, of course, to our very sacred and sensitive rare species.

Despite the jurisdictional barriers that this government faces when it comes to preserving the ACT's environment, we are not giving up the fight to protect our waterways. We are just one piece of an extensive puzzle: the Murray-Darling Basin. The national capital is the largest population centre in this basin. We are wholly situated in the Murrumbidgee River catchment, which feeds into the Murray-Darling Basin.

The intergovernmental agreement on implementing water reform in the Murray-Darling Basin is an initiative between the federal government and Murray-Darling Basin state and territory governments to implement water reforms that improve the basin's health, now and in the future. As part of this initiative the federal government commits to providing financial support to these states and territories, including the ACT, through the national partnership agreement on implementing water reform in the Murray-Darling Basin. It is a bit of a mouthful but it is important.

Under the agreement the ACT is carrying out a number of important reforms, such as the development of an ACT water resources plan and water trading between the ACT and New South Wales. As outlined in this year's budget, this agreement is expected to provide \$327,000 each year in 2018-19 and 2019-20. And the water for the environment special account will provide \$20.7 million over three years to undertake efficiency measures. These are measures that will help to sustain the health of our waterways for years to come.

Madam Deputy Speaker, Canberra is the bush capital but it is also a growing capital. Our indicative land release program ensures that we continue to manage the supply of land in a smart and strategic way to cater for our increasing population. As you may know, we expect 32,000 more people to call Canberra home by 2023. Many of these new homes are being built in Ginninderra. You only need to travel down Drake-Brockman Drive towards Stockdill Drive to get a sense of west Belconnen's growth. The development of Ginninderry is well underway and it will eventually become Belconnen's newest suburbs, with new neighbourhoods and amenities alike.

One of these new suburbs in Ginninderry is Strathnairn. The 2019-20 indicative land release program has slated another 300 new residential dwellings for this suburb in the next financial year alone. As a member of the Ginninderry joint venture, the ACT government will contribute more than \$1.9 million to the Ginninderry Environmental Management Trust over the next four years. This trust funds the maintenance of a conservation corridor along the Murrumbidgee River and Ginninderra Creek.

As our city grows, it is important that the surrounding natural landscape continues to thrive. I am absolutely certain that the people of Belconnen and right across the city are looking forward to the day soon, we hope, when Ginninderra Falls reopens to the public.

The indicative land release program also sets a road map for revitalising existing sites in the Belconnen town centre. Many residents will be happy to see the redevelopment



of the old and quite dilapidated health centre on Benjamin Way. The block has been identified as a suitable site for the government's demonstration housing project. This initiative will see the development of different projects on blocks of land throughout the city to showcase innovative planning and design. It is all about increasing housing choices in the ACT. A request for tender process will determine who purchases and develops the old health centre site, with demolition of the old building expected to occur very soon. I look forward to keeping the community up to date on this innovative project.

With so much residential and commercial development underway across Canberra, it is important that we continue to make the planning process more efficient. Without wanting to pre-empt tomorrow's debate, this year's budget commits \$3.8 million over the next four years to fast track the processing of development applications, with more front-line staff to meet growing demand.

Protecting Canberra's heritage is crucial to preserving our city's distinct character, and another \$504,000 over the same period will fund more resources for the faster processing of heritage applications.

We continue to ensure that Canberra's growth does not impinge upon our beautiful natural environment. With this budget and its emissions reduction targets, land release strategy, waterway protections and public transport improvements, we are committed to protecting our natural landscape in a manner that also serves to benefit our urban environment. In doing so we continue to demonstrate that environmentalism and the facilitation of our city's development can go hand in hand. I commend this part of the budget to the Assembly.

**MS ORR** (Yerrabi) (3.31): I am proud to belong to a government that promotes the sustainable growth of our city while prioritising a sincere commitment to mitigate the impacts of climate change. Through this budget, the ACT government has demonstrated its continuous support for developing an integrated planning approach to deliver a compact and efficient city, all the while safeguarding the health of Canberra's natural environment.

The EPSDD is where two of my great loves intersect: the environment and sustainable urban planning. While the EPSDD vision is guided by the motivation of shaping Canberra's future, the 2019-20 budget continues to adhere to Canberra's unique identity as a liveable city that incorporates nature and culture in our landscape.

The ACT government cares about preserving our identity by balancing the needs of the environment, our heritage and our culture, as well as building resilience against climate change. This government works hard to ensure that we not only support but also complement the vital work undertaken by environmental groups. One of the many examples of this is the ACT government's commitment in the 2019-20 budget to work with the Woodlands and Wetlands Trust to deliver the Mulligans Flat sanctuary.

Investment in Mulligans Flat is particularly beneficial to the constituents of Yerrabi, who have welcomed the ACT government's \$3.2 million commitment to build a

visitors and learning centre in Throsby. This will see the growth of more jobs in the area, which is fundamental considering the expansion of the Yerrabi electorate. This new state-of-the-art centre will showcase the innovation, conservation and restoration work in the city and will provide a hub for ecotourism, research, community engagement and education opportunities. It will also raise awareness about some of the endangered Australian species that the Woodlands and Wetlands Trust aims to protect.

The 2019-20 budget continues to encourage local Canberrans to take part in various environmental initiatives under the ACT environmental grants program. I am proud of the level of passion and commitment that so many Canberrans have when it comes to looking after our local environment. I believe that these efforts deserve recognition. I was excited to see a significant increase in grant applications for various environmental initiatives.

I have seen firsthand the positive impact that supporting grassroots environmental efforts can have on the local community. In my own electorate of Yerrabi, the Giralang-Kaleen's Men's Shed was allocated \$2,500 in grants funding to build nesting boxes at Yerrabi pond. These nesting boxes will encourage the improvement of our valued ecosystem and commitment to conservation, while also improving the health and wellbeing of members.

This budget seeks to protect and enhance the quality of our natural environment by funding weed and pest control initiatives. I have had the pleasure of working alongside groups such as at the North Mitchell Grasslands. I am pleased to see such groups being supported in their efforts to maintain these valuable areas.

The ACT government is determined to lead the transition to a zero emissions future. We are on track to meet our 100 per cent renewable electricity target by 2020, which has been made possible through initiatives such as our climate change and living infrastructure plans. These plans develop tangible policies that will support our vision for renewable electricity and significantly reduce emissions.

To reach our target for meeting zero net emissions, the ACT government has introduced several key actions that will continue to be implemented. We have further consolidated our commitment to zero net emissions by continuing to administer and expand the scope of the energy efficiency improvement scheme. This scheme ensures that electricity retailers achieve energy savings in households and places a target on them to ensure that a portion of the savings generated are delivered to low-income households.

This budget highlights this government's continuous commitment to ensuring that environmentalism and good urban planning remain priorities as we undergo a period of significant growth. I am pleased to support the 2019-20 budget initiatives that will improve Canberra's environment and help us achieve a sustainable future.

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and

Recreation and Minister for Women) (3.35): I am happy to share with members today the priorities for the Suburban Land Agency for the coming financial year. In 2019-20 the Suburban Land Agency will deliver a total of 3,440 residential dwellings across the ACT. This target is derived from a modelled average of 3,000 new households each year for the next four years. Land releases will be from Gungahlin in the north to Tharwa in the south.

Approximately 163,500 square metres of commercial releases in Gungahlin will build on the government's investment in light rail, linking Gungahlin to the city. In addition to this, land releases in Belconnen and Phillip town centres will help to bring accommodation opportunities, shops and services. During 2019-20, almost 68,000 square metres of community site areas will be released in Gungahlin and the Molonglo Valley, while over 58,000 square metres of mixed-use sites will be released in Gungahlin, Molonglo Valley, Belconnen and Phillip. The land releases for this year also include 488 affordable housing dwellings, 60 public housing dwellings and 80 dwellings identified for community housing. These housing targets comprise at least 15 per cent of the indicative land release program, delivering on the actions outlined in the 2018 ACT housing strategy.

The Suburban Land Agency will continue to work with Housing ACT to ensure that public housing is included in new developments in locations that will best meet the needs of public housing tenants. This will ensure that public housing tenants are part of our thriving new communities. The agency will also be finalising a recent process which sought innovative creative proposals from the industry for the delivery of affordable and community housing, and will be exploring new ways to deliver a diverse range of affordable housing types, including for purchase and rent. The Suburban Land Agency will be supporting the Environment, Planning and Sustainable Development Directorate to deliver on other actions of the ACT housing strategy. Community housing will also continue to be an important part of providing housing choice in the ACT. The Suburban Land Agency will continue to work with other ACT agencies to understand and deliver on the needs of community housing providers so that we can grow the supply of affordable housing.

The government strives to deliver best practice sustainable development for the ACT, and that extends far beyond the commercial returns to government. The government is focusing on delivering new developments that align with our commitment to become a city of zero net emissions by 2045 at the latest. This means that we are focusing on initiatives that promote biodiversity and water-sensitive outcomes, such as supporting and encouraging new residents to landscape their front gardens. The agency will also showcase sustainable building design and climate adaptation.

We are exploring initiatives to support and encourage new residents to design climate-wise homes that generate renewable energy. This year the SLA will be working to demonstrate outcomes in the public realm that support climate adaptation in Australia through the development of a framework for tree canopy cover in future developments. The SLA will continue to implement water-sensitive urban design measures, actively manage cut and fill during civil constructions, and re-use materials when possible.

Sustainable development also needs to facilitate sustainable practices and lifestyles for those who are living there. The government will continue to focus on educating and supporting residents in new communities through initiatives such as energy efficiency workshops, tree-planting events and activities in partnership with Mulligans Flat Woodland Sanctuary. The SLA will continue to incorporate in its new developments integrated and active travel, to improve transport outcomes.

