



Debates

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Wednesday, 23 October 2019

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Wednesday, 23 October 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.

Crimes (Offences Against Frontline Community Service Providers) Amendment Bill 2019

Mrs Jones, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MRS JONES (Murrumbidgee) (10.01): I move:

That this bill be agreed to in principle.

I am pleased to present today the Crimes (Offences Against Frontline Community Service Providers) Amendment Bill 2019 to the Legislative Assembly. The bill is a comprehensive approach to tackling the increasing number of attacks on our frontline personnel. The bill creates three new standalone offences and introduces aggravated offences for offences that cause harm to those who serve on our front line.

Police officers, paramedics, firefighters, nurses, doctors and prison guards are all included in and protected by the bill because these workers are those who continue to be attacked in their workplaces, particularly during this term of government. These are the people who we have defined as frontline community service providers for the purposes of the bill.

These hardworking men and women in uniform work in highly stressful, and at times quite dangerous, jobs. They operate in volatile situations and are regularly required to attend emergency situations, providing aid and security. They do this for our community each and every day. In this term alone, we have seen many disturbing incidents of attacks on all of these types of personnel. Last year a nurse was stabbed in the Canberra Hospital car park.

Nurses report to me that security measures at the hospital are ineffective due to the scope of practice of security guards and because security will not cross the road with them to walk them to their cars. They are being trained in self-defence; five foot nothing, almost at retirement age. Nurses are expected to be the only people able to touch patients when they are in a volatile or violent episode.

Just yesterday one of our sergeants in a police station here in Canberra was preparing to prosecute a patient who knifed one of our ambulance officers. The only offence available to him to charge under was common assault. Nurses are semi-regularly attacked at both the secure mental health unit and the adult mental health unit. As much as all of us would like this to stop entirely, we understand that what we need to

do is everything within our power to make the workplace as safe as possible for these great staff.

Our firefighters often go into harm's way. They do not just attend peaceful house fires. They also attend bikie and arson shootouts, not only as firefighters but also as our first responder rescuers. When other first responders are not available, our firefighters go to whatever the event is in the ACT.

In the prison we have seen significant prisoner-on-officer attacks. Our prison is not an easy place to work. The staff there have a serious problem with morale, as the Assembly knows, and as I have mentioned many times. All these people wear a uniform and are obvious in the community whilst doing dangerous work. That is why they deserve every legal protection we can reasonably offer them from here in the Assembly.

Across Australia and in the ACT, frontline community service providers are at an increasing risk of being assaulted, attacked and harmed in the line of duty. Several hundred assaults have been recorded against police officers in the past decade and assaults against paramedics are on the rise. In a 2019 survey of police officers, 66 per cent of the 212 respondents stated that they have been assaulted while on the job. That is a very high rate for a workforce.

Data from ACT Policing has shown that assaults on police have steadily risen since 2011. In this time, the Canberra Liberals have continually advocated for these laws. In fact, we brought similar legislation into the Assembly in 2012 and made it an election commitment in 2016. And, at every opportunity, the Labor-Greens government have failed to support these much-needed reforms.

In the ACT health system, doctors, nurses and other practitioners are increasingly at risk of harm, with approximately two assaults on frontline health staff every single day. Beyond the physical injuries, frontline community service providers who are attacked in the line of duty often experience ongoing stress and trauma. This can be made worse when their attackers receive insufficient punishment. Attacks on frontline community service providers should never be tolerated. It is an injustice to those who serve our community in this capacity.

The bill recognises the unique occupational vulnerability of frontline community service providers and offers greater levels of protection for them. The bill helps to establish a more secure work environment and makes clear to the broader community that attacks on those who serve our community in this way will never be tolerated.

The bill establishes a new offence for assaulting a frontline community service provider, with a maximum penalty of five years imprisonment; a new offence for intentionally or recklessly driving at a frontline community service provider and exposing them to a risk to safety, with a maximum penalty of 15 years imprisonment; a new offence for driving at or causing damage to a police vehicle or other frontline community service provider's vehicle, with a maximum penalty of five years; and the bill also establishes 13 aggravated offences so that if they are committed against

frontline community service providers these offences can be appropriately punished, at the judiciary's discretion.

The establishment of these 13 aggravated offences follows, and builds on, the model used in the Crimes (Offences Against Pregnant Women) Amendment Bill 2005, which was introduced by then chief minister Mr Jon Stanhope MLA. The bill recognises that some acts of violence are worse than others and that violence towards police, paramedics, firefighters, nurses, doctors and prison guards deserves separate and more severe treatment in some cases.

The bill also reflects the community desire for appropriate sanctions for malicious acts against frontline community service providers. I have drafted these laws in close consultation with workers on the front line and with their representative groups. These laws have the support of the workforce. Ninety-eight per cent of police officers support the introduction of these types of laws.

I will now go into further detail about the key reforms in the bill. I turn first to the creation of a new assault offence. This offence is a specific new offence to address the increasing frequency and severity of assaults against police, paramedics and other frontline community service providers. The ongoing exposure to occupational violence takes a huge toll on the mental and physical wellbeing of our workforce. Establishing a separate offence for these types of assaults is important in order to recognise the risk and occupational vulnerability experienced by these workers. The bill carries a maximum penalty for such offences of five years.

Furthermore, this new offence would also mean that it would be reflected in the offender's criminal record, providing a better insight into their criminal history and character. The inclusion of this measure in the bill is very important to those on the front lines.

Secondly, the bill will create two new standalone offences: driving at a police officer or other frontline community service provider or driving at their vehicle. For example, the more frequent offences we hear about are of people with criminal intent driving at police cars here in the ACT. The new offences have been created specifically to address this phenomenon that we are seeing across the ACT, with an increasing number of incidents of perpetrators using their vehicles to intimidate and to do damage.

A person commits an offence if they drive a motor vehicle at or near a frontline community service provider in a way that risks injuring the provider and is reckless as to whether the other person was a frontline community service provider and whether their driving would risk injuring the provider.

Under this new offence, the prosecution does not have to prove that the provider was on duty at the time of the offence or that the provider feared injury as a result of the conduct. The offence will attract a maximum penalty of 15 years imprisonment. A person will also commit an offence if they intentionally or recklessly drive a motor vehicle at a frontline community service provider vehicle and cause damage. This new standalone offence attracts a maximum penalty of five years imprisonment.

Finally, the bill introduces 13 aggravated offences against frontline community service providers. The introduction of aggravated offences recognises that some acts of violence, as I have said, are worse than others and that violence towards frontline community service providers deserves separate and more severe treatment because of the work that they do on our behalf. It also reflects a growing community desire for proportionate punishment for attacks against these very good men and women who put themselves on the line every single day for our benefit, for our safety and for our security.

The 13 aggravated offences established in the bill are as follows: manslaughter, intentionally inflicting grievous bodily harm, recklessly inflicting grievous bodily harm, wounding, assault with intent to commit another offence, inflicting actual bodily harm, assault occasioning actual bodily harm, causing grievous bodily harm, acts endangering life et cetera, acts endangering health et cetera, throwing et cetera objects at vehicles, culpable driving of a motor vehicle and kidnapping.

The available penalties for these aggravated offences are roughly 25-30 per cent higher than the available penalties for the simple offences. This gives the judiciary the flexibility to punish offenders more appropriately. It also sends a clear message that this Assembly takes these attacks, whether they be on nurses, health workers, prison officers, ambulance officers, firefighters or police very seriously and expects them to be dealt with accordingly.

Madam Speaker, police officers, paramedics, firefighters, nurses, doctors and prison guards are some of the best and the bravest people that we have in our city. They continually turn up to work, despite increasing requests being made of them for their time, their work and their effort. They work tirelessly for us all and are exposed to risks far greater than what is expected of you and me.

These hardworking men and women in uniform, and their work, deserve to be fully backed up by their politicians in the work they undertake on behalf of and in the service of the whole community. This is what my bill does. The Canberra Liberals have called for and presented these laws since 2011. Yesterday when the minister tabled similar legislation he stated that it is true that since 2011 such attacks have been on the rise. They are steadily increasing year on year.

As a result, we have been working for a year and half to prepare this legislation. This is a bill that I started whilst I was on maternity leave in our hospital for two weeks, after having significant operations, while those very people who are protected by this bill suffered from overwork, which is a problem of all our frontline personnel.

So I say to the men and women on the front line: I back you up 100 per cent. The Canberra Liberals back you up 100 per cent. I call on the entire Assembly to back each and every one of these dangerous professions and each and every one of these amazing personnel 100 per cent. I commend the bill to the Assembly.

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

Domestic Animals (Disqualified Keepers Register) Amendment Bill 2019

Ms Lawder, pursuant to notice, presented the bill and its explanatory statement.

Title read by Clerk.

MS LAWDER (Brindabella) (10.16): I move:

That this bill be agreed to in principle.

I rise today to introduce the Domestic Animals (Disqualified Keepers Register) Bill 2019. This bill amends the Domestic Animals Act 2000. The act currently has provisions for the disqualification of a person from keeping animals for various reasons. The reasons a person may be prohibited from having animals are varied but all are serious. They include circumstances where animals are mistreated, where large numbers of animals are kept often in unhygienic and squalid conditions. The reason a person may be prohibited from keeping animals may often have its origin in a mental health condition.

The court may find that if a person is convicted or found guilty of an animal welfare offence or an offence against this act other than an excluded offence it may disqualify the person from keeping an animal for a period decided by the court. This disqualification may prevent a person from keeping a particular animal, a particular kind of animal or any animal. Persons may be disqualified for animal welfare reasons, including the cruelty of keeping animals in an unsafe manner.

Unfortunately, sometimes when a person is declared a disqualified keeper there is a continued pattern of the behaviour that disqualified the person from keeping an animal in the first place. When this happens, the lengthy court process may have to be resumed. This is expensive for all concerned, as well as time consuming and stressful. It may also result in many years of seemingly never-ending cycles of court action. This is clearly distressing for all involved, including neighbours.

When this happens currently the pattern of behaviour that disqualified a person from keeping an animal in the first place—for example, animal hoarding—means it is not easy for the community, especially neighbours, to have action taken. The aim of this amendment bill is to ensure that mechanisms are in place which ensure that a disqualified person adheres to the conditions of the disqualification and which give neighbours or other community members a pathway to stop that person from keeping an animal they are not supposed to have.

The bill creates a disqualified keeper register and allows access in a restricted form to the register and facilitates complaints, especially by neighbours, regarding illicit ownership of animals. Privacy considerations have been taken into account. The bill compels investigation in relation to complaints that are made. This is a power neighbours have called for so that once a complaint is made an investigation follows. This would speed up the process of resolution.

The bill also empowers the registrar to act, for example, to seize, sell or otherwise dispose of an animal in circumstances of illicit animal ownership. This clause provides a capacity for the registrar to quickly and humanely act in the best interests of the unfortunate animals in the position of being held by someone who is disqualified.

In summary, this amendment bill would contribute to a long-term solution to this chronic animal hoarding and animal cruelty problem. It is a good outcome for the keeper because we do not want a repetitive cycle of inappropriate animal ownership and potentially cruelty. It is a good outcome for neighbours or other members of the community who often foot the bill for the processes and are impacted by seeing an animal suffer or wondering if an animal is going to suffer. We must remember that a keeper is disqualified for a reason in the first place. It is a good outcome for the courts and officials, and it is a great outcome for the procession of animals that have suffered over the years. I commend the bill to the Assembly and urge all members to support it.

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

Planning—Molonglo Valley

MS LE COUTEUR (Murrumbidgee) (10.22): I move:

That this Assembly:

(1) notes that:

- (a) the Labor-Greens Parliamentary Agreement for the 7th Assembly called for excellence in sustainable design in the Molonglo Valley development, including:
 - (i) construction of public transport infrastructure from the outset of the development;
 - (ii) mandatory solar passivity;
 - (iii) pedestrian friendly design;
 - (iv) inclusion of a third pipeline for non-potable water; and
 - (v) implementing child-friendly planning principles into the development of Wright and Coombs;
- (b) the Labor-Greens Parliamentary Agreement for the 8th Assembly called for a “Molonglo Cycle Highway feasibility study”;
- (c) it is nine years since the first land release in the Molonglo Valley and development is expected to continue for another 15 years;
- (d) while there have been improvements over earlier development in the ACT, Molonglo Valley developments do not appear to be delivering excellence in sustainable design across all areas of environmental sustainability, social sustainability and transport;
- (e) environmental sustainability gaps include lack of room for canopy trees, blocks and dwellings not being correctly oriented for passive solar heating/cooling, and major terraforming and removal of almost all vegetation during suburb construction;

- (f) housing diversity is better than many previous Canberra suburbs, however Molonglo Valley residents lack key community amenities required for social sustainability, including local shops and low-cost land for community groups such as scouts and guides, religious and multicultural groups;
 - (g) to date, good public transport services have been delivered in the Molonglo Valley as soon as new homes are occupied, and local streets have good footpaths, but the Molonglo Valley suffers from very indirect off-road cycling connections to the City and Belconnen; and
 - (h) despite the new suburb of Whitlam being two kilometres from the nearest schools and shops, planning for Whitlam will see residents move in at least two years before schools and shops are built, however there is no commitment to providing a bus service to Whitlam to connect early residents to services; and
- (2) calls on the ACT Government to:
- (a) commission an independent review of planning and development for the Molonglo Valley that examines:
 - (i) whether Molonglo development is achieving excellence in sustainable design;
 - (ii) the matters raised in part (1); and
 - (iii) what actions are required to deliver excellence in sustainable design, including on environmental, social and transport sustainability;
 - (b) provide the final report of the review to the Assembly by 31 May 2020; and
 - (c) use this report to inform and improve future development in the ACT.

My motion today is for the current residents of Molonglo who email me and talk to me at events and meetings. But it is also for the future residents of Molonglo and the rest of Canberra who will hopefully benefit from the lessons learnt about what has happened in Molonglo.

The development of the Molonglo Valley has, of course, some good points. There have been bus services from day one, and this is showing up with excellent patronage on our bus system from there. There are good footpaths. There is better diversity of housing compared to many earlier suburbs, and this is attracting a diverse population, from older people through to younger singles and couples.