With a people-focused perspective, the year ahead will deliver a program of land development and land sales that contribute to community development and create strong neighbourhoods. The Suburban Land Agency provides the tools and means for the community to develop networks in their own backyard. One of the ways we are doing this is through the mingle program, which continues to deliver community development through a range of initiatives delivered in Moncrieff, Wright, Coombs, Throsby and Lawson, and soon to be launched in Taylor. Both the SLA and resident-led activities include partnerships, grants, mentoring and events.

Strong neighbourhoods have an ongoing positive effect and impact on the good health and wellbeing of the community. The Suburban Land Agency is working to build inclusive communities over the next 12 months. The government is investing in Canberra's people, environment and neighbourhoods to make sure that our communities keep getting better in the years to come, while remaining focused on creating diverse communities by delivering on housing targets for affordable public and community housing.

The Suburban Land Agency will also collaborate and cooperate with other government directorates, as well as the community, to work on key government development priorities. Strong partnerships will support whole-of-government strategies and have a positive effect on the SLA's day-to-day outcomes.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.40): I am pleased to speak briefly on the section that I am responsible for in this portfolio as the Minister for Climate Change and Sustainability.

There is a great deal within that portfolio. In her remarks Mrs Jones touched on some of those areas. The ACT government remains on target to help the territory meet our goal—Ms Cheyne touched on this—of reaching a 40 per cent reduction in our greenhouse gas emissions by 2020. This is predominantly being delivered by the 100 per cent renewable electricity target, which we also anticipate meeting on time in the coming months.

There are further legislative targets ahead of us. Members of the chamber will recall that from the debate. By 2025, our next target date, we need to have our emissions 50 to 60 per cent below 1990 levels. That is the ambition we have set ourselves; it will be a challenging target to meet, but it is a target that we know is consistent with scientific advice. It was recommended to us by the ACT Climate Change Council and we believe it is the right target.

In the near future the government will be ready to release our climate action plan through to 2025, designed to meet that target. The climate plan will also include a living infrastructure strategy. Again, it has been touched on in debate today that the infrastructure is a really important part not so much of mitigation but of adaptation as this city gets hotter and drier, which is what all the scenarios indicate will happen. A living infrastructure is a really important part of trying to keep cool, of making the city livable, comfortable and a visually pleasing place to be. That work will be released shortly.

This budget includes a commitment of \$12 million for continuing development of our climate change response. We will be finalising the climate strategy, as I said, and that will require further budget agreements, but the work funded out of this year's budget will enable the current programs to continue. There is a range of programs in the policy work being done—and of course the ACT is recognised as a policy leader—through to programs like Actsmart and our zero emission community grants, which set of grants I particularly welcome. It is an important set because it provides small grants for people to come forward with ideas. With this grants program we want to unleash the community enthusiasm that is out there to make a contribution. People have some great ideas on how to engage the community and we have provided this set of grants to particularly facilitate people to bring forward those ideas, amplifying government efforts but particularly to get the community involved.

Until now, the significant emissions reductions that the ACT has achieved have largely come through government action, the government purchasing our electricity supply from renewable sources. The community has been very supportive of that, but it has not required significant behavioural change. Whilst there have been energy efficiency programs and the like, most people have just carried on doing what they were doing. To achieve our emission reductions in the future it will require effort on the part of the community: individuals, corporations, community organisations and the like.

We need to think very carefully how we work with the community to make those significant changes that we will need to make. We know that post-2020 transport emissions will account for at least 60 per cent of the ACT's greenhouse gas emissions. Gas emissions will account for at least 20 per cent—probably around 22 or 23 per cent—of the ACT's emissions. I noted the comments in the earlier debate about the gas transition. What I can tell members is that natural gas is commonly used in the ACT, predominantly for space heating but also for cooking and some industrial applications.

That natural gas is, of course, a fossil fuel, so it remains part of our greenhouse gas emissions profile and we need to remove that from our emissions profile over time. It has been interesting to observe in the data that a large number of Canberrans have already started to make the move away from natural gas usage. They are doing this in many cases for economic reasons. Historically—there have been many education campaigns about this—natural gas was promoted as the cleaner and cheaper alternative. Of course, it was a cleaner alternative when most of our power came from coal-fired power. But as we go to having 100 per cent renewable electricity, clearly electricity becomes a cleaner option than gas.

In terms of price, we have seen a significant increase in gas prices in recent years, as a result of the eastern seaboard of Australia essentially being in an export market and our price now being pegged by international rather than domestic factors. As modern electric heating appliances like reverse cycle air conditioners and the like are far more efficient than older devices, it can be economical for a household to make the transition and they do so of their own accord. One of the key savings is not having to pay a gas connection fee every year. Immediately that means several hundred dollars of savings, let alone the other parts of it. It is still the case that it is a matter for each household to assess, but I expect that equation to continue to change over time.

A focus of the government's energy efficiency and improvement scheme is to overcome one of the barriers for people by helping with the initial upfront capital cost of the transition. The government will continue to make the case to the community as to why the equation between gas and electricity has changed; why electricity can now be much more beneficial from both an environmental and an economic point of view. I expect to see an acceleration in the uptake of all electric options.

The setup at Ginninderry has been illustrative of what is possible. That has been led by the developers of Ginninderry, who have done the equation for their future residents and ascertained what is best for not only the environment but also the residents. They are leading the charge in that space.

This is a policy discussion that we will need to continue to have with the community. There is a significant education piece there, because for so long we have been told a different story. But with changing times and the changing challenges ahead of us we need to think about different policy responses.

I am pleased to talk about the energy efficiency improvement scheme for which there is funding in this budget. Minister Berry in her remarks talked about the additional funding for the changeover of devices and the provision of new devices for households in public housing so that they can have both a more comfortable life and a more cost-effective life in their residences. The energy efficiency improvement scheme is part of that. As I flagged when I introduced the legislation last week to continue that scheme for another 10 years, public housing and low-income households are a really important part of that scheme. We need to address not only environmental issues but also issues of energy poverty. The scheme has been extremely effective in beginning that task and it is a task that we must continue to focus on.

There are many other areas that I could talk about in this portfolio space, and I would be happy to do that at some length, but, subject to members raising additional items, the last thing I will touch on is a matter of energy policy. The ACT continues to be very clear in its thinking about energy policy and in consulting with the community. I was very pleased that the new climate strategy which we will release shortly has had significant community engagement. I will talk more about that when we launch the strategy, but I am very grateful to the many people who participated in that, to varying degrees, some in great depth, some were simply providing some ideas or raising concerns they had. But it was a very significant engagement and I am pleased that people see it as such an important discussion area. Our energy policy in the ACT will continue to be shaped by that community input.

At a national level we have a very different discussion and one of the areas I want to particularly touch on today is the failure of the federal government to convene a meeting of the COAG Energy Council. I am deeply concerned by this. We have seen clear signals from the chair of the Energy Security Board, Kerry Schott, that we do need to get together and have COAG Energy Council meetings. There are rule changes that need to be made, and that can only be done through the COAG Energy Council, which requires all of the states and territories and the commonwealth to work together.

At this stage the commonwealth has not indicated a date for a COAG Energy Council meeting, and it is clear that we need one. There is much work to be done in the national energy space. I am not going to get into a whole discussion about my significant concerns about the commonwealth's failure to have its own energy policy. That aside, the COAG Energy Council has work to do. We must get together and do that work. I urge my colleagues across the chamber to use whatever influence they have to indicate to Angus Taylor, the federal energy minister, that it is well and truly time to convene a COAG Energy Council meeting so that the states and territories and the commonwealth can get on with the work that needs to be done.

With that set of remarks, I am pleased to support this part of the budget, both in my role as a minister and also on behalf of the ACT Greens.

**MS STEPHEN-SMITH** (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Health, Minister for Urban Renewal) (3.51): The ACT government is committed to making Canberra a compact, sustainable, efficient and vibrant city. If we are to become a more compact and efficient city and to deliver 70 per cent of all new housing within our existing urban footprint, as outlined in the 2018 planning strategy, then urban renewal done well is critical.

Urban renewal includes the identification of key precincts and individual projects, prioritisation of projects based on community need, undertaking feasibility studies and due diligence, and project delivery, including demolition and minor works. This work seeks to integrate urban renewal opportunities across government around defined urban renewal precincts, including within town and group centres and within pockets of established suburbs such as local centres.

Priority projects and activities that will be undertaken to support urban renewal in the territory in 2019-20, as reflected in the budget, include work to advance the Kingston arts precinct, including intensive community consultation. The Kingston arts precinct will be a landmark urban renewal project for Canberra for decades to come, and the ACT government is committed to ensuring that it meets the needs of local arts organisations and the expectations of residents, while being future fit and an enduring hub for creativity and design in Canberra.

The budget allocates \$608,000 over two years to continue preparations for the delivery of future housing supply in the East Lake urban renewal precinct near

Kingston foreshore and Jerrabomberra wetlands. It also includes additional funding to support the indicative land release program, including undertaking necessary due diligence activities on urban renewal sites.

Within Housing ACT, the budget supports the delivery of a second Common Ground within an integrated urban renewal of section 72 Dickson. This is an important investment in intensive support for people who are experiencing or at risk of homelessness and in providing affordable rental housing for low income Canberrans.

As local members for Kurrajong will be well aware, there has been further conversation about the future of Dickson section 72 over the past couple of years, led by the urban renewal team in EPSDD. In February I wrote to the North Canberra Community Council stating that I consider the next stage of engagement should build on what the community has already told us with near universal agreement, including that section 72 Dickson should contain a mix of uses, including new community facilities, in an integrated precinct that better connects and builds on existing uses and services; be a safe environment, inviting and permeable, with appropriate lighting, passive surveillance and improved connections, especially for pedestrians and cyclists; feature attractive and usable green space, with existing trees retained to the greatest extent possible, increased overall tree canopy and places for children and families; and ensure that development consists primarily, though not necessarily exclusively, of low to medium-rise buildings up to three to four storeys.