But there have also been some very basic problems. For example, almost nine years after the first land release in Coombs and Wright they still have no local supermarket and no functioning local shopping centre. This is something that makes the local community very frustrated because of course it impacts on their life. If you run out of bread, milk, or want a haircut or anything, you have to drive to Cooleman Court, or you may be able to go to the new Denman Prospect shops. But they are both 3½ kilometres from the centre of Coombs and Wright. It impacts, of course, on the people of Weston as well because Cooleman Court is struggling to cope with the extra patronage from the people of Molonglo. This has led to the very controversial proposal to turn treed green space into more car parking.

Residents of Molonglo also regularly tell me—I have just had another email this morning—that the area lacks community facilities. On the surface it seems okay, there is child care, a government school and a medical centre. But what the residents are really concerned about is the lack of community life. I would have to give a big positive for the mingle activities run by the Suburban Land Agency. But there are no multicultural groups, no art groups, no local charities or service organisations, no Scouts or Guides. Why?

Over the last decade there has been a squeeze on land release for community facilities. In the Molonglo Valley only one block was released, outside the government, in the first nine years. The second is being sold at the moment, with tenders closing on 14 November. Both these sites have been released through open market sales. The only community users that could possibly afford to buy sites on the open market are childcare centres, private health centres and private aged-care facilities. Real community organisations economically do not get a look in.

The land release process for the first site included a requirement to build a community hall. There is a fully built community hall under the privately owned community facilities but it is not actually open for community use. I asked a question about this in the Assembly and as yet have received no reply from Minister Orr, despite being promised one. It is just sitting there, as far as we can tell, unused. The government, I think, has no power to make sure it is leased.

The community facility site currently up for sale in Wright has a slightly different lease requirement to provide a community hall. I note that the only reason this is happening is the community controversy about public housing on the other part of that block. It is very unfortunate that it took that level of angst to create the possibility of a community hall. There is different wording, which I hope will work out better. But we have the potential that there will be two completely unused community halls in Molonglo because of how the leasing has been done.

There is also the issue of sustainability of development in Molonglo Valley. The Greens have been pushing for years for the Molonglo Valley to be a showcase of excellence in sustainable design. The Seventh Assembly Labor-Greens parliamentary agreement committed to the following: first, excellence in sustainable design, construction of public transport infrastructure from the outset of development, mandatory solar passivity, pedestrian-friendly design, inclusion of a third pipeline for non-potable water and implementing child-friendly planning principles in the development of Wright and Coombs.

The Labor-Greens parliamentary agreement for the Eighth Assembly called for a Molonglo cycle highway feasibility study. There has been some delivery but not that much. The Molonglo study is typical. The study was done but, to quote from the response to question on notice 2711:

None of the infrastructure upgrades identified by the feasibility study have been completed to date.

When Molonglo was first being planned during the Seventh Assembly the LDA planned a demonstration housing precinct which would have included some very innovative, sustainable and affordable medium density housing. I remember them presenting to us, and many others, some truly inspirational, world-class plans. But then nothing! So much for excellence in sustainable design!

In fact, in some areas Molonglo is not as good as the rest of Canberra. Additional to environmental costs, residents in some instances pay direct costs for the gaps in sustainable designs—I will start here—in particular, street trees. Most members here, I think, live in leafy areas like Holder, Kambah, Tuggeranong, the inner north and the inner south. These are areas with large street trees and also often backyard trees that provide shade in the summer. Many people in Molonglo Valley will never have this because the design of the suburbs simply does not allow for it.

There are lots of things that go into the road reservations in Molonglo, like streetlights, electrical easements, stormwater pipes and driveways. Space for street trees has to be somehow shoe-horned in among all this, and basically developers are not leaving enough space and the government has not required it. Because of this, while some street trees have been planted, they are small species. I understand that landscape architects derisively call them lollipop trees. They will never grow up to provide the deep, shady canopy that people in many older areas enjoy.

On top of this, there is no room for trees of any kind in the gardens. In most cases there is not even room for a couple of shrubs, let alone a space for the kids to play. This problem will impact on the residents of Molonglo Valley basically forever. There is no way, reasonably, to change this. Just looking at it economically, apart from the other environmental and amenity issues, shade-free suburbs get hot early and the trapped heat means they stay hot long into the night. This is permanently locking Molonglo Valley residents into higher air-conditioning bills.

Then there is the impact on property prices. There is a reason real estate agents talk about leafy suburbs, and that is that big street trees raise property values. This has been shown in Canberra, in the rest of Australia and around the world. And, of course, the lack of room for large-canopy trees will have a huge impact on the social and environmental parts of these suburbs. Few trees and shrubs mean few native birds. Hot suburbs are also a big disincentive for people to go out and exercise or to walk over to their neighbours' house or to take their kids for a bike ride or even the dog for a walk.

Then there is the issue of passive solar design of houses to reduce energy use and people's bills. To make full use of passive solar design, standalone houses need a long frontage facing north, appropriate glazing and can have shading added where necessary, but not shaded by neighbours. This requires the subdivision to orient most house blocks with a long east-west axis. My office counted up blocks in recent parts of Denman Prospect, and around 60 per cent of house blocks are, in fact, oriented the other way, with a long north-south axis. It is almost impossible to build a passive solar home on these blocks and, if one is built, it would have to be significantly smaller than the ones around it, which has some other pluses. But that is not what the people in Molonglo are building.

Residents tell me that summers in Molonglo are hot. As well as the lack of big trees and northern orientation, many of the larger multi-unit developments lack any cross-ventilation, which means that the people who live there are 100 per cent dependent on air-conditioning so that their units can be habitable in our hot summers.

I will finish my summary of the gaps by referring to the latest suburb, Whitlam, where street construction has just started. For members who are not aware of the location of Whitlam, it is the first Molonglo Valley development on the north side of the Molonglo River. This means it is a long way from the rest of the Molonglo Valley and, in fact, the first houses will be closer to Belconnen than to Denman Prospect. This brings immediate issues in terms of how a community is going to develop. I have already had quite a few complaints about Whitlam, even though construction has barely started. All that we have started on so far would appear to be destruction.

The whole suburb is being stripped bare of vegetation and soil during the development process. As far as I can see, there is not a single blade of grass left. People seeing it from Coppins Crossing Road and William Hovell Drive are shocked and horrified. It is a complete wrecking of the ecosystem. This approach also has a big impact on existing residents on the other side of the river. Here is an extract from an email I received from a Coombs resident in the last few days:

We know all about raging dust-storms from new suburban developments. We endured them for 12-18 months while the North Coombs and North Wright estates were engineered and laid out.

She went on to say that she was seeing, in fact, more of the same.

There is lack of access to services. I am concerned that in about three years time—thankfully, from my point of view, I will not be here—there will be angry residents of Whitlam complaining in the media and to the MLAs who will be serving the people of Canberra, including the people of Molonglo, at that time about the lack of services.

The first parts of Whitlam are over two kilometres from the nearest schools and shops, which of course are in Cook and Macquarie. This is going to be hugely inconvenient for new residents. Obviously a permanent shopping centre cannot start the day the first resident arrives but a temporary pop-up shop could be done pretty soon afterwards. Whitlam, of course, is just off two major roads, and there could well be a large amount of passing trade if it was allowed to develop.

But an answer to a question on notice reveals there is no plan for that. Instead, the shopping centre is on the land release program two years after the first residential land release. Given how long it takes to construct commercial development, it is likely that the first residents will have to wait three years for shops.

On schools, similarly, a new school cannot start on day one—there simply will not be enough students—but there could be a school bus. There should be a school bus. It seems unlikely that there will be a school bus or any other buses. I asked a question on notice about this and a question in estimates, and Transport Canberra were not

prepared to say that they would do this; they only said that they will consider it. I am sure that they will consider it and, in some time, there will be a bus to Whitlam. But my point is that there should be a bus for Whitlam as soon as there are people there to use a bus. We had that in the earlier parts of Molonglo and we should have it in the later parts of Molonglo, particularly given the isolation of the first inhabitants of Whitlam.

I urge all members of this Assembly to vote for my motion and I particularly urge my fellow Molonglo MLAs to do so, because I am confident that you have all heard some, or maybe even more, of the complaints that I have heard about the development in Molonglo. Clearly there are lots of good things in Molonglo—and I am not trying in this motion to put the development in the suburbs of Molonglo down at all. Having a reserve going right through the middle of the suburbs is a wonderful recreational and environmental asset. We just pray it will not also be a bushfire starter.

What I am looking for out of this motion is the government doing an independent review that will lead to addressing some of the current issues in Molonglo. Importantly for the rest of the ACT and Molonglo, it will mean there will be lessons learnt so that development in the future will be better than what we are doing now. That has to be the aim of our planning, to ensure that we learn from what we have done in the past so that it is better in the future. That is why I would like to see an independent review of what has happened in Molonglo. I commend my motion 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) (10.37): I thank Ms Le Couteur for her ongoing interest in the sustainable development of Canberra and her reflection on many years of planning and development in the Molonglo Valley.

From the early planning through to the ongoing development of the Molonglo Valley, the government has demonstrated a strong commitment to environmentally responsible planning and design, together with its willingness to reflect on and make improvements to planning policy over time. The government's approach to the development of the Molonglo Valley has always had a strong focus on ensuring consistency with commonwealth and ACT statutory environmental approvals.

I would like to take some time to discuss some technical matters about sustainability in the Molonglo Valley. This is quite a good example of how well-intentioned political interference in the independent planning process can lead to some unintended consequences. The planning provisions in the Molonglo Valley were a direct result of Ms Le Couteur's activism and the seventh parliamentary agreement.

I would like to talk about the variation to the Territory Plan No 306, which commenced on 5 July 2013. This variation included a requirement that blocks in the new estates achieve good solar orientation and solar access to future dwellings—a considerable improvement on the then existing situation.

Residential blocks are now required to be oriented and proportioned so that a house can be designed with the daytime living areas facing north and areas of sunlit private open space, while limiting the overshadowing of adjoining residential blocks. Certain combinations of block use, slope and orientation are more likely to achieve solar-efficient house design.

The changes demonstrated the ACT's commitment to providing for new development that does not unreasonably impact on a neighbour's access to sunlight. Variation 306 achieved that by limiting the height and location of a building using a building envelope. This was also known as the "solar fence". At the time that the solar access policy changes were being drafted for variation 306, a variation that applied across Canberra, the concept plan for Coombs and Wright was being prepared.

To guarantee that the proposed solar access provisions for residential development would apply to the first stages of Molonglo, given the government's commitment to providing for the highest quality sustainable development, the solar envelope requirement was included in the Coombs and Wright concept plans as a mandatory provision. This removed the possibility of dwellings built in Coombs and Wright before variation 306 took effect not complying with the new solar access requirements, further demonstrating the government's commitment to sustainable and environmentally responsible development.

I acknowledge that, despite our best efforts, we do not always get the planning right. Once a development is built we can see any unintended consequences that the policy has created, but we learn from this. We review the outcomes and amend our policies accordingly. This is a key feature of an effective planning system. I am pleased that the independent planning and land authority regularly reflects on outcomes being achieved on the ground and will provide advice to me accordingly, should things need to change.

The solar envelope provision was no exception to this. Although the principle was to provide for dwellings that receive good access to sunlight and minimise overshadowing to neighbours, the development industry found easy ways of complying with the mandatory rule that were not consistent with the intent of the provisions. Specifically, industry started to push the dwelling close to the northern boundary or significantly excavate the site and build the house below natural ground level. While this meant that the house would not always overshadow its neighbours, the side fence or the side cut would often restrict solar access to the dwelling itself.

We learned from this. The government then initiated a variation to the Territory Plan to amend these requirements. One of the changes introduced with variation 346 was a requirement that a house on a new residential block is required to have a minimum of four square metres of northern glazing to a daytime living area. An important component of this new rule was that the glazing was not to be overshadowed at noon on the winter solstice by either buildings or structures on the subject block or compliant development of the northern neighbour. These changes addressed the unintended outcomes that were being observed on houses being dug into a block or pushed so close to their northern neighbour that the house was not able to achieve direct sunlight in winter.

As an example of how the ACT government has addressed the topic of pedestrian-friendly design, I would now like to discuss variation 348, which incorporated active living principles into the Territory Plan. It formed part of the ACT government's healthy weight initiative and aims to increase the physical activity levels and health of the ACT population. Variation 348 amended the rules and criteria to prioritise active travel, guarantee accessibility of land uses by active travel, promote connectivity to surrounding active travel networks, support the development of attractive streets and public places, and introduce the concept of minimum safe walking distances in local, group and town centres, along with bus stops, public parks and community facilities.

Like so many cities around the world, Canberra faces challenges with improving economic prosperity, building resilience to climate change, managing urban renewal, and accommodating a growing and changing community. We face the critical question of how to grow while balancing and protecting Canberra's qualities as a livable city. The refresh of the ACT planning strategy 2018 provided the opportunity to consider these challenges and how best to plan for the future, into the future as well. And sustainability is at the heart of the ACT planning strategy. If Canberra simply keeps expanding outwards, this will put increasing pressure on the valued natural resources that surround the city, like our bushland and grasslands, and the ecosystems they support. Continued urban sprawl increases travel distances, carbon emissions and infrastructure costs.

The government looked at opportunities for future greenfield development through the development of the 2018 ACT planning strategy. We considered proximity to existing urban areas, jobs and services, environmental qualities and transport connections. In addition, we looked at how much it would cost for new infrastructure and found that infrastructure servicing costs can be up to three times greater for new greenfield areas than urban infill locations.

Although a focus of the strategy is for 70 per cent of new housing to be within Canberra's existing urban footprint, the strategy includes actions to plan for future greenfield housing supply. This includes the potential for new residential areas to the west of the city. The government recognises that there will be an ongoing demand for greenfield development in the territory.

Another theme in the ACT planning strategy is that Canberra is a livable city. In practice, this means ensuring Canberrans have access to parks and green spaces. These provide so many benefits, including increased physical activity, mental health benefits and social interaction. Trees and other vegetation combat the urban heat island effect, support stormwater management and improve biodiversity.

In line with this, the recently released "Living infrastructure plan: cooling the city" identifies the need to increase tree canopy cover across the urban area from its current level of 21 per cent to 30 per cent by 2045. The new development at Whitlam will look at innovative approaches to improving living infrastructure. The government is also looking to increase the area available on a block for soft landscaping for all residential zones. There will also be a new requirement to plant one or more trees,

depending on the size of the block. This means more trees, more green spaces and less concrete in our residential blocks.