I have said that I am open to establishing a community reference group as part of the next stage of engagement but I note that this is on hold while the current holders of block 22 consider whether to surrender this block to the ACT government, as previously expected. In the meantime a community needs assessment has been completed and released, and work is separately progressing on the very important Common Ground project.

The urban renewal team is also managing the demolition of the asbestos-contaminated former Woden High School-CIT site. In the first instance the 5.6 hectare community facility zoned land will be reserved for future community needs as we consider the needs of our changing community and the rapidly developing Woden town centre.

The ACT government will always put the safety of Canberrans first, which is why the demolition of the former CIT site needs to proceed. Any rectification work on the existing buildings would be expensive. This is one reason why the consultants, Donald Cant Watts Corke, who undertook a preliminary business case for the repurposing of CIT Woden campus in 2018, "having considered the individual building reports, as well as the estimated construction cost for the four options of do nothing, repurpose to minimum standard, repurpose to proposed use, or to demolish" recommended that the government demolish the campus and prepare the site for resale. The report found that if the buildings were considered an important territory asset and were to be retained for future use then repurposing of the buildings to market expectations would have an estimated cost of \$15.3 million, with an annual maintenance in the order of \$728,000. In relation to the proposal to repurpose the buildings for crisis accommodation, DCWC considered:



... these buildings will require significant further expenditure to make crisis accommodation work within that space and risk of use will remain high.

They went to say:

Furthermore, asbestos related contamination remains a real possibility on this project and will require further expenditure to manage this issue.

While Ms Le Couteur in the debate on the CMTEDD part of the budget chose to quote selectively from the report to give the impression that it would easily have been made safe for an alternative short-term use it is clear that the demolition of the remaining buildings on the site delivers the best outcome in terms of cost to the territory and addressing asbestos risks.

The urban renewal team knows something about the risks of asbestos, as the asbestos response task force sits within this area of EPSDD. The task force has made significant progress to realise the ACT government's goal of eradicating loose-fill asbestos insulation from Canberra's suburbs. The focus in 2018-19 has been on continued support for owners of remaining affected properties as they consider their options both within the scheme and privately; progressing the remaining properties, including complex properties, through demolition; and delivery of an effective sales program.

As at 30 June 2019, 966 properties—952 affected and 14 impacted—have been purchased under the scheme, at a total cost of \$692.5 million. Nine hundred and seventy nine properties—973 affected and six impacted—had been demolished through the scheme or privately. Nine hundred and sixty-six properties had been removed from the affected residential premises register, and 852 blocks had been sold for a total value of \$560.1 million; and 1,098 relocation assistance grants had been paid, to the value of \$12.3 million.

The ACT has developed some of the most experienced and expert public servants, tradespeople and assessors when it comes to understanding and dealing with asbestos. We know that decades after the extensive use of asbestos in the building industry ceased there is still much to be done to manage the risks and maintain public awareness. We will continue to support the thousands of Canberrans affected by the Mr Fluffy tragedy, including home owners, their families, and the wider community, and the asbestos response task force will continue to work with the community throughout 2019-20 to achieve the end goal of a community free of Mr Fluffy.

I commend the urban renewal expenditure in the budget and the bill as a whole to the Assembly.

**MR GENTLEMAN** (Brindabella—Manager of Government Business, Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.58): Thank you for the opportunity to outline the budget allocation for my planning, land management, environment and heritage portfolios over the next four years. This investment will help deliver a

compact and efficient city that balances the needs of the environment, our heritage and our culture. This budget will also allow us to increase our efficiencies, while still meeting our obligations to all Canberrans.

The government is committed to a more compact and efficient city that reduces the impact on our environment and climate. To reach this goal we will review the ACT planning system, including the Territory Plan, to align with best practice and the 2018 planning strategy. As part of this, \$350,000 has been allocated to start development of planning and design directions for the city to Woden light rail corridor. Through transparent planning decisions and even better engagement we aim to build the trust and confidence of the entire community.

The national capital design review panel will help us improve building designs. We will provide \$3.7 million to speed up the development approval process, cutting red tape. A new model for the assessment and determination of development applications will greatly improve processing times.

A city built around the principles of people-centred planning also needs to be in harmony with its natural environment to make sure that Canberrans can enjoy nature. The Ingledene forest project is just one example of how we are achieving this. We have allocated \$1.7 million to transform the forest into an outdoor recreation hub with half-a-million pine trees and thousands of native yellow box, red gum and apple box trees.

Before I conclude I draw on the remarks that the chair of the estimates report made when presenting the committee's report. The chair's remarks once again showed that the Canberra Liberals will not stand up to the commonwealth government. They will not advocate for the rights of Canberrans or the interests of the city. In my own portfolio we have had to fund grants to catchment groups because of the cuts made by the federal Liberal government. This has had an impact on our bush capital and forced the ACT government to step up. It is both right and reasonable that the budget demonstrate the adverse impacts that the federal government is having on our city.

Canberrans want a vibrant, inclusive city that works for all of us and protects our bush capital. To achieve this we need sustainable economic management. This is exactly what this Chief Minister has done. Our government has shown that you can have a strong economy, protect the environment and provide the services that Canberrans need and want. In contrast, the Canberra Liberals will not stand up for our city. They will favour their Liberal mates, while cutting services and threatening the bush capital.

In conclusion, I thank the hardworking staff within EPSDD. They do a great job to protect and enhance our bush capital. I am excited by the initiatives that the directorate will deliver over the next year to help us leave our wonderful city in great shape for future generations.

Proposed expenditure agreed to.

**Housing ACT—Part 1.11**

**MS LE COUTEUR** (Murrumbidgee) (4.02): Mr Assistant Speaker, I note your absence from this debate on housing right now; hopefully, you will be joining us shortly.

I intend to speak about the EPSDD and the CSD components at the same time. The key budget measures for housing include \$20 million per year over the forward estimates for new public housing stock, \$7.2 million for the justice housing initiatives and continued work on planning—I do not know about construction yet—of a new Common Ground facility in Dickson.

There are a number of other things which do not involve a lot of money but are nonetheless important, such as the energy efficiency improvement scheme, which will continue to be rolled out in public housing. Funding for supported accommodation for people with mental illness, otherwise known as the my home project, has been carried over from the last financial year into this year. I sincerely hope that there are no further delays on this really exciting project.

Also welcome is the introduction of a 25 per cent lease variation charge remission for registered community housing providers, commencing on 1 October 2019, to encourage the development of more affordable rental housing. The budgeted cost of this is \$200,000 for the first three years, but, curiously, there is a zero cost in 2022-23.

It is very welcome that the government is investing \$100 million over the next five years to build 200 new public housing dwellings, or 40 a year. However, to maintain our current proportion of social housing, we need to add about one new dwelling a day to our stock, so this is a long way off what is required. I acknowledge that that investment would be difficult for the ACT government alone. There has been a sustained failure across successive commonwealth governments for the past 25 years or so to adequately fund social housing construction, with the notable but brief exception of the one-off social housing component of the nation-building economic stimulus plan, which saw \$87 million spent on social housing in the ACT from 2009.

Also welcome is the \$7.2 million in capital funding for new justice housing. Again this is another program where operational funding stops, this time in 2021-22. I would imagine that if this program is successful, it should be expanded, or at the very least continued; so I do not really know what is going on. The indicative land release program for 2019-20 is made up of 3,440 dwelling sites. Of these, 48 are affordable for sale, 80 are for public housing and 60 are for community housing, which makes a total of 628 dwelling sites. The percentage of affordable for sale, public and community housing, therefore, is 18.3 per cent, which is commendable.

We learnt a few interesting titbits from budget estimates, in particular from questions taken on notice. We have learnt, for instance, that the government's revamped and easier to access bond loans scheme is being used by many more renters than previously, which is good. The new digital platform does not collect data on the gender of the applicants, even though the paper one, which is still in use, does.

Perhaps coincidentally, six days after asking a question on notice about the release date of the cohort study report on homelessness that the government received some months ago, it was released.

I would now like to turn my attention to two areas that I feel have not been given the attention they deserve in the budget. These are community housing and homelessness. Looking at community housing, there is nothing in the budget that supports a serious ramp-up of the community housing sector. Community housing providers can and do deliver housing for people across a wide range of need: those at risk of homelessness, traditional social housing for people on low or very low incomes, and so-called affordable housing, where rent is set as a percentage of market rent, and usually targeted at people who are in housing need but who would not be eligible for social housing.

Community housing providers are uniquely placed to access cheaper and longer term finance than is available from commercial lenders via the National Housing Finance and Investment Corporation. In addition their tenants can access commonwealth rent assistance, and this can be factored in to the rents that they are charged. The upshot is more rental income for community housing providers, at no extra cost to tenants.

Beyond measures that we know the government does not support, such as transferring management of public housing stock to community housing providers, there are several other ways of expanding the sector. One is to make better use of our land release program. The number of dwelling sites for community housing providers could be dramatically scaled up. With such scale, the government could include particular outcome requirements, such as housing for people with disability or housing for people on very low incomes.

Scale and certainty for the sector would encourage providers from interstate to set up operations in the ACT. Sadly, that scale is not being encouraged. In the past two years the ACT's indicative land release program has identified 20 and 34 dwelling sites respectively for community housing. Unfortunately, to the best of my knowledge, these sites have yet to be made available to community housing providers.

Responses to questions taken on notice from both Mr Coe and me indicate that dwelling sites identified for sale to community housing providers will be sold at market value. We have learned at estimates that there will be no requirements on community housing providers regarding energy efficiency, accessibility, the types of tenants who should be housed in the dwellings built on the land or the rent-setting structures that should apply to these tenancies.

This is entirely at odds with the approach being taken by other jurisdictions, and all the more galling considering that the budget papers show that the net profit of the Suburban Land Agency in 2018-19 was estimated to be 33.5 per cent, which works out at a return for government of \$390 million. A possibility could be that the government could trade off a reduced profit to the Suburban Land Agency and enable them to sell blocks at a discount to community housing providers, provided there was a clear and enforceable directive regarding the sorts of social and housing outcomes it wanted to achieve. Another response to a QoN that I submitted states:

On the basis that the community housing provider retains the dwellings once constructed, it will be up to the individual provider to select tenants based on their own eligibility criteria. This generally includes an income threshold test which is consistent with income quintiles 1 and 2 of the ACT Housing Strategy.

This is basically what the Suburban Land Agency said at an information session on affordable housing lots held earlier this month. They stated, in response to a question from the floor, that “there will be no minimum holding times on the community housing dwellings once built”.

Not-for-profit community housing providers are, by definition, not for profit. However, they do have to make a surplus to be economically viable, and they also have to conduct some surplus-making activities in order to further their charitable activities, that is, providing housing for people in need or who otherwise are not catered for in the private market.

We should support the growth of this sector, even when they are providing housing for a range of people across a broad range of needs and income bands, because by doing so we are reducing reliance on the private sector to provide it. Decreasing reliance on speculative investment is consistent with the adage “housing for people, not profit”.

Sadly, the responses to my questions in estimates, as well as the focus and structure of the government’s housing policy in general when it comes to the community housing sector, makes it clear that there is a lack of thinking about what outcomes we actually could get from community housing providers and what would be the appropriate ways of expanding the sector, despite the fact that the housing strategy claims that this is one of its goals.

There has been quite a bit of interest from three providers—CHC, YWCA and MARSS—in accessing the land tax concession scheme, which was first proposed by the Greens. Under this scheme, as we all know, private landlords who rent their properties at affordable rents through a registered community housing provider are exempt from paying land tax. Unfortunately, I say again that the program has been established only as a two-year trial. This does not provide the certainty that either participating landlords or community housing providers require. I again ask the government to make this an ongoing scheme with an evaluation. *(Second speaking period taken.)*

One of the major advantages of the community housing sector is that it can deliver housing outcomes at a much lower cost to government and, indeed, with higher tenant satisfaction than other types of social housing. It is disappointing that the government is not supporting this sector to the extent that it could.

The other area that is missing in this budget is a strong focus on homelessness. Indeed some programs are supporting people at risk of homelessness, but, appreciably, questions asked have shown that they do not actually provide any beds or homes for these people, so it is all unsatisfactory, to say the least. The government and the

housing minister—who I note is not present—will point to the large investment in Common Ground as one of the pluses, and it is clearly a plus. But why don't we do the most cost-effective investment in Common Ground, that is, to expand the Gungahlin site? The space is there; the facilities are there. This is a much more cost-effective way of expanding services than the proposal in Dickson. I am not against the proposal in Dickson. Doing both would be a great outcome. But given limited financial capacity, it is surprising that the government is choosing the more expensive rather than the less expensive way of providing the same outcome.

Common Ground is an excellent model for people who have serious needs, people who have been persistent rough sleepers and or who have high support needs. That level of support is actually not needed by everybody. Lots of people just need housing that they can afford. We basically need more capacity. There is only one shelter for men in Canberra. There is no accommodation service in the ACT for people under the age of 16 who are experiencing or are at risk of homelessness, although it is pleasing to see that some action has recently been taken that will begin to address this. We still have women and children escaping domestic violence who are living in their cars, and there is clearly significant unmet demand.

While the Greens welcome the housing strategy, it requires specific and measurable outcomes to be attached to the implementation plan, and this is particularly true for the homelessness components of the strategy. The truest thing about the homelessness component of the strategy is that it actually needs, as I said earlier, some more beds or some more homes to make it work.

Many of the measures contained in the housing strategy are being implemented, but others are a lot harder to track. For example, the implementation plan notes the need to “implement a more structured and agile approach to community engagement, working iteratively to test ideas and be responsive to the input and feedback”. I am not sure what on earth that means.

I thought that the indicator for this measure might help us, but no. The measure is that “new policies and programs are introduced or launched”. This is a bit similar to the domestic violence levy, for which the criteria seem to be that it is “new and innovative”.

We have reason to believe that things may not be working as well as they could within CSD. Maybe this is because of the resourcing requirements going into the housing strategy's development and implementation. We know from the response to a question on notice, which took two months to arrive, that Housing ACT received the report on implementing trauma-informed practice in ACT specialist homelessness services on 1 October last year. This, of course, was another parliamentary agreement item, and it was not until six months later that the minister was briefed on it. It was eventually given a limited release to the homelessness sector in mid-June. This does not seem to be structured or agile, and the sector has not seen the report so that the government can be responsive to their input and feedback, or introduce or launch new programs and policies.

I was going to say that it is great to see that Minister Berry is proud, and rightly proud, of the housing strategy. I think she is. I am disappointed that she is not here to hear the discussion about this. The development of the housing strategy was one of the parliamentary agreement items. The significant funding for new social housing is much needed, and it is great to see it in the budget.

I do have some concerns about the housing strategy. They may be misplaced, but in conclusion I would like to draw the Assembly's attention to the responses I received to a number of questions on notice that I asked regarding the oversight of the strategy. First, I asked if consideration had been given to a cross-sector advisory group to maintain stakeholder dialogue, leverage expertise as required, and generate new ideas to ensure that the housing strategy is a living document. I note that a number of stakeholders have suggested to me that that would be valuable. In response, Minister Berry noted:

Consideration is being given to the role and capacity that the Affordable Housing Consultative Group, which was established to assist in the development of the strategy, may have in the implementation phase.

It is not a confidence-inducing response. In response to a question about what reporting there will be on the housing strategy's progress, the answer was:

A report, detailing the first year of the strategy, is to be prepared for government later this year. The inter-directorate Affordable Housing Consultative Group will provide input.

I would have hoped that that response would have involved the word "public" and, maybe even better, "regular". Maybe I need to ask a question on notice about how often these will occur, what will happen and who the inter-directorate group is. Finally, I asked if an external review of the strategy is planned, and, if so, when it will take place. Apparently, "given that the strategy is in its early stages, no review is currently planned".

These responses are underwhelming. I appreciate that the government is doing a lot of good work on the housing and homelessness front, but more needs to be done. I hope that things can be dealt with in a more cohesive, integrated and compassionate way as the housing strategy continues to be implemented.

**MR PARTON** (Brindabella) (4.20): Thank you for the opportunity to comment on this section of the budget. We are falling like flies on this side but the tough ones remain, although I am a bit worried about Mr Milligan, because he sounds like he is going down fast.

The social housing services output budget will cost our community around \$206 million, with a controlled recurrent payment of \$51.3 million. I do not begrudge the social housing sector an adequate budget—nobody would—and I hope this meets the expectations of our community. Those in our community who pay a growing level of taxes and levies that sustain our social housing services would expect an assurance that funds are utilised efficiently and effectively to get the biggest bang for our buck,

but that assurance is easily shaken. It is easily shaken when we see derelict public housing left unattended and uninhabited for long periods of time and when we see public housing precincts and properties looking like rubbish tips. The budget appropriation is allocated to the public housing landlords. The landlord is the minister responsible for Housing ACT. Speak of the devil—no, I was saying good things; it is all right.

**Ms Berry:** I know you all have. I was listening upstairs.

**MADAM DEPUTY SPEAKER:** That is extremely disorderly.

**MR PARTON:** In this regard the community would hope that the conditions of lease agreements entered into by public housing tenants are effectively communicated and that the consequences of breaches are well understood and appropriately enforced. Those of us who spend some time dealing in this space all know that this is an ongoing problem.

The consumers of social housing services also have legitimate expectations. After being allocated a budget-funded property, tenants are entitled to the quiet enjoyment of their dwelling. This includes the landlord's prompt responses to repair and maintenance requirements, especially with a new maintenance contract now in place. We also expect the minister, as landlord, to provide other measures that ensure tenants' safety, security and peace of mind. I hope that the \$106 million total costs in the associated appropriation are configured to achieve these expectations.

The homelessness issue is a significant challenge for the territory. It is one that must be constantly monitored to make sure that housing services solutions stay on track. In this regard the public housing waiting list provides a key indicator of homelessness needs. The waiting list is a bit of a moving feast. Back in early 2017 there were around 1,900 people waiting for relief, which had crept up to 2,058 by May of this year. There are now 2,286 applicants sitting in the housing queue. In parallel with this trend, the pressure on overnight shelter providers is increasing; some would say getting out of hand altogether.

I appreciate, and I think that even Ms Le Couteur appreciates, based on the words in her speech, that we cannot have an endless supply of public housing. However, when there are anything up to 400 properties vacant, the idea that some applicants can spend almost three years on the waiting list is an incredible disappointment and frustration to those who are waiting in vain, especially when we are incurring a total cost of around \$106 million.

Another key indicator is the housing supply itself. In 2018-19 there was a target to provide 11,809 dwellings, but this has slipped down to 11,770 for 2019-20. I wonder how much further momentum this trend has and what the government's strategy to arrest it is. Part of the government's response is the construction or provision of 1,200 new dwellings over the next five years, but the government did not explicitly mention that this would be a net gain of 900 dwellings, 200 of which will address the waiting list. I am sure the community will tell us if this is the right answer or not. No



doubt those tenants in substandard public housing will welcome the prospect of a new home in compensation for the lack of responsiveness in providing timely maintenance.

I am pleased to see that there has been some movement on the second Common Ground project in Dickson. I and the Canberra Liberals are fully supportive of this project. We need to do more for front-line homelessness services. The provision of a second Common Ground site is a good start, although I have often pondered, as has Ms Le Couteur, about the prospect of some movement on the original site and whether perhaps that could have been more cost-effective. We will be watching very closely how this progresses.

The decisions on placement of new public housing properties will be crucial to implementation. We hope that community consultation in this area will be timely, responsive and effective.