Ms Le Couteur has asked this Assembly to note the Labor-Greens parliamentary agreement for the Seventh Assembly and particularly the inclusion of a third pipeline for non-potable water. As an update to this, I would like to advise that the third pipeline was investigated and found to be unnecessary because the ACT's water treatment facilities already deal with sewage effectively, and a third pipeline would have been expensive to install with no net environmental or health benefit.

A lot has happened since the parliamentary agreement for the Seventh Assembly was signed by the parties to the agreement. We are making significant progress in terms of improving the quality of development in Canberra. We are always considering where and how our planning policies might need to change to improve our buildings and our green spaces. This reflection is why we have commenced a review of the entire planning system, to make sure that, across Canberra, we are seeing development that meets the expectations of the Canberra community.

While the government supports the proposal for a review to be undertaken, given ongoing review is a positive thing, it must be commissioned by the independent planning and land authority. This will come at a cost, but I am advised by the chief planner that funds would be redirected from the planning review to make sure that this work is completed within the time frames required by the Assembly.

In conclusion, the ACT government supports Ms Le Couteur's motion today, although we would have preferred that the work to be commissioned was broader in scope. Sustainability is not limited to the Molonglo Valley; it is important to all of Canberra. Therefore, in scoping the required work, the planning and land authority may seek to broaden the scope so that we can guarantee that it is an effective input into the planning review.

MR PARTON (Brindabella) (10.48): What a fascinating motion from my Greens colleague Ms Le Couteur. We will be supporting this motion because we agree with most of it. It has been interesting to listen to both Ms Le Couteur and Mr Gentleman. One of the things that I get from Ms Le Couteur's speech is that the compact city vision for Canberra is wonderful but it is so easy to get it terribly wrong.

Mr Gentleman spoke about the grand vision of sustainable development for Molonglo but conceded that the intentions of the planning guidelines for Molonglo have not delivered the desired results. I do not know if it is just me, but I cannot get away from the belief that from the planning minister we always seem to get great chunks of public service speak which are just about never supported by actual outcomes.

Mr Gentleman speaks of the focus on urban infill, but I am not sure that the community believes that this is going to deliver the sustainable development that Labor and the Greens trumpet. My first reading of the motion when it appeared in my inbox from Ms Le Couteur's office was that Ms Le Couteur was saying that Labor and the Greens, in their parliamentary agreement for the Seventh Assembly, painted a picture of utopia for Molonglo, that they promised a planning paradise back then.

They had a blank canvas and the brightest progressive planning minds in the city working together to create utopia. What the hell happened? What went wrong?

This motion highlights some of the planning failures in Molonglo. I want to go to one of the points that Ms Le Couteur made at the end of her speech. I think Molonglo is a wonderful place, but it could be so much better. The motion highlights the planning failures of Molonglo. It is a little ironic, as pointed out by Mr Gentleman, that Ms Le Couteur is the one bringing it forward. Isn't it always the way with Labor and the Greens that they buddy up and lie down in bed together immediately after an election and pretty much get married with an official document that publicly declares their great love for each other and what they are going to achieve together. Then, as we get to within a year from the election, they play out a fake break-up, leading to a fake divorce, only to join hands again on the other side of October.

Ms Le Couteur is quite rightly publicly raising the enormous shortfalls in the planning and development of Molonglo, but she and her party played a vital role right from the start. What has played out and what has actually resulted from those discussions is not what was intended, but Labor and the Greens had a blank canvas. They have been able to craft this new town centre without having to worry us about us evil Liberals. You did not need our vote for anything. You came up with an amazing vision of utopia, and it has very clearly fallen short of the mark.

Occasionally I get visitors from other jurisdictions who have an interest in planning and suburban infrastructure. When I take them on a tour to show them planning failures, we always go out to Molonglo. We drive around and look at a number of the very things that Ms Le Couteur has raised in this motion. I can already hear Ms Cody suggesting that I am being critical of Molonglo and I am talking the place down, but I am not the one who brought the motion here. When I drive people around and show them, I do not trumpet it. I do not make a "Hey, it's Parto here" video. I just drive around and show them.

In 2011 Ms Le Couteur was championing the so-called Molonglo cycle highway, as mentioned in the motion. The feasibility study was part of the public marriage document between the two parties. Ms Le Couteur has mentioned that the feasibility study was done, but it is now 2019. I know she is asking the same questions I am in terms of where the cycle highway is. Where is it? Why did utopia not happen in Molonglo?

Ms Le Couteur notes in her motion that the Molonglo Valley developments do not appear to be delivering excellence in sustainable design across all areas of environmental sustainability, social sustainability and transport. She notes a lack of room for canopy trees. There is no room for them. She also notes the removal of all vegetation during the suburb's construction. There was a dream of a sustainable green suburb, but what Labor and the Greens have actually done in Molonglo is to create urban heat islands, which (a) will create more emissions than your average run-of-the-mill Tuggeranong or west Belconnen suburb, or some other areas that we have spoken of, and (b) during heatwaves will actually increase the real and apparent temperature within those urban heat islands.

It is not new. Ms Le Couteur is banging on about this stuff all the time, and quite rightly. The Urban Land Institute of America released a report earlier this year on the effects of climate change and extreme heatwaves on cities and urban areas. They concluded that cities are at elevated risk from extreme temperatures because they absorb more of the sun's energy. None of it is new to us, but it is extremely relevant to this motion. The *Scorched* report, as it was called, focused on the urban heat island effect. I know that Ms Le Couteur is right across it, and it is one of the reasons that she and I are particularly obsessed with trees in our city. And so we should be. We need to be.

The *Scorched* report tells us that land development, including the removal of trees and green space and the addition of heat-absorbing materials, is an extremely important driver of temperature change in urban areas. It is all well and good for us to carry on in here about the effects of climate change and to talk about emissions, but when we are modifying the built form of so many of our urban areas in a way that creates a genuine heat island effect, we are exacerbating any effect of climate change in our suburbs.

When you walk around Molonglo and talk to people about where they live, they cite the lack of local shops. I know that Ms Le Couteur has included this in the "notes" section of her motion, and I applaud her for it. As much as Mr Gentleman, as an inner suburban planning minister, shies away from taking any responsibility for the establishment of retail services in Molonglo, as far as the residents of Molonglo feel, it is a government failure.

We support an independent review of planning and development for the Molonglo Valley. I will be very keen to see what it delivers. I will be very keen to see what it says. Mrs Jones, as a local member, has spent a lot of time strolling around Molonglo. She is going to add a stack of firsthand information about how the locals are feeling, especially about claims that Molonglo is served well by public transport. I am not sure that that is actually the vibe in a lot of areas in Molonglo. We will be supporting this motion from Ms Le Couteur.

MRS JONES (Murrumbidgee) (10.56): I thank Ms Le Couteur for bringing this motion to the Assembly today. Development in the Molonglo Valley has disappointed many residents. Currently, the main themes include crime, lack of infrastructure, inappropriate bus routes, and threats to build out yet more of the last trees available in some suburbs. The crimes that people are experiencing in some of the suburbs of Molonglo Valley include petty theft, the theft of postal items on a regular basis, cars being stolen and homes being broken into. There is hooning and burnouts along John Gorton Drive every night of the week. Woden police station, as the minister well knows, is overstretched.

Mr Parton is right. This development has created a massive heat sink in the middle of what used to be an ageing area. A local resident told me the other day that after the bushfires and the burning of the pine forests, great brochures were put out into Weston Creek suburbs, talking about Molonglo Valley and what it was going to be like, that it was going to be a beautiful, leafy, modern, livable natural environment in which we would ask people to come and live. The reality is the exact opposite.

Minister Gentleman has the hide to come in here and blame the Greens. He is the minister; once in a while, some responsibility should be taken by the minister for things done on his watch.

Scraping down every inch of topsoil in new developments has a number of negative impacts. The more practical one that I am hearing from people every day is that they do not have enough topsoil to grow the trees and the natural plants that are required to create mini-ecosystems in people's backyards. If we do not have any topsoil and people have to buy it back, perhaps we are failing in some of the very basics of how we plan and build suburbs. We see it in Whitlam right now; it is just red dirt. And it is not just dust that is the problem; it is how we then grow back some kind of greenery for our families to live in, for the birds to live in and for the bugs to live in, and to keep the temperature down in those areas.

There is a complete lack of infrastructure. Residents were led to believe that there would be more than one school, and that there would be a high school soon after they moved into the new suburbs of Molonglo. There is no high school, public or private, and there is only one public primary school. There are quite a lot of people who have moved into this area, yet we do not have these basic provisions which people were promised.

The Coombs shops are a complete and utter disaster. You cannot just blame the owner. This is a government with a majority in the chamber. When something else about their own regulations does not suit them, they come in here immediately and use their numbers to change the regulations. This is the case I have been making in Coombs to residents: the problems with the developer of those shops are not just one man's problems. If he wants to hold a whole region of a suburb to ransom, the rules should be changed so that that is no longer possible. It is not good enough that shops sit empty year after year.

Ms Le Couteur is not quite right, because there actually is one shop in the Coombs shops. One valiant man, who gets broken into on a regular basis, is providing that suburb with bread and milk, with biscuits, with some food, and with some cooked food. I applaud him because he takes the risk that nobody else is willing to take to provide that suburb with something they can buy locally.

There is so much work to do to get those shops filled and busy. If the minister is not meeting with that developer every single week until the issues are resolved, he is not doing his job properly.

Ms Le Couteur's motion also makes the point that there is no district shopping centre. At the last election, the Canberra Liberals promised to start building a group centre for Molonglo. The land has been set aside; the placement is known. It would be possible to build a major supermarket and a car park just like what was done in the early years of Gungahlin. Other infrastructure can come later.

It is unreasonable to have three suburbs completely filled, and another on the way, and still not have a major supermarket in the area. It affects Cooleman Court and how

it operates; it affects Jamison and how it operates; it probably even affects Curtin and how it is able to operate. I do not think the minister gets up every day worrying about these issues.

And the hide of the Greens! They supported the use of community facility zoned land for public housing developments, which are being developed at huge cost to the public, not properly salt and peppering people throughout the community, which should be the government's policy. Now that two-thirds of the one block of community facility zoned land in Wright has been built on, what has happened? We have a community hall that the community cannot use. It would be funny if it was part of a *Yes Minister* proposal, but it is not. This is real. This government has become a complete joke.

Coombs peninsula people have a lot to ask of this government. Coombs peninsula people want their nature park on the end of Coombs peninsula left as it is. As Ms Le Couteur says, there are practically no trees left. We have developed every inch of space except a very narrow corridor around the river which is super windy. I do not know if Minister Gentleman has ever tried to have a barbecue on the side of Coombs peninsula or sit at the barbecue areas that were built there. It is like sitting in a tornado. Kids' jumpers fly away and coffee cups fly away because the site the government has put the picnic facilities on is not appropriate and does not have any tree coverage. For 30 additional dwellings the minister is trying to sacrifice the last remaining little bit of natural space that the people of Coombs have.

There are dozens of unkempt building blocks in Coombs. I do not know what happened there, as opposed to other suburbs, but it is not good enough that people have to live for three, four or five years with a block next door that is unfenced, unkept and dirty and that has couches dumped on it on a regular basis. It is not what they paid \$600,000 or \$700,000 for a block of land that they were going to build on for. Those people are paying off million-dollar properties just for a suburban house, yet next door they have to look at these blocks. There are streets that have three and four of these blocks in them.

Unlike Caroline, I do not believe at heart that it is a review that is needed; I believe it is a change of government that is needed. I do not think a review is going to fix anything. Canberra needs a completely different recipe. Canberra needs a government which has the interests of local residents at heart and is not a bunch of people sitting in their offices scared to go out into the community. Canberra needs MLAs who are doorknocking them, who are actually out there putting their face and their body on the line, listening to what people have to say, soaking up the irritation, and going back to their offices and making it better. That is not what we see from here.

We support this motion because it highlights very real problems. But, in the end, the Greens are just as guilty of this as the Labor government. The only thing that will save the rest of Molonglo from becoming the same is a change of government next year.

MS CODY (Murrumbidgee) (11.05): I reckon the new Molonglo suburbs are grouse, and while I reckon the review will also discover that the new suburbs in the Molonglo Valley are truly grouse—or words to that effect—I feel the need to speak briefly. I am

a little concerned that some of the preamble to this motion implies that our new suburbs are less than grouse.

Mrs Jones: Go doorknocking, Bec.

MS CODY: I do, all the time. Yes, the trees in our new suburbs are not yet forming a canopy. If you look at pictures of the Woden Valley in the 70s you will find the same thing. Trees take time to grow. I am sure Ms Le Couteur is aware of that, and that is twice today her horticulture background will feature in debate, without wishing to pre-empt debate, Madam Speaker.

More seriously, we know that we have some building quality issues in Canberra. This motion seems to wander up to but not quite address those issues. Fortunately Mr Ramsay is addressing those issues. This government is aggressively combatting dodgy developers whenever and wherever it can.

The other thing I say about this motion is that it appears to be having a crack at transport in Molonglo. Perhaps Ms Le Couteur is looking at a different map or different patronage figures than I am, but if there is one place in the electorate that we share where network 19 is a runaway success it is the Molonglo Valley. The R10 is an absolutely brilliant service. Sure, our friends in the north have a fancy tram, but the R10 is the next best thing. So have a review, but do not trash talk the good stuff: the Molonglo Valley truly is grouse.

MS LE COUTEUR (Murrumbidgee) (11.08), in reply: I thank members for their support for my motion, some more fulsome than others. My motion is not intended in any way be anti-Molonglo or suggest that it is not in many ways a great place to live. For those people who got that impression that is not what I was saying.

Mr Parton had it right as to what I was saying: in the Seventh Assembly we strove very hard to build a better part of Canberra. That was the idea; perhaps we were not quite as ambitious as creating utopia, but I was the Greens spokesperson at the time and we put a lot of energy into working with the government to try to create a better, more sustainable part of Canberra. We were truly trying to do it better.

One of the reasons I have moved this motion is that it is a matter of personal regret and reflection for me. What did we get right—we must have got some of it right—and what did we get wrong, because some of it clearly is wrong. I am fairly confident we will continue to develop Canberra regardless of the outcome of next year's election, and we need to learn the lessons from this development. I genuinely believe it started with the intentions of creating a better, more sustainable development than we had in the past. It is in everybody's interests to learn lessons from what we have done.