Building new dwellings is far from a holistic policy response. It can never be so when in parallel the government pursues debilitating revenue policies that escalate the cost of living in Canberra to unaffordable levels for quite large groups of people. As much as we might strive for innovative strategies to create affordable housing and public housing, these will never stem the problem. For many Canberrans unable to earn enough to keep up with the ever-increasing cost of living in Canberra, the hope of a comfortable living experience is a challenging and elusive one. They cannot stem this problem because property taxes, including all sorts of things—LVC, residential tenancy legislation, land supply policies, a ballooning list of levies—make the aspiration of affordable housing as elusive as ever.

No matter how hard this government tries to address homelessness, its taxation and its residential tenancy policies will drive people into rental stress and, potentially, eventually onto our streets. Ultimately these policies are a large influence on housing affordability and, by extension, the high demand on public housing in this town. More can be done in this space, and more must be done if we want to see fewer Canberrans in housing stress or on the street and more Canberrans with a roof over their head, which ultimately is what we all want.

Managing the provision of social housing services is a daunting and complex task. I would like to take this opportunity to thank those who sit on the front line dealing with the issues of homelessness across our community, because they do a fine job. Make no mistake: it is not an easy job at all. It takes great patience, it takes sympathy and it takes persistence to deal with the many issues that arise along the way. While it is not an easy job, it is an absolutely essential job and one that must be performed to ensure that the homeless in our community, or those threatened with homelessness, are able to have a ray of hope. I cannot help but think about what our public housing system would be like without these people. Time and time again I have come across people in terrible circumstances unable to find housing, and they are ultimately, in most cases, rescued by the staff in the social housing system, by staff in Housing ACT or by the magnificent efforts of staff in community and charitable organisations. I cannot emphasise enough how important that grassroots coalface work is.

We need to be providing better support to those who are on the front line of homelessness services. These people do incredible work. It would make their job much easier if they were supported more by this government.

Proposed expenditure agreed to.

Canberra Institute of Technology—Part 1.12

**MRS JONES** (Murrumbidgee) (4.28): I rise to speak, on behalf of Mr Wall, to the budget line item related to the Canberra Institute of Technology, as he is ill today. I am sure everyone in this place will be in total agreement that the Canberra Institute of Technology is an important part of the ACT's educational landscape. Therefore it is very important that we keep it current and ensure that it is best placed to serve the needs of a changing workforce and economy.

During the appropriation debate last year, Mr Wall flagged the lack of a significant presence of the CIT in the south of Canberra as an issue for the thousands of students who have to travel across the city to access tertiary and vocational education. The previous attitude to a southern presence was made clear during the 2018 estimates hearings, when it was said that the Woden campus was deemed to be surplus to needs. The committee was informed that the campus accommodated only 125 students and eight staff. It is therefore interesting to see a shift in thinking by way of new plans regarding the relocation of the Reid campus potentially to Woden. In June this year, former minister and former member of this place Ms Fitzharris was quoted as saying:

Woden is in focus because we see the future of this region as an active and thriving centre of business and education, equipped with transport links and community facilities that will benefit Canberrans for years to come.

She said:

Positioning CIT with a major presence in the heart of Woden has the potential to enhance the town centre and create an energy around a new campus that will open up a range of opportunities for CIT staff and students, local businesses, industry and the broader community.

Mr Wall believes that this, as well as a Tuggeranong presence, would no doubt be a favourable outcome. However, it is worth asking what has changed. The backwards and forwards on the future of the CIT presence in Woden is not resulting in any set progress and not serving the students of the south very well either, at this point in time.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.30): The CIT is, as members know, the leading government-funded vocational education and training provider. It has over 25,000 students across its government-funded commercial and adult education programs, including more than 3,500 apprenticeships and trainee places, and there were 856 international students studying at CIT in the 2018 calendar year.

The government is proud that the CIT is providing 72 per cent of all apprenticeship-based training. It is at the forefront of responding to training needs in innovative ways to meet skills demand in both emerging and traditional markets. Skills shortages across the country continue to drive the demand for a high quality VET sector. There is increased pressure on VET providers to meet government and community expectations.

Through the budget, the government is strengthening the position of the CIT as the primary VET provider in the ACT by modernising and supporting its facilities. The CIT will continue to deliver new offerings to provide skills critical to industry success and to support an adaptive and modern workforce.

The budget invests \$2.9 million over two years to construct nearly 15,000 square metres of new teaching and learning spaces at the CIT in Fyshwick. This investment will be delivered in two stages over two years to minimise the impact on current teaching operations. In the coming fiscal year, funding will be provided for preliminary scoping, planning and consultation works.

Stage 1 of the works, to commence in July 2020 and be completed by April 2021, involves the creation of a 550 square metre new workshop space over two floors and the relocation of equipment from traditional classrooms into the new workshop spaces. Stage 2, which will commence in July 2021 and be completed by December of that year, involves an around 900 square metre new open plan workshop space being constructed.

The budget also invests \$5.5 million in capital funding over two years to enable the CIT to implement a contemporary and sustainable ICT environment for staff and students. This will greatly enhance the digital learning experience for students and provide staff with access to contemporary ICT functionality. The funding will also enable the CIT to modernise the wireless network capability and infrastructure to allow the full realisation of CIT's digital transformation, which was a key pillar of the organisation's strategic compass 2020.

These investments, together with what the government announced in June, will see scoping studies undertaken to look at further opportunities to renew CIT Reid. The current Reid campus has served the ACT community well for the past 60 years. The needs of students and educators in an evolving VET sector have changed. As part of the institute's broader modernisation strategy, the government is investigating options for the location of a new dedicated facility. This includes exploring the potential for Reid CIT to be relocated to the Woden town centre. The reasons for this would be to deliver a major new educational hub on Canberra's south side, near a future light rail route, while also contributing to the ongoing urban renewal of the Woden town centre. We will be working collaboratively with the CIT's leadership, staff and students throughout this assessment process. We are currently seeking advice on possible sites within the Woden town centre.

CIT will continue to operate at its four other existing campuses across Canberra. We will continue to invest in ongoing upgrades at each of these, such as the examples I have given for CIT Fyshwick in this year's budget.

The government's support for tertiary education is driving economic growth and diversification in our economy. It is important that we continue to invest in vocational education and apprenticeships and harness opportunities to improve vocational education outcomes in the territory. We will continue to be a strong supporter of this sector. The CIT will always remain in public hands under a Labor government.

Proposed expenditure agreed to.

City Renewal Authority—Part 1.13

Proposed expenditure agreed to.

Legal Aid Commission (ACT)—Part 1.14

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services, Minister for Government Services and Procurement and Minister for Seniors and Veterans) (4.36): I rise today to speak in support of the Appropriation Bill 2019-2020. Each year the budget process causes the government to look at its priorities and consider ways to achieve its objectives.

I am pleased to take this opportunity to comment on the government's commitment to supporting Legal Aid ACT to deliver its front-line services. The government provides strong support to Legal Aid and to our community legal centres. We know that Legal Aid protects the most vulnerable people in the community and helps them to access the rights and protections of our justice system. That is why we have provided a combined \$8.249 million in funding, including funding for initiatives like the older persons ACT legal service and support to engage with the increased number of ACT magistrates and the new drug and alcohol court. We value Legal Aid ACT and we will continue to support its important role in our justice system.

The safer families package was an historic funding commitment of \$21.42 million over four years in the 2016-17 budget and was part of the ACT government response to family violence. The 2016-17 budget allocated \$1.214 million over four years from the safer families package to support the Legal Aid Commission to represent more victims of family violence and their children when applying for family violence orders. With this funding, the commission has expanded its family violence unit which has supported nearly 700 additional victims of violence since 2016-17. I acknowledge the hard work and dedication of the team in the family violence unit and the contribution that they have made towards creating a safer Canberra.

The first phase of safer families investments has built an important foundation. It has strengthened the capacity of front-line services to respond to domestic and family violence, improve coordination across government, build important partnerships with the community sector and tested promising new approaches. The package will continually enhance its investment in front-line worker training and the room4change program as well as extend the first family safety hub pilot program, the health justice partnership, for an additional 12 months in the 2019-20 budget. The Legal Aid

Commission is a partner in delivering this pilot program which provides early intervention and support for pregnant women and new families at risk.

This year's budget announced that from July 2020 the family violence unit funding will transition out of the safer families funding package. But I want to be very clear that this does not mean that the government will stop providing to Legal Aid the funding that it needs to support people experiencing family violence. Helping these vulnerable people continues to be an utmost priority for me and for this government, as well obviously as the Deputy Chief Minister in her key leadership role in this area.

I can assure the Assembly that our focus on this work has not wavered. The Deputy Chief Minister and I have both met with the CEO of Legal Aid ACT and we will continue to support the front-line services that they offer with funding. The levy being allocated to new initiatives represents a decision to do more and be more creative in the ways that we address preventing and responding to family violence. We are taking this year to look at what works with this initiative, what, if anything, can be done better but, most importantly, what is best for the community. That is and always should be the primary consideration of how we make decisions about where we spend public money.

In closing, I reiterate the government's gratitude for the commitment and for the passion of the hardworking staff at the Legal Aid Commission's family violence unit. The family violence unit has played and will continue to play a critical role in ensuring that the territory's justice system is as timely, transparent and accessible for victims of domestic and family violence as our city continues to grow and evolve and it will continue to do so.

**MR HANSON** (Murrumbidgee) (4.41): The reality—and the Attorney-General has skipped around it—is that this government in this budget is cutting hundreds of thousands of dollars in staff salaries from front-line staff. These are job cuts—as simple as that—at the front line of domestic and family violence. They are providing essential services for women and for families experiencing domestic and family violence.

They are very cruel cuts, and if there was just one reason not to support this budget this would surely be it. They are cruel cuts and they are going to hurt some of the most vulnerable people in the ACT. They are utterly indefensible. This government has put forward no coherent reason for these cuts. We have heard words like “re-profiling” and “innovation”. That is not an answer to cutting jobs at the front-line for family and domestic violence.

The Canberra Liberals call on this government to restore this funding. We call on them to do it as a matter of urgency and provide the certainty that the Legal Aid Commission needs to do its job to provide the support that these jobs currently provide to hundreds of women seeking support as they flee domestic violence. These cuts are mean spirited. They are ill considered. It is an out-of-touch decision.

Let me emphasise this by a press release that I was provided, dated 20 August, and forwarded, from what I can see, to every MLA. It is from Winnunga Nimmityjah, released by Julie Tongs, the CEO:

Ms Julie Tongs, CEO of Winnunga Nimmityjah Aboriginal Health and Community Service is calling on Ms Rosie Batty AO, to use her address at the annual EMILY's List Oration to be held in Canberra on Wednesday 21 August to urge the ACT Government to reverse its decision to defund the ACT Legal Aid Commission specialist family violence service.

Julie Tongs noted that Aboriginal women are vastly over-represented as victims of crime including as victims of domestic violence. She said:

“The most recent data reveals Aboriginal women are 35 times more likely to be hospitalised due to domestic violence related assault than a non-Aboriginal woman.”

Julie Tongs further noted the Legal Aid Commission has assisted hundreds of women a year, including many Aboriginal women, who have been subjected to violence and abuse. She said:

“Not only is the Legal Aid Commission the service of choice for women from lower income households seeking legal support to protect themselves and their children from violence and abuse, but it is virtually the only legal support available to them. They clearly do not have the capacity or means to privately engage a lawyer.”

...

Julie Tongs concluded:

“It is inevitable, if the Legal Aid Commission domestic violence service is not maintained, that there will be a dramatic and frightening increase in the number of women and children having no access to legal assistance and protection and who will, as a consequence remain in violent and abusive relationships.”

Let me say that again:

“It is inevitable—

based on the cuts made by this government to the Legal Aid Commission—

if the Legal Aid Commission domestic violence service is not maintained, that there will be a dramatic and frightening increase in the number of women and children having no access to legal assistance and protection and who will, as a consequence remain in violent and abusive relationships.”

These cuts are a disgrace. The Canberra Liberals condemn them and in the strongest possible terms we call on the government to restore the funding to the Legal Aid Commission.

Proposed expenditure agreed to.

## Icon Water Ltd—Part 1.15

**MR COE** (Yerrabi—Leader of the Opposition) (4.46): Icon Water is, of course, one of those territory-owned corporations that I think we need to shine a much brighter light into. Whilst they have obviously got considerable expertise, considerable knowledge and considerable corporate history I am not convinced that the current structure of Icon Water is serving the city as well as it could.

To that end, I think we should be exploring the opportunity of bringing Icon Water back in house. We should consider making it a directorate or a stand-alone department here in the ACT. There will be arguments for and there will be arguments against, but let us have that discussion. We are not wedded to one view or the other but I think it is a discussion that is worth while having.

One of the issues that we have with Icon Water continues to be that of the Shared Services agreements. Approximately 10 per cent of their total expenses are attributable to the Shared Services agreements. Icon Water has previously advised that the contracts are supposed to cover their ICT needs but, for all those millions, the services contract covers a specified scope of technology and does not incorporate new requirements and systems.

Icon have essentially signed up to a contract that gives a huge amount of money to ActewAGL. You may think that that is all right; ActewAGL is a territory entity. Actually it is not. Only half of ActewAGL is in ACT taxpayer ownership. I do not see the other half owner of ActewAGL putting \$25 million into that same entity through a Shared Services agreement. Therefore, for every dollar of profit for ActewAGL that comes as a result of the Shared Services agreement, the territory is losing half to their equity partners.

Despite the agreement supposedly covering all Icon's ICT needs, they still have 17 people employed within Icon Water as part of their digital technology group to handle the administration of and support of assistance such as the asset management system, the geodatabase, cloud architecture, platform liability and cyber security. If you have a Shared Services agreement for ICT services, yet you still employ 17 people for ICT services, it begs the question: what is it all for? Are we getting \$25 million worth of value out of this? The digital technology group is made up of the chief information officer, the enterprise architect, service manager, program manager and 13 administrative staff. Icon Water still refuse to advise the actual value of each of these contracts or provide any further information, and that was confirmed in estimates question 190. There are, of course, many questions that need to be answered.

This government likes to say that there will be no job cuts. They have had a few redundancies at Icon Water—a couple of high-profile redundancies at Icon Water in recent years—and I wonder what the terms of those redundancies are. I wonder whether all those positions were made redundant or whether it was simply a payment to move some people on. There are many questions that need to be answered.

Specifically, in 2013-14 Icon Water offered a range of redundancies: the chief financial officer, the general manager, water, the company secretary and the deputy chief executive officer. How is it that you can make those positions redundant? The chief financial officer gets made redundant? Is that position now redundant? The value of the redundancies was \$1.39 million. Is there no longer a CFO? Is there no longer a general manager, water? Is there no longer a company secretary? Is there no longer a deputy chief executive officer? Perhaps those actual names no longer exist but I find it very hard to believe that those jobs no longer exist. It begs the question: why were those redundancies actually paid?

There are many questions about how Icon Water is operating and I think that we as an Assembly have a long way to go in order to get to the bottom of what is actually the best governance and operational model for Icon Water.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.52): Icon Water has committed to providing a safe, secure and sustainable water supply for Canberra and the region. In recent years it has established a diverse portfolio of water supply sources to reduce the likelihood of water restrictions into the future. In addition to the enlargement of the Cotter Dam, Icon has invested in water transfer infrastructure from new sources along the Murrumbidgee River that will further reduce the likelihood of future water restrictions.

These initiatives, together with the significant conservation efforts of the Canberra community, mean that we are unlikely to require water restrictions in the immediate future. However, if the dry conditions we are experiencing across the east coast of Australia continue or indeed worsen in the coming two years, temporary water restrictions may then need to be considered. This is a prudent course of action.

As our city grows, Icon Water has forecast an increase in the demand for water over the four-year budget period. The charges to Icon Water customers for water and sewerage reflect the ICRC's water price determination which will see an inflation level increase of around 1.9 per cent in the 2019-20 fiscal year. The charges that are provided by the ICRC's determination put Icon Water's typical residential bill in the lower than average categories of comparable Australian jurisdictions.

In the coming period Icon Water will pursue renewable energy generation projects such as the installation of solar panels at operational sites to offset some of its electricity costs, and Icon Water's business strategy enables it to continue to meet its obligations to balance price, quality, reliability and sustainability to its customers and to the community. I commend the appropriation to the Assembly.

Proposed expenditure agreed to.

ACT Executive—Part 1.16

Proposed expenditure agreed to.



Cultural Facilities Corporation—1.17

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services, Minister for Government Services and Procurement and Minister for Seniors and Veterans) (4.54): Through this budget the government is recognising the importance of art, culture and heritage in our community by making a major investment in venues run by the Cultural Facilities Corporation, the CFC.

This investment will support the CFC's vision: for Canberra to be a creative capital that values the arts for their intrinsic qualities, their contribution to building a more inclusive and resilient society, their support for making the city an exciting place to live and an attractive destination for business and tourism, and their important role in the economy of the ACT and the region.

In keeping with this vision, as members are aware, work is underway on a detailed business case into a major new theatre for Canberra. But while we progress that study, it is important that we continue investing in Canberra Theatre Centre to keep it fit for purpose as the region's premier performing arts venue. In this budget we are providing \$995,000 over the next two years for a package of capital works to ensure a high level of work, health and safety at the centre by replacing electrical equipment and purchasing a new forklift; to enhance security infrastructure by upgrading doors, door hardware and security control systems, and linking the CCTV systems with the wider public safety network; to upgrade the building management system for the centre's heating, ventilation and air-conditioning system; and also to undertake a number of smaller works to maintain the functionality of the venue.

These works are essential to enable the centre to continue operating safely, securely and efficiently as the region's main theatre centre. The works are of a nature and scale that avoid overinvesting in existing facilities while the business case is completed and any new or replacement facilities are constructed.

We will also provide capital funding of over \$3 million over four years for a range of upgrades at Lanyon historic precinct. These funds will cover new water infrastructure, building stabilisation measures and security upgrades. I am proud to say that this is one of the largest investments ever made in ACT historic places. It will also ensure that Lanyon is safe and secure for staff, volunteers, visitors and tenants, and will protect the precinct's heritage status into the future.

Details about the three components of the funding are as follows. Firstly, the majority of funds, just over \$2 million, will be invested in water infrastructure, including the construction of a bore, rising main, bore water treatment unit, water tanks and underground piping. This major investment in water infrastructure is needed to bring water supply at Lanyon to a contemporary standard and replace the existing system of using river water, rainwater and trucked-in water supplies.

The second category of funds, \$841,000, will be allocated to building stabilisation works at Lanyon, including essential works to roofs, gutters, downpipes, chimneys,

ceilings, walls, windows, doors, wall rendering, verandas, plumbing and electrical services, fencing and drainage. Finally, we will be investing \$241,000 in security infrastructure at Lanyon, including improvements to mobile and internet connectivity, alarm monitoring systems, CCTV, duress systems and electronic access controls.

I believe that both packages of capital works—at the Canberra Theatre Centre and at Lanyon—represent prudent and appropriate investments in some of the ACT’s most significant cultural venues. They will support the work of the CFC in managing these venues not only for the current population of Canberra, and visitors to our city, but also for future generations. This new capital funding that is announced in this budget is in addition to the government’s ongoing investment of \$9 million each year in the CFC’s operations. The new budget funding and ongoing investment demonstrate the government’s commitment to enhancing the cultural life of our community and developing Canberra’s status as a creative capital.

**MRS DUNNE** (Ginninderra) (4.59): Last week in talking about the artsACT budget, I talked about the static approach that was taken by artsACT and this government. I would like to contrast it with the very visionary approach of the Canberra Cultural Corporation, which has as its vision “To be a cultural leader in the ACT community and region”, with its mission “To enable our distinctive institutions to provide enriching cultural experiences that contribute to Canberra’s identity”.