I am not saying that Molonglo is not in many ways a great place to live; I am saying that in Molonglo an effort was made to do more sustainable developments. Did it work? Clearly in some ways it did not. So how can we do it better? We are continuing to develop and we have to learn from our mistakes.

Mr Parton: Redefine “grouse”.

MS LE COUTEUR: Well, that was one of the more interesting contributions to this debate.

Minister Gentleman, I am flattered by your views as to how much I influenced DV306. It took the best part of a couple of years of my life here in the Assembly; that was an awful lot of work for a poor crossbencher to try to get my head around. The minister is correct that the development industry have found ways to get around the intent of that, but they have a lot more resources than I had, although probably not as many as ACTPLA.

I point out that I was not a drafter of 306; I was merely someone trying very hard—and I continue to try very hard—to have a planning system which encourages good passive solar design. We need that, and I regret the things in the planning system that do not encourage it. This is part of the reason I am moving this motion: so that we learn from the things that have not worked.

I was disappointed that Minister Gentleman did not bother addressing the issues of Molonglo; he only talked about the general issues of Canberra. Part of the problem in how we are doing development and how we review our planning rules is that we have to look at things happening on the ground in Canberra. In an earlier discussion there was a suggestion that all the mistakes in Wright and Coombs have been learnt from and so why should we be doing this. But my office—ably assisted by a couple of interns; I am not sure what university they were from—looked at the block layout in Denman Prospect and found that it is not optimised for solar passivity. These are not problems of 10 years ago; these are problems we are creating now.

I thank Mrs Jones for her elaboration on my theme. I apologise; I should have mentioned the small shop in Coombs. There is now a small shop and the owner does an excellent job. I have bought some of his takeaway, so good point. I also thank Mrs Jones for mentioning the Coombs peninsula. The planning committee is on the side of the residents of Coombs with this and I just hope that the government will be on the same side as well.

I was disappointed that Ms Cody clearly did not bother listening to my speech. I pointed out that there was excellent bus patronage in the first parts of Coombs and Wright because that was part of our agreement. That is one of the things that we as a government, I guess, got right and that we pushed for to get right in Wright and Coombs.

Mr Parton: “We as a government”? Are you part of the government?

MS LE COUTEUR: “We as a part of the government”—I get confused about how I should describe that, but you know what I mean. As a result of the parliamentary agreement of the Seventh Assembly the government provided bus services from the beginning in Wright and Coombs. As I pointed out and as Ms Cody pointed out, that has led to excellent bus patronage in the initial parts of those developments. However, my disappointment is this: there is no commitment from the government to do this for the newer parts of Molonglo. It is not excellence in sustainable design and it is not living up to the commitments of the Seventh Assembly.

Ms Cody, yes, I do know trees that take a long time to grow. One of the things I often point out to people is a photo of a house I moved into in Yarralumla in 1956. There is a house in the middle of a sheep paddock. There are no trees. There is no road. There is nothing. If you look at that area now there are trees. The point is that in Molonglo that will not happen because space has not been left to grow big trees. It is not the same, and that is the point we are trying to make.

I thank the Assembly very much for its support and I look forward to an independent review of what is happening in practice on the ground in the newest area of development in Canberra. If we are to continue to develop in Canberra—I am fairly confident that we will, regardless of who is in government after the next election—we need to learn from what we are doing now and do it better.

Question resolved in the affirmative.

Taxation increases

MR COE (Yerrabi—Leader of the Opposition) (11.16): I move:

That this Assembly:

(1) notes:

- (a) the ACT Government received \$214 million more in taxes during 2018-19 than the previous financial year;
- (b) despite this 13 percent increase in revenue the ACT Government has failed to deliver basic services to a reasonable standard in multiple portfolios, including health, education and transport; and
- (c) Canberra families are suffering because of the increasing tax burdens placed on them due to the ACT Government's poor policy decisions and misplaced spending priorities; and

(2) calls on the Government to:

- (a) table all modelling regarding the 2018-19 and future revenue projections by 24 October 2019; and
- (b) stop the unfair increases to rates, taxes, fees and charges, particularly for low income households.

I think it is fair that we in this place represent Canberrans in asking for greater transparency with regard to how their money is spent. The ACT government is money hungry. It is a government that keeps taking more and more, but it is delivering less and less. Last financial year, as depicted in the annual report and the consolidated financials for 2018-19, the ACT government received \$214 million more in tax revenue than it did in the previous financial year. This represents a 13 per cent increase in the revenue that it had brought in through taxation.

The question that every single Canberran should be asked is: are you getting value for money? Is this government delivering for you? Are the services that you are receiving, be they health, education, community, justice, urban services or otherwise,

commensurate with the fees and charges that you are paying? This government is very good at measuring on inputs but not so good at measuring on outputs. That is, they are good at saying how much they are spending; they are not so good at saying what they are actually delivering.

In the previous financial year the government brought in \$1.815 billion through general rates and land tax, duties and levies, payroll tax and other taxes. In contrast, in 2018, it was \$1.601 billion. An extra \$215 million in one year was the increase. The question has to be asked: why is it that the government needs all of this revenue and where is it being spent? Importantly, how is it being collected and from whom?

The Greens, in particular, should be asking questions here about social justice. They should be asking: is it fair, is it just, that the ACT government keeps slugging Canberra households more and more? Perhaps the Greens, like the Labor Party, are just as addicted to the revenue as all aspects of the government seem to be.

With respect to revenue at \$1.8 billion and an increase of 13 per cent, who else in the ACT gets an income increase of 10 or 13 per cent every single year? Who else has a compounding salary increasing by 10 or 13 per cent every single year? If you do get that sort of windfall year on year, surely you would have something to show for it; surely you would be bringing down your debt. But at a time when there is record revenue, the debt continues to grow. There is very little to show for it.

We all know the trajectory that this government is on. It is one that is going to tax many Canberrans out of their existence. It is a government that said they would not triple rates, and it is very obvious to all Canberrans that the rates are tripling. It is a government that said, "It will just be a cup of coffee a week." We all know that it is considerably more than that.

It begs the question: what is going to happen next year; and what is going to happen the year after that, the year after that and the year after that? Whilst there are some households that can manage it, there are many that cannot. And even for those that can manage the cost of living in the territory brought about by taxes, fees, rates and charges, how much longer will they be able to put up with this government's increases to these amounts?

It is a government that seems to be doing everything it possibly can to drive the economic development of Queanbeyan, because they are the big winners as a result of this government's policies. Be it housing, be it recreation, be it business or so many other pursuits, this government is driving people and opportunities over the border into New South Wales.

You cannot keep increasing revenue at the rate that they are and not have a devastating impact on your base. But 13 per cent is well above the combined rate of growth of the city and of CPI. The growth of population and CPI is nowhere near 13 per cent, which means the tax burden per household, the tax burden per person, is increasing significantly in the ACT, well beyond that of inflation. It is just not fair.

The motion that I have brought forward today calls on the government to stop these unfair increases to rates, taxes, fees and charges, particularly for those on a low income in the ACT. But we also think it is reasonable that we get all of the modelling that the government have available as to what will be the revenue in future years. They must have done these projections; they must have done this work. As reported yesterday, there is a culture of secrecy in the ACT Labor government. It is a government that is strongly disinclined to tell the taxpayers of Canberra how their money is being spent. It is a government that claims all of the glory but distances itself from all of the pain.

It is reasonable that the people who are paying their bills get to see how much revenue is going to be asked of them in the coming years, so I very much hope that the Greens will be supporting this motion, and particularly paragraph (2)(a). Surely, they will also want to stop unfair increases to rates, taxes, fees and charges, particularly for low income households.

There is no doubt that what I have noted in this motion is absolutely true. There is no doubt that the government received \$214 million more in revenue. There is no doubt that, despite the 13 per cent increase in revenue, the ACT government has failed to deliver basic services to a reasonable standard. And there is no doubt that Canberra families are suffering because of the tax burdens placed on them by this government.

If the Greens are once again going to side with the Labor Party on this motion and if they are going to prop up a culture of secrecy, it is a pretty significant indictment of them once again. It is a party that is in cahoots with the Labor Party, and a party that is just as responsible for the hardship that this party has caused as anybody else would be.

I look forward to the contributions in the debate by the Chief Minister and Ms Le Couteur. I have very low expectations that the government will support my motion and deliver the modelling that has been forecast. I think it is fair that all Canberrans get to see how their money is going to be collected in the years ahead.

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) (11.26): The government will not be supporting the motion and I will address the issues that Mr Coe has raised. The government is committed to raising revenue in a way that is fair, efficient and sustainable to deliver the resources needed to fund essential public services. I remind the Leader of the Opposition that, according to the Australian Bureau of Statistics, tax per capita in the ACT is at the Australian average and indeed is lower than in New South Wales and Victoria.

If he is particularly concerned about increases in taxation per capita, he would be well advised to look to his commonwealth friends. The ABS reports on this annually. The most recently available data—for the 2017-18 financial year—indicates that there was an increase in tax per capita across the nation of 6.9 per cent. The commonwealth government taxation per capita increased by 8.2 per cent. The average taxation per

capita from state and local governments combined increased by 1.6 per cent, except for two states and territories, New South Wales and the ACT, which actually recorded a decrease in taxation per capita. From 2016-17 to 2017-18, taxation per capita actually fell in the ACT and in New South Wales. All other jurisdictions recorded an increase in the context of state and local government taxation.

Of course, we have a narrower revenue base than other jurisdictions and we are undergoing a tax mix switch, which was recommended by the Henry tax review, through a tax reform agenda. We need to continue to deliver public services and meet the infrastructure needs of our fast growing city. This means more and improved schools, more teachers, more teacher assistants, more nurses, more doctors, more police officers, more firefighters—more people who work in the public sector to make our lives better.

At this point in our city's history, we are experiencing unprecedented levels of both population and economic growth. I will take the opportunity this morning to talk about that. But clearly, with our population growing by more than 8,000 people a year, this is adding to not only the tax base but also the consumption of government services. That is not unexpected. It is what is occurring in every jurisdiction across this nation, with the exception of the Northern Territory, which currently is experiencing a population decline.

I want to look particularly at the broader data for the ACT economy that does underpin the reasons why our revenue base is growing. Our economy is now worth more than \$40 billion annually, as measured by gross state product. This means that our economy is now larger than Tasmania's and it is larger than the Northern Territory's. This is not surprising in the case of the NT because we have double their population. But we have a larger economy than Tasmania, which still to this point—although we are fast catching them—has a larger population than us. This reflects the strength of the ACT economy, which has been growing at a rate of four per cent per annum, well above the national rate.

The value of exports of goods and services from our economy rose from \$1.59 billion in 2015 to \$2.23 billion in 2017-18, an increase of 40 per cent. We have higher average disposable income, at \$91,000. That is \$43,000 above the Australian average. We have had very strong population growth of over 7,000 people a year each year since 2011. Our city's population is forecast to reach half a million by 2030.

There are 3,200 new businesses operating in the territory now. That is 3,200 more than there were four years ago. There are more than 16,000 new jobs in the economy than there were four years ago. Our unemployment rate, at 3.5 per cent, is the lowest of all Australian jurisdictions.

As we look at growth in the ACT, as benchmarked against the Australian average, we are exceeding that in terms of gross state product. We are exceeding that in terms of growth in international trade and services. Our services exports were at 10.6 per cent in the 2017-18 year. Australia-wide that growth was seven per cent. We have seen private investment grow through the year by 2.1 per cent in the ACT, whereas it has

gone backwards by 5.2 per cent nationally. Total state final demand through the year for the ACT was nearly three times that of the Australian growth rate.

We are in a position now, when we look at the most recent labour force data, where not only do we have the lowest unemployment rate of all jurisdictions but we are seeing the greatest increase in employment. We now see in September 2019 employment increased in that month by 1,100 people to an all-time record of 235,000 Canberrans in employment. Through the year to September 2019, employment increased by 7,600 people, or 3.3 per cent.

To put that in simple terms, the employment growth rate in the ACT was the highest of any jurisdiction in Australia, both in the month of September and during the last 12 months. And we did this at a time when our participation rate increased by 0.3 of a percentage point, to 71.3 per cent. Nationally, participation went down. We have seen massive employment growth—the strongest in the nation—off the back of an increase in the participation rate. We now have 8,400 people unemployed. We have 235,000 people employed; 8,400 unemployed.

Our employment is being driven by increases in both full-time employment and part-time employment. Of those 7,600 new jobs created in the year to September 2019, 4,800—more than half—were full time; 2,800 were part time. The increase in the participation rate to 71.3 per cent was due to increases in both the male participation rate—up 0.3 percentage points to 75.2 per cent—and a 0.3 per cent increase for female participation, up to 67.7 per cent. Youth unemployment, decreased by 1.1 percentage points in September, to 8.3 per cent. It is the lowest of all jurisdictions and well below the national average of 11.7 per cent. This is a very strong story on employment, Mr Assistant Speaker.

Most of this employment growth is occurring outside of the public sector. That is flowing through into territory revenues as it relates to that small section of territory businesses that do pay payroll tax—those large national and multinational companies that operate in our city. In the main, they are the main payers of payroll tax in the ACT, and we have seen increased payroll tax receipts. That is a good thing because it is coming off the back of record employment growth. We have all-time record levels of employment in the ACT, the lowest unemployment rate in the nation and the fastest job creation in the nation.

I mentioned before that we have 8,400 unemployed people, according to the ABS. Total job vacancies in the territory increased by 14.1 per cent in the three months to August 2019, to 8,600 vacancies. We now have more job vacancies—8,600—than we have unemployed people in the ACT—8,400. There is no other jurisdiction in this country that is in the position that it has more job vacancies than unemployed people.

Total job vacancies remain above their five year average, at 8,600. The five-year average is about 6,000 vacancies. Through the year, growth in job vacancies has been positive for a consecutive period of 11 quarters, largely driven by growth in private sector job vacancies. Job vacancies are a leading indicator of employment, which reflects a robust employment outlook for the territory over the near term. This is really

significant because, as we all know, having a job is the best way out of poverty. It is the best way to provide opportunity for yourself and for your family.

This very high level of employment activity is spilling over into the retail economy. In August 2019 the ACT recorded well above Australian average growth in retail trade, both monthly and through the year. The 1.9 per cent growth in retail trade in August was the largest monthly growth since December 2015 and the highest growth rate of any state or territory. Through-the-year growth in ACT retail trade turnover has been positive for five years. I repeat that: through-the-year retail trade turnover has been positive for five years up to August 2019.