Under the leadership of the CEO, Harriet Elvin, and her board, under the chairmanship of the Hon Richard Refshauge, the corporation has ambitious plans for 2019-20 and through the forward years. These include some major upgrades to the Canberra Theatre Centre and the Canberra Museum and Gallery, and improvements and upgrades to some of its historic places. A major activity for the corporation will be a continuation of the feasibility of a new theatre, extending to the development of a business case. Underscoring all this is the continuing aim to keep reliance on government funding as low as possible. I note that the corporation has an aim for more than 50 per cent of its funding coming from own-source revenue in 2019-20.

As well, there are plans for the continuation of a program of touring exhibitions. I note that negotiations are underway for an exhibition to tour to Sydney and Melbourne next year.

The success of performances and exhibition spaces is a direct function of their occupancy. If a theatre, for example, is occupied every day, the return on the investment can be maximised. The corporation sets a target for usage of the Canberra Theatre Centre venues, primarily the Canberra Theatre and the Playhouse. The corporation’s target for 2019-20 is 625 days. If this applies to only these two venues, it represents an occupancy rate of a very healthy 85½ per cent. Can it be achieved? In 2018-19 the target was exceeded by two days. The target for 2019-20 is set at three days higher than that. Of course, 2017-18 was an exceptional year, with a target of 607 days and an outcome of 640 days. The track record speaks for itself. Even with the slim margins represented in the figures, the likelihood of achieving the targets must be regarded as high. The outcomes reflect very good management of those resources.

No doubt the Cultural Facilities Corporation will continue to take entrepreneurial but measured risks in staging productions. *Mama Mia!*—from a couple of years ago—was a prime example. Its success stretched over many aspects, including attracting significant tourism to Canberra. I am confident that the corporation will continue to undertake ventures of this kind into the future.

This, on top of the hirings it takes for its venues and the new ways the corporation finds to attract people to its entertainment, cultural and heritage facilities, continues to demonstrate that the Cultural Facilities Corporation is a valuable asset for the people of Canberra. I commend the corporation and its staff on its commitment to its vision and mission and congratulate it on what it achieves for the nation's capital.

Proposed expenditure agreed to.

ACT Gambling and Racing Commission—1.18

**MR PARTON** (Brindabella) (5.03): Madam Deputy Speaker, it is a pleasure to direct some remarks towards this area of government expenditure and I will address all of my comments regarding gaming and racing at this particular point in time.

There has never, ever been a worse time to run a community club in Canberra than in 2019, as the minister sets about fulfilling the Chief Minister's desire to destroy Canberra's local clubs. Those on the other side, I am sure, will be rolling their eyes and talking about scaremongering. I can see that wonderful face from the Chief Minister now. All I can say is that I spend much more time genuinely engaging with the clubs that are being affected by this. I have seen the bottom lines. We have some diabolical situations that are arising. I know what the next club will be to close. It will close in the next six months—it will close before the end of the year—and it will not be the last.

Just as this government squeeze their citizens for every cent they can, they have squeezed our community clubs consistently, making it harder and harder for our clubs to provide for the many community groups that rely on them. I am just astounded at the belief that seemingly comes from the other side that somehow there are people in the club sector that are making money here. Nobody is. There is no money being made. These are community clubs. They were set up to provide facilities, infrastructure and services for the community. That is what they do. That is what they are about.

They are finding it much more difficult with the constant changing of the goalposts. Ever-tightening regulations under this government are continuing to make it tougher to run a community club in the ACT. And as that is going on, most of the community clubs—most of them—are continually dismayed at the lack of engagement, certainly from this minister. The lack of engagement from government is astounding. Our community clubs need to be given time to adjust to change. We cannot expect our clubs to be able to undertake diversification while they are constantly changing the goalposts and requiring them to make more and more financial commitments and squeeze their budgets.

That is the irony of this, Madam Deputy Speaker. If we had not had these massive changes to regulations, I have no doubt that more clubs would be further along the line to diversification. As a consequence of the change that is going on, they cannot find the time and the resources to do it. Further to this, the minister refuses to consult with, work with or even meet with local clubs, barring a select few, to work through the various issues in his approach to policy. Everyone knows what is going on here. We all know what is going on. It is continually pointed out by our good friend Mr Stanhope, one of the great Labor leaders of this town, who continues to point out that we have this angry thing going on; we have revenge that is being wreaked upon ClubsACT and all those who are associated with it.

That is not the way that people in the ACT expect governments to behave. Those within the industry who must deal with this minister's wilful blindness are fed up. They are absolutely fed up with being ignored. It is no surprise that they have nothing positive to say about the minister. Ridiculously, I find myself sticking up for him on occasions when sitting around talking to club executives, but it is difficult. I would heartily welcome a change of method from the minister. However, like many in the industry, I will not be holding my breath waiting for a more commonsense approach.

Proposed expenditure agreed to.

Public Trustee and Guardian—1.19

**MS LE COUTEUR** (Murrumbidgee) (5.08): Madam Deputy Speaker, I know the office of the public trustee does not get a lot of focus in the budget and often does not have any words said about it, but I thought I would say something this year. As members may be aware, the estimates committee did make a recommendation, 120, on the subject. The committee recommended:

... that the ACT Government make it the clear responsibility of the Public Trustee and Guardian to administer the affairs if someone dies intestate with no obvious relatives and fund the Public Trustee and Guardian to do this as a community service obligation.

The government's response was unhelpful. It said:

The Government encourages all citizens to have a valid will in place to ensure that their estate will be administered ... The PTG currently only administers estates intestate in circumstances where they are appointed by a court or requested to by the next of kin. These services are provided on a fee for service basis. The Government will consider options to expand the reach of these services.

That is all very well, but it did not deal with the reason that I realised there is an issue here. I was approached by a landlord who had a tenant die in their property. They thought the public trustee would be responsible in this circumstance. The public trustee said, "No, not us." It has taken four months, as I understand it, and the matter is still not resolved. ACAT found that the public trustee's office should be responsible. I imagine many landlords just chuck everything out, take it all down to the tip or something. This landlord is trying to do the right thing and find the next of kin. None of this seems at all easy.

It does seem that that was one of the reasons why we set up a thing called the public trustee. I would encourage the office of the public trustee to seek to voluntarily administer estates where a person has died in a rental property without next of kin or a will. I know the legislation does not make that clearly the responsibility of the public trustee, but I cannot see who else's problem it is. Even the public trustee himself admitted in the estimates hearing that there was possibly an argument for legislative reform in this regard, although he went on to say that additional resources would be needed. That may well be so.

I leave this question for this Assembly: what happens to people who die without a will without any obvious next of kin? Why would their landlord be forced to deal with the situation? Is this going to mean that elderly people will find it even harder to rent privately than they do at present?

Proposed expenditure agreed to.

Independent Competition and Regulatory Commission—1.20

**MR COE** (Yerrabi—Leader of the Opposition) (5.12): As I have done in the past, I would just like to put on the record my appreciation for the good work that the ICRC does, and also note that there is scope for the commission to look into some competition issues. The last time it looked into Capital Linen Service was 2005-06; access arrangement reviews and decisions was 2003-05; the review of contestable electricity infrastructure works was 2003-04; and wheelchair accessible taxi services was 2001. I think there is some merit in looking to see whether any of these issues should be revisited by the commission.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.13): I also commend the commission, in particular Senior Commissioner Joe Dimasi and his staff, for their excellent work throughout the year. I particularly want to thank them for the work they have undertaken in looking at petrol pricing in the territory. I take on board the suggestions of the Leader of the Opposition in relation to certain areas that may benefit from further ICRC examination in the future. We will look at the forward program in conjunction with the commission over the coming years.

Proposed expenditure agreed to.

Total appropriated to territory entities.

Proposed expenditure agreed to.

Treasurer's Advance—1.21

**MR COE** (Yerrabi—Leader of the Opposition) (5.14): The Treasurer's advance for 2019-20 is \$53.4 million, which really is an extraordinary amount for what is a relatively small jurisdiction. The government spent \$14.3 million of the Treasurer's

advance in 2014-15, just six days before the end of that financial year. If it is meant to be a contingency, I find it very hard to believe that there was this desperate need a week out from the end of the financial year. If that is the way in which the Treasurer's advance is being expended then it looks like a back door for what really should be a front door; that is, it should be appropriated through the agencies rather than going through the Treasurer's advance.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.15): The Treasurer's advance is indeed a provision and it is a percentage of the budget. As the Leader of the Opposition has indicated, it is generally not fully drawn down. But it remains a provision and an important part of the territory's financial management.

The reason for the advance not being drawn down until the end of the financial year is a requirement under the FMA that it can only be drawn down when agencies have exhausted all other sources of funding. So the Treasurer's advance is not provided for agencies if they are holding cash that could be utilised or if they have underspends in other areas that can then be drawn upon to meet any emerging needs. It is really an instrument of last resort at the end of a fiscal year rather than something that is drawn upon throughout the year. So the policy that is in place and the requirements under the Financial Management Act largely dictate that it will only be drawn down at the conclusion of a fiscal year.

Proposed expenditure agreed to.

Capital works reserve—1.22

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.17): The capital works reserve is a new element within the Appropriation Bill—and, in the context of a very significant \$3 billion infrastructure program over the next four years, the largest ever investment by an ACT government—which sees a very significant spend in health, in education and in other capital works priorities.

The government maintains a focus on delivering our capital works program in the most efficient and cost-effective manner. This means we are looking at ways to streamline budget and program management processes whilst maintaining accountability and transparency. So this budget includes a capital works reserve, the first time it has appeared, as an important improvement to budgeting practices.