As we delve into the detail of that, we see increases in consumption across a range of areas that are contributing not only to the territory's economic growth but also to the growth of many sectors of the territory economy in the retail trade, particularly as it relates to food retailing, household goods, cafes, restaurants and takeaway food services—all areas that are big employers within our economy.

The one area of consumption that I am pleased to see has been reducing is that year on year there was an 8.2 per cent reduction in the consumption of cigarettes and tobacco. We are, however, increasing our consumption of alcoholic beverages, which is a factor that has been identified by KPMG as one area where our resilience as a community has been reducing. We have come out on top of their regional capacity index by a long way in terms of our economy's capacity to survive and bounce back from big shocks to the economy. We do so because we consistently achieve very high levels of educational attainment, high life expectancy and high female participation in the labour force and have comparatively moderate levels of household poverty.

The one thing the authors of this report identified was that Canberra men are drinking more and on average are dying slightly younger than they did five years ago. Life expectancy for men has gone backwards from 81.7 years to 81.1 years and during this time there has been an increase in the number of men's deaths caused by alcoholic liver disease, diseases of the digestive system, and mental and behavioural disorders. This is tied to alcohol consumption in the main. It is obviously something that we will need to focus on in the context of our work on overall wellbeing for our community.

I want to highlight in the two minutes that remain to me that the ACT economy is growing faster than the economies of any other state or territory. We are seeing record numbers of international and domestic visitors to our territory, all of which is fuelling strong levels of economic activity. When we see this strong level of economic activity, combined with very strong levels of population growth, what we are seeing is that flowing through into increased revenues.

Of course, on the other side of this equation, increased population and the ageing of the population put more pressure on the demand side in terms of government services. We are seeing that in our health system, in our community services system, in our education system and in all of the services that both a combined local and state government needs to respond to.

I wish to conclude my remarks this morning by responding to this oft repeated criticism of the Leader of the Opposition that somehow or other the policies here in the ACT are driving both population and economic activity over the border. Clearly, the population issue is debunked by the facts. We have seen very rapid growth in the ACT's population. I note that from 2011 to 2016 Queanbeyan's population actually went backwards. It went from 37,991 to 36,348 between 2011 and 2016. That does not include Googong. It may be that some people from Queanbeyan moved to Googong during that period. But Queanbeyan is not rapidly growing. It is not growing faster than the ACT. In fact, we are growing more strongly than the rest of our region, which belies the points raised by the Leader of the Opposition. We will not be supporting the motion today.

MS LE COUTEUR (Murrumbidgee) (11.41): Mr Coe has my utmost respect for his ability to make essentially the same motion different enough to move every sitting week. Thank you, Mr Coe. But at least it makes life a little more efficient for those of us who have to respond. The Greens' position remains essentially the same on all these. We actually take poverty and hardship very seriously. We always have. We always will.

That is why yesterday we objected to the government increasing fines for vulnerable Canberrans. I note that the Liberal Party was quite happy to increase fines. And the fines that were talked about yesterday will almost exclusively be paid by vulnerable Canberrans.

Every sitting week, when Mr Coe's motion arrives, I take a very careful look at it to see what parts of it I support, what parts I do not support and then what parts I might be able to make into something more useful for addressing poverty and hardship. What I am looking for are ways that the Greens can turn a political attack into something that might actually help Canberrans in poverty.

Last time the topic of the week was rental affordability. I was very pleased out of that to be able to find some modest actions which I thought might get support from the Assembly. They were passed by the Assembly and, hopefully, will now be delivered. Land taxes is one I have been banging on about for over a decade. I am very pleased to see that that relief will be extended. This will help, in a small but hopefully important way for at least a few low-income households in Canberra, to increase the supply of affordable housing.

This week I have not been quite as imaginative and positive with Mr Coe's motion. I am not going to be moving an amendment to it. The Labor Party is not either. I will be voting against it. I must say that I find the way that Mr Coe is using the serious issues of poverty and financial hardship as a series of political attacks to be very frustrating. The motions in general do not call on the ACT government to do anything that is actually achievable. I emphasise the words "ACT government". A number of them—not this one, admittedly—have completely bypassed the facts and linked the ACT government to problems which were caused by the federal government. The first one was a stunt, criticising the budget that had not even been released when the motion was written.

I will give you an example of what Mr Coe could have included in today's motion if he was genuinely concerned about the plight of Canberrans on low incomes. The concession system is critical for maintaining fairness and maintaining households, in fact, for Canberrans with low incomes. There is a concession specifically targeted to help people with their gas and electricity bills, the utilities concession. It is available for renters and home owners on pensions, including the aged pension, the disability pension and Newstart.

If Mr Coe was genuine, he could maybe have even included a call to raise the utilities concession which, coincidentally, the government increased by \$46 from 1 July this year. He did not do that. He could have linked that in some way to the changes in rates collections. That would have been a possible approach.

But the reality is: I do not think these motions are actually about helping people who are living in poverty at all, unfortunately. I fear that they are largely a political attempt to paint the Liberals as a moderate party which backs low income people. I really appreciate that this is a very hard message for the ACT Liberal Party to sell because their federal colleagues clearly have no concern whatsoever for people on low income.

Look at what has happened to Newstart, or rather what has not happened to Newstart. Look at robo-debt. Look at many, many other policies of the federal Liberal Party and it is really hard for the ACT Liberal Party to put forward the proposition that they actually are a moderate party that backs the considerable issues of people on low incomes in Canberra. I am not trying for one minute to say that there are not issues for people on low incomes in Canberra, but the ACT Liberals unfortunately have not yet put forward anything resembling a coherent policy to support low income Canberrans. I am afraid I can only give the liberals an "E" for effort, not an "E" for excellence.

MR COE (Yerrabi—Leader of the Opposition) (11.47), in reply: Mr Assistant Speaker, you would have thought that Ms Le Couteur could have at least touched on the transparency aspect of the motion. But she pretty much avoided that completely because she is a member of a party that talks a big game when it comes to transparency but is not so good at delivering when it comes to the government that they have kept in power for such a long time. You would think the Greens could at least say that there should be more transparency; there should be scrutiny. Instead Ms Le Couteur actually delivered the political speech of the day whilst criticising me for being political.

We unashamedly come into this place on a regular basis and stand up for the Canberrans that are doing it tough as a result of this government's policies. The rates, taxes, fees and charges that the government has imposed are hurting people right across the territory. It is the Canberra Liberals who are standing up for the working poor of this city because those opposite are no longer a workers party. They are a party of the elite. They are a party that cannot tolerate anybody who disagrees with them. They are a party that are disrespectful. We on this side of the Assembly will keep fighting for the many Canberrans that want to stay in this city, that love this city and that want a fair go. Instead they are battling. They are doing it tough in this city because of this government's policies.

Is it really too much to ask of the ACT government to actually release how much revenue they expect to bring in in the coming years, and from what sources and what is the basis for those numbers? There is next to no information about the basis of those projections. That is why we have got to keep putting in questions on notice about how many additional dwellings they expect, what the population growth will be et cetera, et cetera. These are the sorts of things that the government should be presenting as a matter of course. Instead there is a culture of secrecy.

The arrogance of this government goes from the very top through to every single MLA because none of them will stand up for greater transparency and scrutiny of this government. I think it is reasonable that the people who are paying the bills, the people who are paying 13 per cent more in revenue this year, should at least be told how much pain they are going to be up for in future years. It is just not sustainable to have compounding growth in revenue of 13 per cent. The tax burden per household and per capita is absolutely out of control.

This government is doing far more to develop the economies of Queanbeyan and New South Wales than it is for the ACT. Andrew Barr may as well be the minister for economic development for New South Wales, because that is what he is. I think we need a government here with some respect for the people that are paying the bills. That is why I think it is fair and it is reasonable that we get the modelling, we get the projections, and the government stops its harsh tax regime.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 9

Noes 12

Miss C Burch
Mr Coe
Mrs Dunne
Mr Hanson
Mrs Jones
Mrs Kikkert
Ms Lee

Mr Milligan
Mr Parton

Mr Barr
Ms Berry
Ms J Burch
Ms Cheyne
Mr Gentleman
Mr Gupta
Ms Le Couteur

Ms Orr
Mr Pettersson
Mr Ramsay
Mr Rattenbury
Ms Stephen-Smith

Question resolved in the negative.

Sitting suspended from 11.55 am to 2.00 pm.

Questions without notice

Bimberi Youth Justice Centre—staffing

MR COE: My question is to the Minister for Children, Youth and Families. Minister, it has been eight weeks since a well-publicised incident at Bimberi. We have been told by multiple sources that since that date the centre has frequently struggled to reach optimal or recommended staffing levels. Minister, over the past eight weeks, how many instances of sub-optimal staffing levels have occurred at Bimberi?

MS STEPHEN-SMITH: I thank the Leader of the Opposition for his question. It is certainly the case that the major incident that occurred at Bimberi on 26 August has taken a toll on staff and there have been some staffing issues as a result of that. We have also seen an increase in the average number of young people in Bimberi over this period of time. So I will take on notice Mr Coe's question in terms of staffing.

I would note, however, that there are often differences of view in relation to appropriate staffing of Bimberi and appropriate management of the centre. I want to assure all members that all measures are taken to ensure at all times the safety of young people in the centre and the safety and welfare of staff as well. The centre is managed accordingly to ensure that young people can access programs as much as possible and to ensure that they can access visits from family and friends as much as possible while also maintaining the safety and security of the centre.

MR COE: Minister, what factors have led to these instances of staff shortages over the past eight weeks, and what support have the kids forgone as a result of additional staff not being present?

MS STEPHEN-SMITH: Again, I will come back to the chamber and to the leader of the opposition if I have further information in relation to those specifics. I am sorry: I have forgotten the details of the question, Mr Coe.

Mr Coe: That is okay. It is along the lines of what factors led to the shortages and also what the kids have forgone.

MS STEPHEN-SMITH: Thank you. I refer the leader of the opposition to my first answer in relation to some of the issues around staffing. I can also assure members that recruitment is underway and that, indeed, the Community Services Directorate has established a new recruitment strategy for Bimberi. I am not able to say at this moment but I will come back to the chamber as to whether there is a recruitment process currently underway. There is certainly ongoing recruitment for Bimberi, recognising some of the challenges that we face in the fluctuations of the number of young people in the centre at different periods of time. Yesterday, I think, I spoke about the fact that last financial year the average number of young people in Bimberi was 11 on any particular day. On recent days the number of young people has been 18, as it is today. That difference makes a significant difference to the staffing levels required, and sometimes that does make a difference to the safe management of the centre.

MRS KIKKERT: Minister, what contingency plans did you have in place to guarantee that Bimberi would not experience understaffing in the wake of an incident like the one that occurred on 26 August?

MS STEPHEN-SMITH: I thank Mrs Kikkert for her question. As I have talked about in this place before, new recruitment is ongoing at Bimberi. We have established a new rolling recruitment strategy in the past few months, so there are processes in place to recruit new youth workers and new staff. I would emphasise that it is really important that when we are recruiting staff to Bimberi, we get people with

the right aptitude for that work, supporting some of the most complex young people in our community, but also that they are well trained. We cannot rush the process of recruitment. It is very important that the staff who are coming into Bimberi undertake their six-week, I think it is, training program and then the buddy shifts that enable them to work safely with young people as fully fledged youth workers within the Bimberi Youth Justice Centre. We are always cognisant of the need to ensure that staffing levels are appropriate, but we are also cognisant of the need to ensure that staff are appropriately trained and supported in those roles.

Visitors

MADAM SPEAKER: I recognise a group of young women who have been participating in the Commonwealth Women Parliamentarians program this morning. We have representatives of Gungahlin College, St Francis Xavier College, Erindale College, Lake Tuggeranong College, St John Paul II College, Canberra Girls Grammar, Brindabella Christian College and Narrabundah College. Welcome to your Assembly.

Questions without notice City Renewal Authority

MS LE COUTEUR: My question is to the Chief Minister and relates to the City Renewal Authority's shared waste enclosures behind the Sydney and Melbourne buildings—or in the middle of them, maybe. Chief Minister, why are these enclosures still not open for businesses to use many months after they were built?

MR BARR: I thank Ms Le Couteur for the question. As I understand it, the issue relates to contractual arrangements with waste collectors and to some tenants within the Sydney and Melbourne buildings not yet signing on to the new arrangements. Obviously, the facilities have been built, and there is a degree of support across both tenants and landlords within those two buildings.

Anything in relation to the Sydney and Melbourne buildings is difficult, given that there are 102 separate property owners and three different body corporates, effectively, to negotiate with. The City Renewal Authority continues to engage with those who remain outside the proposed arrangements, and I understand that there is optimism that this will be resolved reasonably quickly, Ms Le Couteur.

MS LE COUTEUR: Will enclosures like this be built in other laneways around the CBD and around Canberra?

MR BARR: I think there is merit in the concept obviously, and these would be the two most challenging laneways in all Canberra, I would imagine, given the nature of the ownership structure for the Sydney and Melbourne buildings. Clearly these are buildings of great significance to our city, and many Canberrans are very interested in the announcements that the government has made recently about future legislative intentions that we have to ensure that these historic Canberra buildings are better maintained.

Of course, with 102 different owners, that is a challenging task but I acknowledge today the significant work being undertaken by many of those owners to improve the amenity of the buildings. The government has obviously undertaken a lot of work to the public areas surrounding those buildings, particularly on Northbourne Avenue, on both the Sydney and Melbourne buildings.

We have seen groups of owners work together to improve these facilities, and I look forward to that work progressing. There is one really great example happening now in the Sydney building.

MS CODY: Chief Minister, what initiatives has the CRA taken to improve wider amenity in the city?

MR BARR: The City Renewal Authority has been very active in working with property owners large and small, with tenants and, indeed, across various ACT government agencies to address some infrastructure challenges within the city. A lot of capital works are underway right now—surrounding this building and on Mort Street—and a lot of other public realm improvements have been undertaken in recent times.

The CRA has also been very focused on wanting to make the city a more attractive place for people to visit, to stay and to enjoy the amenity. You see everything from the garden of enchantment in Garema Place through to, just outside this building, the chairs, tables and umbrellas to allow people to eat lunch in Civic Square. There are any number of those sorts of quite low cost but high value interventions that have made the city a more pleasant place to be.

Opposition members interjecting—

MR BARR: Thousands of Canberrans are enjoying that extra amenity. Of course there are always cynics, and we have just heard a few interjections from the people who are usually cynical about these things but it has made a big difference to the city. Of course, a range of events and activities is supported by the City Renewal Authority throughout the year.

Again, there will always be cynics; there will always be miserable critics who sit and bitch and moan about these things but, overall—

MADAM SPEAKER: I ask that you be careful with your language, Chief Minister.

MR BARR: I withdraw. There will be those who bellyache, those who are upset and those who oppose this.

Bimberi Youth Justice Centre—lockdowns

MRS KIKKERT: My question is to the Minister for Children, Youth and Families. Minister, we have been told by multiple sources that operational lockdowns at Bimberi have increased in the wake of the event on 26 August and in fact are

continuing. How many operational lockdowns have occurred at Bimberi over the course of the past eight weeks, and on what date was the most recent one?

MS STEPHEN-SMITH: I thank Mrs Kikkert for the question. I can confirm that the use of operational lockdowns has increased over the past eight weeks. Going back to Mr Coe's question as well in terms of what some of the drivers of these issues are, obviously members are aware that a number of staff members were injured in the major incident on 26 August, unfortunately. Those staff members are obviously receiving all the support that we can offer but that does also affect staffing over that period.

I can confirm that there has been an increase in lockdowns over the period. This follows, of course, a very significant reduction in lockdowns over the past financial year. Bimberi management in the Community Services Directorate are working very hard to get the centre back to a situation where we are not seeing operational lockdowns used to manage the safety and security of staff and young people at the centre.

I will take the detail of the question on notice as to exactly how many lockdowns, their durations and when the most recent lockdown has been from today. Certainly, we do not want to see increased lockdowns at the centre but we do want to ensure that young people and staff are safe and secure at Bimberi but also that young people have access to programs to the greatest extent possible and have access to visits to the greatest extent possible. That is what Bimberi staff and management strive to do every single day working with some of the most complex and difficult young people in our community.

MRS KIKKERT: Minister, is it true that over that same eight-week period, detainees have been confined to their rooms for more than 20 hours in a 24-hour period? If so, how many times has this happened, and if not, what is the longest length of time that detainees have been confined to their rooms?

MS STEPHEN-SMITH: Again, in the debate yesterday—Mrs Kikkert may have missed it because she left during her matter of public importance—I did confirm that in the immediate wake of the incident on 26 August there were quite extensive lockdowns and it is quite likely that there were periods during that initial week after the incident when young people were in their rooms for 20 hours a day. I will need to confirm that; I will come back on notice in relation to that. And I will come back on notice in relation to whether there were any other instances in relation to that matter.

As I say, the management of Bimberi and the senior management of the Community Services Directorate are working very hard to ensure that the centre returns to normal operations over a period of time and that staff are safe and are supported.

MRS DUNNE: Minister, why were there not contingencies in place to avert these extended lockdowns, and what impact do extended lockdowns have on the young people in the centre?

MS STEPHEN-SMITH: The interim report that I tabled the executive summary of from Peter Muir in relation to the incident clearly confirmed that this incident could not have been predicted by the management and staff at Bimberi and that there were no obvious precursors to this incident.

It is simply not possible to staff a centre the size of Bimberi in the expectation that at some point you might need a whole lot of extra staff. We saw what happened during a period of very low numbers of young people in Bimberi, when casual staff who could not get shifts went and got other jobs, and that led to a level of difficulty in staffing the centre as we went through a period of recruitment.

Yes, it is always regrettable when we have to implement operational lockdowns, and that obviously has an impact on young people. But I also emphasise that young people have access to educational materials, they have access to books, they have access to a range of things while they are in their cabins. This is not isolation and it is certainly not lacking in access to—

Mrs Dunne: It is isolation. They are in their rooms by themselves.

MS STEPHEN-SMITH: Isolation has a very clear meaning. I will put on record again that Mrs Kikkert on multiple occasions yesterday misused that word in a completely irresponsible way, completely misrepresenting—

Opposition members interjecting—

MADAM SPEAKER: Members, please.

Mrs Dunne: She used the common man's meaning of the word.

MADAM SPEAKER: Mrs Dunne.

MS STEPHEN-SMITH: the management of Bimberi Youth Justice Centre in a way that is completely irresponsible for the shadow minister in this portfolio.

Opposition members interjecting—

MADAM SPEAKER: Members, please. Mr Pettersson has the floor.

Government—infrastructure plan

MR PETTERSSON: My question is to the Chief Minister. Chief Minister, can you please tell the Assembly about the recently launched ACT infrastructure plan?

Mrs Dunne interjecting—

MR BARR: I thank Mr Pettersson for the question and Mrs Dunne for her interjection. Of course the infrastructure plan outlines the government's agenda for the coming decades for our city to make Canberra even more liveable, to modernise

our city's infrastructure where it is ageing, to build new infrastructure in growth areas and to replace infrastructure across all regions of our city as it falls due for that replacement. We want our city to continue to be the world's most liveable city. We want it to be a place where people love to live, where they come here to work, to study, to run a business, to raise a family.

We know that Canberrans want better healthcare in our suburbs. They want more and upgraded public schools. They want a bigger public transport network and they want the streets, parks and community facilities that they love to be made even better. That is part of the infrastructure plan.

The plan sets out the construction of a range of city defining projects: the major Canberra Hospital expansion, continuing the rollout of the light rail network, a CIT campus redevelopment program and a new cultural theatre and arts precinct. We are also planning for the replacement and upgrading of ageing infrastructure that includes big ticket items like convention centres and stadiums but we are also focused on ensuring that we renew community-level and suburb-level infrastructure that in various parts of our city is between 50 and 100 years old.

When the government released the 2011 infrastructure plan our four-year pipeline of works was in the order of \$885 million within a total program of around \$1.6 billion. Since that time we have stepped up our program. *(Time expired.)*

MR PETTERSSON: Chief Minister, how does the plan deliver a long-term vision for the city?

MR BARR: It is important to get ahead of our population growth and our economic diversification, and to get ahead of challenges like responding to climate change. Other cities have taken a different approach, to delay infrastructure commitments to allow for haphazard growth and to play catch-up with population. That way only leads to transport congestion, long commutes, overcrowded facilities and city services under intense strain.

That is why the plan is carefully aligned to invest in infrastructure at a point when our city's resident population and our increasing visitor numbers exist to ensure that it is viable and well used.

Through the infrastructure plan we can guarantee that Canberra will continue to take the lead in addressing and adapting to climate change. The plan, importantly, recognises that our city cannot simply sprawl outwards forever. That is why the plan focuses on how we can renew ageing infrastructure for new and existing residents. So it is as much about renewing, restoring and improving infrastructure that we already have, as it is about building new things.

To protect our environment and to maintain our city's character, common sense dictates that future land release needs to be more focused towards urban renewal, and the infrastructure must follow that policy direction in our city centre, in our town centres and in our transport corridors.

MS CODY: Chief Minister, what is in the plan for Canberra's south side?

MR BARR: I thank Ms Cody for the question. There will be a significant investment in infrastructure and a range of important renewal projects. Obviously, extending light rail south to Woden and further stages through Mawson and Tuggeranong is important. There will be a significant upgrade package for the Tuggeranong town centre, including the revitalisation of Anketell Street through the existing laneways and along to the lake. That includes a focus on public infrastructure along the lake shore as well as facilities—much-loved facilities—like the arts centre. There is a range of major road projects and intersection upgrades that include the Monaro Highway and duplication of Athllon Drive.

Within the education area, there will be major upgrades at Canberra College and Narrabundah College and a new early childhood education centre in the Molonglo Valley. In Woden in particular, there will be upgrades to the bus interchange and a new bus depot. There will be the southern memorial park and crematorium, health infrastructure through the Weston Creek walk-in centre, and the new campus at Canberra Hospital. We will continue to invest in renewing infrastructure—parks, playgrounds and local shopping centres—across southern Canberra and, indeed, across northern Canberra.

I do note that much of the infrastructure in the inner south and Woden is now between 50 and 100 years of age, so it will clearly be the focus of infrastructure renewal. The Molonglo Valley, which is currently being developed, will be the focus of new infrastructure like the swimming pool facility that is being built at Stromlo Forest Park.

This is just a small snapshot of the range of projects there will be from street and suburban level through to large-scale infrastructure right across Canberra with a particular emphasis on renewal of infrastructure in existing suburban areas across the ACT. *(Time expired)*

Bimberi Youth Justice Centre—lockdowns

MS LEE: Madam Speaker, my question is to the Minister for Children, Youth and Families. We have been told by multiple sources that recent operational lockdowns at Bimberi have been interfering with a number of the centre's activities. Over the past eight weeks has classroom-based learning at the centre been cancelled or curtailed as a result of lockdowns? If so, on how many days did this occur?

MS STEPHEN-SMITH: I will take the second part of Ms Lee's question on notice. I have not had an opportunity to welcome Ms Lee back to the chamber yet, so let me do that now and thank her very much for the question.

I have already indicated that in the days immediately following the major incident school activities were curtailed and interrupted, so the obvious answer, if she had been listening to my previous responses, is yes, school activities were curtailed during this period. As I said, I will come back in relation to the number of days on which this might have occurred.

MS LEE: Minister, over the same eight-week period, have lockdowns prevented either sentenced detainees or remandees from accessing outdoor recreation? If so, how often?

MS STEPHEN-SMITH: Again, I will take the detail of the question on notice. Again, in relation to the immediate aftermath of the major incident, as management were working very diligently to ensure that young people were supported and that staff were supported in the aftermath of that incident, there were some disruptions to the normal operations of the facility.

I would note, as members opposite have indicated, that it has been about eight weeks since that major incident. Mrs Kikkert sought an urgent and immediate briefing from my office on that day, which she was provided with by my chief of staff after she had gone and demanded entry to Bimberi. She has not since sought any further briefing—

Opposition members interjecting—

MADAM SPEAKER: Members!

MS STEPHEN-SMITH: in relation to the operation of Bimberi.

Opposition members interjecting—

MADAM SPEAKER: Members, please!

MS STEPHEN-SMITH: She has not sought to visit Bimberi in an orderly fashion since 2017. So it is interesting that they take a very strong interest in question time but if Mrs Kikkert would like a briefing, she is perfectly entitled to ask for one and she will receive one.

MRS KIKKERT: Minister, on how many days over the same eight-week period have visits by families or other approved visitors been cancelled or curtailed as a result of lockdowns or insufficient staffing?

MS STEPHEN-SMITH: I will take the question on notice.

ACT Supreme Court—silica contamination

MRS JONES: My question is to the Minister for Corrections and Justice Health. Minister, on 18 October the CPSU reported that WorkSafe ACT had shut down the court transport unit facility under the Supreme Court, issuing a prohibition notice after several problems were identified at the site. The CPSU further reported that corrections staff were working in the facility with no lunchroom, only one emergency exit and no emergency maps or procedures. Minister, why were corrections staff working in a facility where silica was present?

MR RATTENBURY: I was very concerned to hear about that matter as well. Having been over at the court transport unit only a few weeks ago talking with staff

and having a look at the facility, these issues were not raised with me at the time. But that is why we have, for example, the right of unions to access workplaces. That is why we have WorkSafe ACT to consider these matters. I think it was appropriate that the facility was shut down over the weekend.

The Attorney-General has the lead on the court's projects. I am not fully across the detail of that. But over the weekend measures were taken to ensure that it is a safe workplace for staff, detainees and visitors including lawyers, for example.

MRS JONES: Minister, who approved the facility as safe for occupancy and use?

MR RAMSAY: Madam Speaker, I am happy to take that question. The cleaning that occurred over the weekend was done professionally and in conjunction with WorkSafe.

Mrs Jones: Point of order.

MADAM SPEAKER: Minister, resume your seat. Mrs Jones, a point of order.

Mrs Jones: The question was not about what cleaning happened on the weekend but who approved the facility for use some time ago. Who approved the facility as safe for occupancy and use?

MADAM SPEAKER: Originally, not since the clean, Mrs Jones?

MRS JONES: Yes, at the time.

MADAM SPEAKER: Just to be clear.

MRS JONES: Sorry, I apologise. At the time.

MADAM SPEAKER: Thank you. Mr Rattenbury.

MR RATTENBURY: Shoot first, ask questions later according to Mrs Jones.

Mrs Dunne: Under pressure you always go to the gun.

MADAM SPEAKER: Mrs Dunne, the minister is on his feet and has a right to be heard. Mr Rattenbury.

Opposition members interjecting—

MADAM SPEAKER: Members!

Ms Lawder: Making jokes about shooting? Really hilarious!

MADAM SPEAKER: Ms Lawder!

Ms Lawder: Yes, Madam Speaker?

MADAM SPEAKER: I ask you to be quiet, to stop interjecting and to allow the minister to respond to the question. Mr Rattenbury.

MR RATTENBURY: I will take that question on notice and provide Mrs Jones with the detail.

MR WALL: I ask either of the ministers: why were corrections staff expected to work in a basement facility that had only one emergency exit and inadequate safety and OHS policies, procedures and signage?

MR RAMSAY: I thank Mr Wall for the supplementary question. I sought a briefing immediately when I heard the information last Friday. My understand is that it was not the case that there was only one emergency exit, and that the matters were worked through. There was a matter of communication gaps with respect to the construction company, Laing O'Rourke, upon whom the prohibition notice was issued. That was dealt with immediately, over the weekend.

I place on record my deep appreciation to the courts, to the Chief Justice and the Acting Chief Magistrate, who worked very effectively and efficiently, along with other court staff, to make sure that the communications around the emergency exit were made more appropriate and better communicated to all the people who were working in the facility.

Government—infrastructure plan

MS CODY: My question is to the Minister for Community Services and Facilities. Minister, how will the ACT government's infrastructure plan improve community facilities across the ACT?

MS ORR: I thank Ms Cody for the question. The ACT infrastructure plan outlines our government's priorities for the future of our growing city and how we will improve community facilities across the ACT. The plan also acknowledges the importance of community facilities and the need to ensure that these infrastructure facilities are maintained and improved to meet the needs of Canberrans now and into the future.

We know that Canberrans value local community centres as they provide people with space to engage with others, participate in health and wellbeing programs, celebrate cultural and traditional events, and access support services provided by local service delivery organisations. Within the electorate of Yerrabi, the ACT government has committed to improving a variety of community facilities so that people have access to the places and spaces they need to come together.