In summary, it achieves better capital works program estimates whilst providing agencies with cash flow the flexibility to achieve the best program outcomes. It was introduced via an amendment to the Financial Management Act that was just passed by the Assembly this year and it is now incorporated into the 1996 act. It represents a significant development as a more accurate capital works program estimates and budgeting tool that provides both the community and industry with more precision in terms of the timing of our capital works activity.

As I think have discussed on multiple occasions in budget estimates, there is often a difference between physical completion of a project and financial completion. So it is important that, through the reserve, we are able to strengthen our budget oversight and our financial management by enabling those agencies who have a multi-year capital budget funding allocation to better map out their delivery of capital works.

Agencies are now able to access their capital funding allocation for future years by requesting a capital works advance from this reserve if the capital expenditure in the budget year exceeds their capital budget appropriation. Importantly, to maintain both budget and program neutrality, when an agency accesses the capital works reserve, offsetting reductions would then be made to that agency's future capital works budget, so there is no net budget or program impact over time. The ability to access future funding through the reserve eliminates the need for agencies to allow for unexpected funding requirements in their estimated expenditure flows. This in turn then leads to more accurate budget estimates and better alignment of budget appropriation and expected program delivery outcomes.

The capital works reserve will not be included in the infrastructure investment program until payments are made to agencies. The reserve will be appropriated on an annual basis and capped at 20 per cent of the total amount appropriated for the capital works program by all appropriation acts for the financial year. Any amount that is undisbursed will lapse at the end of that year. Payment of a capital works advance will only be possible once the Treasurer is satisfied that there is an immediate requirement for access to the capital works advance, considering the requesting agency's capital works budget for the relevant financial year.

To ensure that there is complete accountability and transparency in the operation of the reserve, the Treasurer provides the Legislative Assembly with a reconciliation of the amounts authorised for payment from the reserve in the quarterly financial statements required under section 26 of the FMA. This reporting provision is in addition to the requirement under section 30F of the Act that there is a report to the Assembly on the status of the capital works program at least every six months.

The reserve is an important improvement to our budgeting practices. It is an effective mechanism for achieving better capital works program estimates whilst, importantly, providing agencies with the cash flow flexibility to achieve the best program and project outcomes across their total capital works spend each year. I commend it to the Assembly.

**MR COE** (Yerrabi—Leader of the Opposition) (5.21): The opposition has real concerns about the establishment of the capital works reserve, demonstrated when we voted against the changes to the Financial Management Act earlier this year. As the Chief Minister said, the capital works reserve is set at \$140 million. We believe that there are already mechanisms within the Financial Management Act to manage transfers or provide funds when required. The capital works reserve is potentially another form of a Treasurer's advance. If there is an immediate need then we think the Treasurer's advance is the appropriate mechanism, rather than another \$140 million discretionary fund for capital works.

The government can essentially spend what they want on a project, as long as it does not go over the predictions in the forward estimates. It begs the question as to what the point of an annual appropriation is if you can then just go into next year's appropriation as well. We think there are real governance issues with this; therefore we voted against it earlier this year when that change came about in the amendment bill.

Proposed expenditure agreed to.

Total appropriations

Proposed expenditure agreed to.

Clauses 1 to 10, by leave, taken together and agreed to.

Title

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (5.23): This represents the last opportunity to speak in this debate. I would like to put on record my thanks to all within the government who have prepared this year's budget. It is a significant task that consumes now about 11 months of the year. We will open community engagement for next year's budget next Monday, I believe, so it is increasingly becoming a year-round proposition: once one budget has passed, work immediately commences on the budget for the next year.

I thank my cabinet colleagues for the many hours of detailed deliberation. I particularly acknowledge the Attorney-General for his dogged pursuit of amounts as low as \$80,000. I also particularly thank my office, led by Dr Jennifer Rayner, who has worked incredibly hard on this and many previous ACT budgets. I thank her for her leadership across the ACT executive staff and working so closely with ministers' offices and with the public service to ensure that the budget is delivered on the first Tuesday in June. I note that, given the timing of public holidays, next year the budget will not be on the first Tuesday in June. I think that will give an extra couple of weeks for the process to draw to its conclusion for 2020.

I thank David Nicol, Stephen Miners and their team within ACT Treasury, who put in thousands of hours collectively to produce this document each year. It is a very significant piece of work. I thank them for their commitment to the process, and indeed all directorates, the estimates committee and all those associated with the delivery of the estimates report. I note that this year the estimates committee report provided no reasons for the Assembly to not unanimously support the budget when it comes to a final vote in a few minutes. It will be interesting to see whether a division is called this year on the territory budget. I thank everyone who has worked so hard on this budget. I wholeheartedly commend it to the Assembly.



**MR COE** (Yerrabi—Leader of the Opposition) (5.26): We wholeheartedly support the title of this bill. We think it accurately captures what the government is intending to do, so we are on a unity ticket with the government. When it comes to the title, Appropriation Bill 2019-2020, we are of one mind.

I too want to extend my thanks to all those involved in the government and in the Assembly with regard to the preparation of the bill and the analysis of the bill through the committee process; to the estimates committee, chaired by Miss Burch; to all the MLAs who have contributed to the debate; to all our staff who have worked long hours in order to prepare questions and analyse the documents; to the Assembly staff, especially those involved with the select committee; and especially to the treasury staff, who put in a huge amount of work in order to present this bill each year.

The Canberra Liberals have real concerns about the level of taxation: the rates, fees and charges that Canberrans pay. It seems that this government treats the average Canberra household like an ATM. They just keep withdrawing and withdrawing. There comes a point when the government need to actually consider the impact that they are having, particularly on the lower couple of quintiles when it comes to income. Whilst there are many families in Canberra who can manage the cost of living in this city, there are of course many who cannot. This government seems quite determined to increase the number of working poor in this city. We think this budget does nothing—if not does the opposite—to help people get back on their feet and to get ahead.

We think there is a real question of justice, a real question of fairness and a real question of respect with regard to the priorities of this government. To that end, we cannot support a budget that increases the rates, taxes, fees and charges and does so little to ease the cost of living in the ACT.

Title agreed to.

Question put:

That this bill be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Mr Barr	Ms Orr	Miss C Burch	Mr Parton
Ms J Burch	Mr Ramsay	Mr Coe	
Ms Cheyne	Mr Rattenbury	Mrs Dunne	
Mr Gentleman	Mr Steel	Mrs Jones	
Mr Gupta		Mrs Kikkert	
Ms Le Couteur		Mr Milligan	

Question resolved in the affirmative.

Bill agreed to.

## **Appropriation (Office of the Legislative Assembly) Bill 2019-2020**

Debate resumed from 4 June 2019, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MRS DUNNE** (Ginninderra) (5.33): I note that again this year the government has not agreed with a recommended appropriation for the Legislative Assembly, and it has given reasons. I put on the record again that I think this is an unsatisfactory arrangement; there should be a better arrangement for dealing with the appropriation for the Assembly and other offices in a way that is more at arm's length from the government.

I have in the past advocated for, and will continue to advocate for, the approach which is taken in the New Zealand parliament, where there is an independent review of expenditures of organisations such as the parliament and statutory office holders. The recommended appropriation is based on that independent review and the executive does not amend it. I think that is a much more appropriate way of dealing with organisations which should be in all forms—not just for the look of it but in all ways—independent of the executive. I recommend that this is something we should look at in the future.

**MS LE COUTEUR** (Murrumbidgee) (5.35): I rise to speak about something else—a false economy which I have spoken about many times. We do not have any reasonable system of searching for questions on notice or questions without notice. I was talking about this when I was here in the Seventh Assembly. It is beyond me why the executive has not yet chosen to fund this for OLA, because I think it would actually save the executive money.

Instead of asking the same question that one of our Liberal colleagues has asked, because we are not aware that they have asked a question, we might look at it and say, “This was an excellent question that was asked; we do not have to ask it again.” In particular, I note that the government are now putting in a cost for OLA questions. I suggest that they look at the cost of those and think about how much they could save if we only asked the same question once. They should fund OLA to provide a searchable database.

It would also mean that members of the public might have a fighting chance of finding out about the interesting titbits of information that we find out. We know they can be found on the notice paper, but that is not immediately obvious to people, particularly as there is no easy way of working out what notice paper a question would be in. I highly commend this expenditure, which I know is not being made. I know it was said that suggestions for the budget could not be made until next week, but can I suggest an early entry, for a questions on notice database?

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events

and Minister for Trade, Industry and Investment) (5.37), in reply: I thank members for their contributions. I note the suggestion by Ms Le Couteur. I understand that there is an extensive process of digital transformation for the Assembly's business processes and digitisation of the Assembly's archived records to make the history of this place more accessible in the future. That is clearly part of this appropriation and part of the ongoing work of OLA in the 2019-20 fiscal year.

We look forward to further submissions, and I will take on board the practical and efficient measure that has been suggested by Ms Le Couteur. I will certainly bear it in mind, as I am sure you will, Madam Speaker, in the context of shaping future budget submissions.

In relation to Mrs Dunne's observations, there is some merit in considering that, although we would need, of course, to be consistent with the self-government act, which is very clear that only a minister can propose an appropriation. Ultimately, the executive is accountable for all expenditure, so there must be, in a democratic system, an ultimate accountability; that does sit with the executive and, I guess, with the Treasurer.

Whilst I would like to fund every submission that comes forward, I suspect that the opposition would be very concerned at the level of revenue that would be necessary to fund every submission that comes in to the budget process. I do not think that would generate a particularly strong level of community support overall as well. It is a difficult process. We receive, generally speaking, three to four times the level of available funds in submissions into the process. It is no different for the Office of the Legislative Assembly from other areas of public expenditure.

This year we have certainly funded all of the priority projects that were identified. We look forward to the successful delivery of those projects and the inevitable approach for more funding to undertake more work, consistent with the direction that has been set in this appropriation this year. I commend it to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Adjournment**

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

That the Assembly do now adjourn.

**The Assembly adjourned at 5.40 pm.**