Earlier this year we made a commitment to undertake planning work for a new dedicated community centre within the Gungahlin town centre. Since then we have been speaking with Gungahlin residents, community groups and service delivery organisations to learn more about their specific needs and how a community centre could best support the Gungahlin community to thrive. Through the infrastructure plan, our government has also identified the need—

Mr Hanson interjecting—

MS ORR: for upgrades to both the Belconnen and Tuggeranong community centres.

Mr Hanson interjecting—

MS ORR: While newer regions like Gungahlin—

MADAM SPEAKER: Resume your seat, please. Mr Hanson, your snide commentary is really quite offensive at times and I ask you to stop. Ms Orr, continue.

MS ORR: While newer regions like Gungahlin and the Molonglo Valley need investment in new facilities, we understand that upgrading and renewing facilities in established regions like Belconnen and Tuggeranong are just as important.

Opposition members interjecting—

MS ORR: As a government, we are committed to meeting the needs of our growing city. Through the ACT infrastructure plan we will ensure that Canberrans have the community facilities they need.

Opposition members interjecting—

MADAM SPEAKER: Members on my left, my patience is completely exhausted. You will be warned soon. Ms Cody.

MS CODY: Minister, can you outline how community facilities will be improved in my own electorate of Murrumbidgee?

MS ORR: I thank Ms Cody for her strong advocacy for the Murrumbidgee community. This government understands the value that quality community facilities provide to Woden and Molonglo Valley residents. We have already begun work on a new community centre for Woden that will cater to the existing community and provide the opportunities for people to come together as part of the current Woden town centre renewal. Over in the Molonglo Valley, it is important that residents and organisations can undertake community-based activities and events that improve the wellbeing and sense of belonging of everyone that calls this rapidly growing region home.

The ACT government will continue to talk with the community and partner with our local service providers to ensure that the new Woden community centre and any potential future community facilities in the Molonglo Valley meet the needs of everyone who lives in the area. The ACT infrastructure plan will guide this government's focus and investment in community facilities for our entire city. This includes delivering quality community facilities to Ms Cody's electorate.

MS CHEYNE: Minister, what else is the ACT government doing to support Canberra's local community groups and organisations.

MS ORR: Canberra's community groups and organisations are an important part of our diverse and inclusive city. Providing them with sound infrastructure and places to operate is an important part of the way this government ensures that Canberra's community groups can deliver their best. When you look at the groups we support, you can see how providing sound infrastructure and support means helping the Canberrans who need help most.

Carers ACT is one organisation that we partner with. I would like to acknowledge their efforts in running an incredibly successful Carers Week last week. Carers ACT provides a broad range of supports for carers and the people they care for. Further to our support for carers and the broader community sector, the Community Services Directorate provides a significant number of community grants that support and empower our community. This support, on top of the facilities and infrastructure we provide, means that our community groups are empowered to reach even more people with more services. The ACT disability inclusion grants and I-Day grants are two programs that support disability advocacy organisations to improve the lives of Canberrans living with disability. I am looking forward to seeing the innovative ways in which these grants will support our community when they are announced later this year.

The ACT government has a strong commitment to supporting Canberra's local community groups and organisations through strong partnerships. Providing the right infrastructure and the right support to take advantage of that infrastructure means that our community organisations can remain sustainable and strong. We will keep working this term to ensure that community groups get access to the facilities they need and the support they need to keep serving Canberrans.

ACT public service—workplace behaviour resources

MISS C BURCH: My question is to the Minister for Employment and Workplace Safety. Regarding the CMTEDD website's employment portal for the ACT public service, under the heading "Resolving workplace issues", the site outlines a list of resources that are supposed to provide information about appropriate workplace behaviour for ACT public service employees. Of the seven resources listed, only two provide a link to their respective documents. Minister, when will the government take workplace bullying and harassment seriously enough to update the website and make the resources available to support ACT public service employees?

MS ORR: I thank Miss Burch for her interest in making sure that our public servants are well supported. The ACT government has a range of programs and policies in place to support the ACT public service. Certainly, if some of the links are not working, I am very glad that the member has brought that to my attention. I will take that up with the public service and I will get back to her with an exact date as to when those links will be repaired.

MISS C BURCH: Thank you, minister. What resources does the government currently have available for ACT public servants dealing with bullying, harassment and discrimination?

MS ORR: I would like to thank Miss Burch for the question. There is a range of policies in place, and support services, including the EAP services, provided to members of the public service, negotiated through EBAs, no less, by the union and a range of other people, and the public service itself. If I have understood Miss Burch's question correctly, it is quite a broad one, asking for the whole suite of tools that are available to public servants. That is quite a long and exhaustive list. I have mentioned the EAP, the support services, and there are policies for making complaints and making sure that they are processed in a way that is fair and equitable to everyone; but it is quite a broad question with quite a lot of possibilities in the answer. I would like to take the detail of that question on notice and come back to Miss Burch.

MR WALL: Minister, how does the government expect its public servants to address workplace bullying and harassment when it does not provide the necessary resources to support them and ensure a safe workplace?

MS ORR: Thank you, Mr Wall, for your supplementary question. I reject the premise of that question given that it focuses on the links to the website. While those links may be broken it cannot be taken—

Mr Wall: Well, if they can't access the resources they're not available.

MS ORR: The resources are available through a number of means. If those links are broken that is one way we can improve the access to these policies. That does not mean that these policies and procedures do not exist. They are there; they are available. They are communicated to the public service through a range of avenues, including the website—

Mr Wall: They exist in a locked cupboard but they are really working well!

MS ORR: I am going to ignore Mr Wall because he is trying to be provocative.

MADAM SPEAKER: That would be wise, Ms Orr.

MS ORR: Thank you, Madam Speaker. I point out to the opposition that there is also the union, the CPSU, and the other groups that report to the public service. If there is an issue where a member of the public service feels they are not being fairly represented—

Opposition members interjecting—

Ms Berry: Point of order.

MADAM SPEAKER: Resume your seat, minister. Ms Berry.

Ms Berry: Ms Orr is doing her very best to answer this question and the interruptions are not helpful. I ask you to call members to order.

MADAM SPEAKER: Thank you, Ms Berry. Members, please, can we get to the end of question time without the constant interruptions and interjections. Ms Orr.

MS ORR: Thank you, Madam Speaker. If there is a gap where a member of the public service feels they cannot raise their issue appropriately there are unions and other support groups that can advocate on behalf of that member.

Mrs Jones: What other support groups?

MS ORR: Madam Speaker, I feel I have answered the question.

Housing ACT—complaints

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, on 30 September police raided a Housing ACT residence in Tuggeranong where they seized weapons, including a crossbow; illicit substances, including MDMA and methylamphetamine; as well as items consistent with drug trafficking. Residents from this street have complained to Housing ACT about antisocial behaviour and alleged criminal activity on dozens of occasions dating back to 2012. Minister, why has it taken seven years of complaints for any sort of action to be taken?

MS BERRY: I thank Mr Parton for the question. This is a police matter. That is a matter that is best dealt with by the police.

Ms Lawder: After seven years of complaints to Housing.

MS BERRY: It is a police matter. Mr Parton knows well the process for addressing these issues within Housing and with the police. I am happy to discuss with him, as I am with all members opposite, details of this particular situation with regard to Housing. But with regard to the investigations that you were referring to, Mr Parton, those are police matters.

MR PARTON: Minister, irrespective of any police investigation, how many complaints have been made to Housing ACT about this residence since 2012?

MS BERRY: Obviously I will have to take that question on notice.

MR WALL: Minister, what actions have you or your department taken to ensure that residents of this street can enjoy a safe and enjoyable environment in their own residences?

MS BERRY: On the specifics of this street, I have already offered Mr Parton a conversation around this particular matter. I will have to take on notice what action Housing took with regard to the tenancy. As I said, with regard to the other issues that Mr Parton has raised, those are police matters.

Housing ACT—vacant property

MR MILLIGAN: My question is to the Minister for Housing and Suburban Development. Minister, regarding the street in Tuggeranong that has just been

mentioned in the earlier question, one of the Housing ACT properties in that street has been boarded up for over a year. Minister, what is the current status of that house? Is it in a liveable condition, and when will it again be tenanted?

MS BERRY: I will take that question on notice.

MR MILLIGAN: Minister, how long has this property been vacant?

MS BERRY: I will take that question on notice.

MR PARTON: Minister, why is this property sitting vacant while there are currently over 2,000 applications on the waiting list?

MS BERRY: There could be a number of reasons but in respect of this particular dwelling, I will take the question on notice.

ACT Policing—complaints

MS LAWDER: My question is to the Minister for Police and Emergency Services. Minister, on 30 September police raided a Housing ACT residence in Tuggeranong, where they seized weapons, including a crossbow, and illicit substances including MDMA and methylamphetamine, as well as items consistent with drug trafficking. Minister, how many complaints have been made to ACT Policing regarding this property since 2012?

MR GENTLEMAN: I thank Ms Lawder for the question. I do not have the number of instances of reports directly in front of me, so I will take that part of the question on notice. I can say that police have been working with the community in this particular instance. That has involved the Tuggeranong station as well as officers around the Tuggeranong area. Police do some fantastic work in Tuggeranong, but there are challenges and this particular case is one of those. They provide support services and opportunities for diversionary programs to ensure that offenders are brought to account for their actions in a manner that both protects the interests of that jurisdiction in the community and maximises the chance for rehabilitation of offenders.

MS LAWDER: Minister, how many complaints of illegal activity must be made before an investigation is conducted?

MR GENTLEMAN: ACT police take all illegal activities as a precedent and work straightaway on that.

Mr Hanson: Including cannabis smoking?

MR GENTLEMAN: Yes, they do. In fact, ACT police do a fantastic job in the ACT. This government supports ACT Policing. In the last budget we invested \$34 million in extra police for the ACT and a new police service model. We will see that roll out further into the community as the investment proceeds.

MR PARTON: Minister, was Taskforce Nemesis involved in this raid?

MR GENTLEMAN: I have not been briefed on whether Taskforce Nemesis was involved in the raid, but I will take the question on notice.

Arts—infrastructure investment

MS CHEYNE: My question is to the Minister for Arts, Creative Industries and Cultural Events. Minister, please outline for the Assembly the government's investment in arts infrastructure in the territory?

MR RAMSAY: I thank Ms Cheyne for her question and for her strong history and involvement with arts and arts infrastructure, not only in her local area of Belconnen but across the city. The ACT government manages 13 arts facilities through artsACT, under licence arrangements with a number of local not-for-profit arts organisations as well as funding the Cultural Facilities Corporation, which manages the Canberra Theatre Centre, Canberra Museum and Gallery and our three beautiful historic homes, Lanyon Homestead, Calthorpes' House and Mugga.

Our wonderful arts facilities are a key underpinning to the vibrancy and diversity of our arts culture here in the ACT. The government is continuing to invest in both existing and new arts infrastructure for the territory. We have allocated \$1.67 million over three years in the 2019-20 budget for capital works design for Ainslie and Gorman House arts centres and for the Strathnairn Arts Centre and delivering works at several locations, including roofing at Strathnairn and site safety at Ainslie and Gorman.

Works are also underway at the Watson Arts Centre to improve the kiln facilities and more broadly to develop and commence a specialist asset replacement scheme across various facilities to ensure the safety and longevity of our arts organisations. We are about to commence a \$5.9 million upgrade of the former transport depot at Kingston to replace the roof and the building's electrical system, as well as upgrade public toilets to improve accessibility.

These are just some of the ways that the government is investing in our important arts infrastructure for the enjoyment, the development and the creative expression of the Canberran community.

MS CHEYNE: Minister, what is the progress of the territory's two current biggest arts infrastructure projects: stage 2 of the Belconnen Arts Centre and the Kingston arts precinct?

MR RAMSAY: I thank Ms Cheyne for the supplementary question, her history with the Belconnen Arts Centre and her recent involvement with the tour of the Kingston arts precinct as well.

I am pleased to advise that the construction of stage 2 of the Belconnen Arts Centre is proceeding well and is on track for completion in early 2020. The expansion includes a flexible theatre space, a new dance and rehearsal studio, a new gallery space and a cafe. The project will provide the community with more opportunities to engage with the arts through expanded facilities at the community-focused Belconnen Arts Centre.

The innovative BAC management has ensured that the centre's highly accessible creative and community programs continue strongly throughout the construction period, even making the most of a temporary internal wall as bonus exhibition space. The BAC has established itself as an essential and proactive arts organisation, offering a fantastic range of programs and events, including dance classes, art exhibitions, workshops and performances. The expansion of the centre will continue growing these creative opportunities for the Canberra community.

I can also advise the Assembly that deep and broad consultation has been taking place in relation to the development of the Kingston arts precinct with the local community and the arts community. This important urban renewal project and a new arts hub will integrate purpose-built arts facilities with existing heritage buildings and will feature new public spaces, accommodation for visiting artists, outdoor events facilities, commercial spaces, food and beverage offerings and residential and hotel accommodation to create an exciting new precinct for Canberra. The Kingston arts precinct is being delivered through a private sector partnership with construction scheduled for completion in 2023.

MR GUPTA: Minister, can you please update the Assembly on the progress of the territory's next big arts infrastructure project, the new Canberra Theatre Centre?

MR RAMSAY: I thank Mr Gupta for the question. It was a delight to be present in the existing Canberra Theatre Centre earlier this week as we launched the 2020 season amongst the *West Side Story* set. I am pleased to advise that extensive consultation is now underway on creation of a full business case for a new theatre complex able to host a larger range of local, national and international events. Our current theatre has served the territory well but, at 54 years old, it is no longer meeting contemporary expectations of the audiences and of touring companies.

We have commenced the design and scoping for a new theatre centre that will have the seating capacity and the facilities to support large-scale national and international concerts, musicals, theatre and dance. The new theatre will ideally also include additional and more flexible spaces for live music and for experimental and local performances.

A new theatre complex will be able to make an even greater contribution to both the cultural vibrancy and the creative economy of Canberra by being able to accommodate a bigger and more diverse set of shows and drawing people from around the region to the capital to enjoy all that our beautiful city has to offer. With a solid plan for the right infrastructure to support Canberra's artistic growth and ambitions, we are indeed truly building for a creative capital.

Mental health—youth facility

MR HANSON: My question is to the Minister for Mental Health. Minister, I refer to an ACT government infrastructure plan dated 2011-21 which was released by the then Chief Minister, Katy Gallagher. It stated that an adolescent and young adult mental health inpatient unit would be delivered within five years, that is by 2016. This

facility will not actually be delivered until 2022. Why has the government failed to build an adolescent and young adult mental health inpatient unit by 2016 as it promised back in 2011?

MR RATTENBURY: Madam Speaker, I was not a member of cabinet at the time of the 2011 paper, so I am not sure of the preparation that went into that. What I can say is that we are actively working at the moment on ensuring that that facility is delivered in Canberra. It is part of the work that is currently being done to upgrade the hospital. There has been considerable consultation, with staff in particular, in the time during which I have had the portfolio responsibility, to make sure that we get the model of care right in that facility. That has led to some slightly later time frames than I anticipated when I first took over the portfolio, but it has been worth taking that additional time to ensure that we get the right model of care and that we have the best possible facility for Canberra's young people.

What I can say in the meantime is that there is a lot of other work going on to support the young people of the ACT when it comes to their mental health. I am happy to elaborate on that if members would like further information.

MR HANSON: Minister, what impact has the failure to deliver this promise on time had on young people with a mental illness?

MR RATTENBURY: As I said in my previous answer, the ACT government through its various agencies continues to provide considerable support to young people in the ACT who are experiencing mental distress in its various forms. Just today I have announced the rollout of a world-leading new program, YAMH, youth awareness of mental health, that is about—

Mr Hanson: A point of order, Madam Speaker, on relevance.

MADAM SPEAKER: A point of order?

Mr Hanson: The question was not about what other projects the government has in train; it is a matter of what impact the failure to build this particular facility has had on young people with a mental illness.

MADAM SPEAKER: I do not think there is a point of order. The provision of services covers support to the community. Minister Rattenbury, do you want to continue?

MR RATTENBURY: Madam Speaker, the point I was seeking to make is that the government has continued to provide a range of supports to young people in the ACT who need mental health support. That goes exactly to Mr Hanson's question. He was asking what the impact is. I am saying there is a range of services being provided to help young people, and that is what the government is doing to assist them.

MRS DUNNE: Minister, will you apologise to the people and the parents of the ACT for failing to deliver a young adult mental health unit on time as promised in 2011?

MR RATTENBURY: As I said in my first answer on this line of questioning, the government is working to deliver this facility for ACT young people and ACT families. It is currently underway and I am sure that it will be a great facility when it is ready.

Mrs Dunne: But a whole generation of kids will have missed out.

MADAM SPEAKER: Mrs Dunne.

Mental health—admission delays

MRS DUNNE: My question is to the Minister for Mental Health: I refer you to an answer recently provided on notice in the Assembly. You told the Assembly that it took 16.2 hours for someone presenting with a mental illness to find a bed in 2018-19 compared with a waiting time of 6.6 hours in 2017-18. Why did the average waiting time for admission to a mental health bed increase by nearly 10 hours over the course of a year?

MR RATTENBURY: As we have discussed in this place previously, there has been a significant increase in mental health presentations in recent times. I have been very upfront about that, and I have also been very clear with the Assembly that we are working on strategies to ameliorate the impact of that increase in demand and ensure improved services for people.

It has been reported publicly recently that we have opened additional beds so that people can be admitted to an inpatient facility more quickly when they need it. It is also fair to reflect on the fact that not everybody who comes to the emergency department with a mental health presentation needs to be admitted to an inpatient facility. Some people will simply spend time in the emergency department while they stabilise. This is the very nature of some mental health conditions and that can be the right and appropriate treatment for some people.

This is not just a matter of statistics; there is quite a bit of complexity in how mental health patients are both assessed and treated and then supported. I assure members that we are working very hard to improve those times.

MRS DUNNE: Minister, is it the case, as I was told in a briefing recently, that you are using unused beds in Dhulwa as overflow beds for mental health patients?

MR RATTENBURY: No, that is not the case. Some people have suggested that we should do that, but Dhulwa is a very particular facility. It is a secure forensic mental health facility. Despite being asked to use it for that purpose, I have been clearly advised by Canberra Health Services that it should not be used for that purpose, and I support that view.

MS LAWDER: Minister, why are waiting times for admission to mental health beds well above clinically recommended times?

MR RATTENBURY: I do not necessarily agree with the premise of Ms Lawder's question. As I outlined in my earlier answer, I think that there is a range of ways that people are dealt with in the emergency department, depending on the nature of their mental health concern, and I think that it is best that those decisions are left to the treating teams in the emergency department who are very well prepared for the circumstances they are in. That said, I have been up front about the fact that we have been experiencing considerable additional demand.

For me, this is not simply a matter of providing more acute services but also making sure that we invest in resources and projects that actually keep people out of the emergency department, to go up the line, to seek to avoid people getting to that acute point in time. Certainly an initiative like the PACER project, which we announced in this year's budget and is now well underway in its development, will, I think, be an important example of the kind of initiative that will actually help keep people out of the emergency department. I am not sure that the emergency department is the best place for a lot of people who are experiencing mental health difficulties.

Canberra Health Services—staff safety

MR WALL: My question is to the Minister for Health. Minister, how many assaults on nurses or other front-line health staff occurred during the 2018-19 financial year?

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

MR WALL: I will expand this given that I presume it will be taken on notice. Minister, which areas of Canberra Health Services had the highest level of assaults on nurses and other front-line health staff? And if you are taking it on notice, could you provide a breakdown of assaults by area?

MS STEPHEN-SMITH: I will take the detail of the question on notice, but I understand that this is a matter that has been discussed many times before in this place. Obviously, nurses in the mental health area have experienced assaults in probably more significant numbers on a per capita basis than in other areas. There are probably other areas that are more likely, including in the emergency department, but I will take that on notice in relation to the specific statistics around that.

Municipal services—crematorium facilities

MR GUPTA: My question is to the Minister for City Services.

Ms Cheyne: What happened to your supp? Too late!

Mr Wall: Were you going to ask a supp?

Ms Cheyne: Too late!

Mrs Dunne: Sorry.

Mr Wall: There was no call for a supp, either.

MADAM SPEAKER: Members! Mr Gupta has the floor.

MR GUPTA: Minister, how is the government working to ensure that all Canberrans have access to appropriate end of life facilities?

MR STEEL: I thank Mr Gupta for his question. We know that death is a sensitive topic. It is only fair that all Canberrans are able to lay their loved ones to rest in a respectful way, giving them their last rights in keeping with those people's wishes and beliefs. Our government is committed to building an inclusive and welcoming city.

Two weeks ago I was very pleased to join with Mr Gupta and board members from the ACT Public Cemeteries Authority to announce our government's intention to build a publicly-owned and operated crematorium in the ACT. During recent consultations on cemeteries and crematoria in the ACT, we heard from many Canberrans that their needs were not being met currently and that a public option should be provided by the government to help meet these needs.

At present, the ACT is the only jurisdiction, state or territory, that does not have a publicly-owned crematorium. We only have a single privately-owned crematorium that serves a population of approximately 425,000 people. In comparison, New South Wales has one crematorium per 155,000 people. This is despite 75 per cent of Canberrans opting to be cremated compared to 66 per cent of people in New South Wales.

Our government has been listening to community feedback. We have heard the stories of Canberrans who have struggled to put their loved ones to rest in a reasonable time frame and in line with their beliefs here in the ACT. We have also heard a very strong view from the community, which was unsolicited, that they wanted to see a publicly run crematorium. They are looking forward to construction progressing on a publicly run crematorium that will service all Canberrans.

MR GUPTA: Minister, how will the new crematorium benefit Canberrans from a multicultural background?

MR STEEL: I thank Mr Gupta for his supplementary. Our government's decision to build a public crematorium will benefit all Canberrans, but it will particularly benefit members of our multicultural communities. We heard during the consultation that we undertook that one in 10 Canberrans were not having their religious or cultural needs met with current cremation services in Canberra.

We particularly heard from the Hindu, Sikh and Jain communities. People from those faiths have had to travel to Sydney in order to pay their respects, within a reasonable time frame and keeping within their beliefs, to a loved one who has died. In those faiths there is often a requirement for a close family member, often the eldest son, to "light" the funeral pyre or be involved in the starting of the cremation process. No-one should have to travel interstate to bury or cremate a loved one, which is precisely why this is such an important project.

While this is unfortunately not something that is currently provided in the ACT, we have made it very clear that a publicly run crematorium will provide for the needs of religiously and culturally diverse Canberrans, and we will be consulting with them further as we continue the development of this project.

MR PETTERSSON: Minister, what are the next steps to provide a publicly operated crematorium in Canberra?

MR STEEL: I thank Mr Pettersson for his interest in ensuring that the government can get the crematorium operating as soon as possible to provide services to the Canberra community. The government have announced our intention for a public crematorium to be built and operated in the ACT at Gungahlin Cemetery. In terms of the next steps, the ICRC will begin work on helping to set the prices at the crematorium and will be applying competitive neutrality principles to the crematorium. Work will commence over the next year to progress the design and construction of the facility located at Gungahlin Cemetery, which will be operated by the ACT Public Cemeteries Authority.

This follows the ACT government's broader review of cemeteries and crematoria in the ACT and particularly how we meet the current and future needs and preferences of Canberrans when it comes to burial and cremation services. We are also continuing work on planning for further burial places, and potentially a future crematorium at Great Southern Memorial Park to provide those services on the south side as well. I look forward to keeping the Assembly and Canberrans updated on the government's works to ensure that even more Canberrans have access to the services they need, particularly at the end of their life.

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

Supplementary answer to question without notice Bimberi Youth Justice Centre—staffing

MS STEPHEN-SMITH: In question time I was asked a number of questions about Bimberi Youth Justice Centre, and I spoke about recruitment. I have an update for the Assembly. I will repeat some of the information that was provided in response to a question on notice and provide some further information. There was a recruitment round that commenced in January 2019 that received 145 applications, with 10 applicants found suitable for permanent and temporary positions. Unfortunately, four of the 10 withdrew before the induction commenced. That does speak to one of the challenges when we are trying to recruit excellent staff. Retention is also an issue.

The next round commenced on 21 January and, as advised in the answer to the question on notice recently, interviews occurred in September. A new induction process commenced on 21 October, this week. Nine new staff have been employed through this process, with eight commencing the induction on Monday, 21 October. One staff member employed was an existing casual and therefore has already completed the induction training. This round of induction training finishes on 12 December 2019.

A new recruitment process has already commenced, with two information sessions having occurred on 3 and 10 October. 157 applications have been received through this most recent recruitment process and are currently being assessed for suitability. The next round of induction training will commence on 13 January 2020.

Papers

Mr Gentleman presented the following papers:

Education, Employment and Youth Affairs—Standing Committee—Report 6—*Management and Minimisation of Bullying and Violence in ACT Schools*—Government response, dated October 2019.

Schools Education Advisory Committee—Safe and Supportive Schools—

Final Report, dated August 2019.

Government response, dated October 2019.

Education, Employment and Youth Affairs—Standing Committee

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.07): Pursuant to standing order 211, I move:

That the Assembly take note of the following papers:

Education, Employment and Youth Affairs—Standing Committee—Report 6—*Management and Minimisation of Bullying and Violence in ACT Schools*—Government response, dated October 2019.

Schools Education Advisory Committee—Safe and Supportive Schools—

Final Report, dated August 2019.

Government response.

Debate (on motion by **Ms Lee**) adjourned to the next sitting.

Infrastructure—roads

MS CODY (Murrumbidgee) (3.08): I move:

That this Assembly:

(1) notes that the ACT Infrastructure Plan:

- (a) sets out the building of key arterial roads in the ACT, focusing primarily in growth areas such as Woden, Molonglo and Weston Creek and in strengthening key transport corridors in Tuggeranong;
- (b) has foresight to account for an increase in road traffic due to the ACT remaining an attractive place to live, visit, study, work or do business;
- (c) acknowledges that the resident population is growing by around 8000 people a year, and smart planning is required to accommodate this; and

- (d) works with the ACT's Climate Change Strategy to achieve the ACT's target of zero net emissions by 2045 by providing and encouraging a range of transport options, alongside necessary road improvements;
- (2) further notes that:
- (a) functional road infrastructure is vital for Police and Emergency Services to perform their duties;
 - (b) export and freight services rely on major roads and should be maintained accordingly;
 - (c) roads are an integral component of public transport infrastructure and are necessary for the operation of our rapid bus network;
 - (d) Canberrans' livelihoods are dependent on good access to various transport modes, depending on their commitments and circumstances;
 - (e) there are extensive cycle path and footpath networks across the city;
 - (f) the annual road resurfacing program will see approximately 1 000 000 square metres of roads resurfaced in 21 ACT suburbs this financial year; and
 - (g) proper road maintenance and catering to increasing road usage is an important part of the Government's Road Safety commitment;
- (3) further notes that:
- (a) Members of the Opposition have publicly misconstrued previous announcements on car-free days for special events; and
 - (b) Members of the Opposition continue their sanctimonious commentary on light rail which stems from their long-held disdain for public transport; and
- (4) calls on the Government to deliver roads infrastructure as set out in the ACT Infrastructure Plan which will provide residents of Woden, Molonglo and Weston Creek with a wide range of comprehensive transport options.

The government spends a lot of time in here talking about how good the ACT government is at delivering on public transport. As a member representing the new suburbs of Coombs, Wright and the Molonglo Valley, I know that the rollout of rapids to this area has meant that these areas have brilliant public transport access to employment and education.

The opposition, of course, spend a lot of time in here slagging off the government for all kinds of things. It is their job, and public transport is on the list. My favourites are all of the old quotes from them carrying on about light rail. Some days it sounds like they have eaten their old words and are regurgitating them again, regarding the extension to Woden. But the opposition are not my topic today, no matter how much joy discussing them brings me. Today I am discussing roads, an area where this government has the balance right, despite some of the more ridiculous demands that get made.

Canberra was, after all, built for cars. Whilst the vision of the Burley Griffins had great public transport, and the vision of this Labor government has great public transport, most of what happened in between was much more focused on cars and

freeways. In fact our nation's parliament sits on top of one of the nation's greatest spaghetti junctions. Most Canberrans do now, and will continue to, use our road network as a primary way of getting around, sometimes as a motorist, sometimes as a passenger on a bus, or using our on-road cycling paths.

There are also some amazing off-road cycling paths, and I am sure Mr Steel will expand on those, because he is leading the government's push to expand them. I am not much of a user of the off-road cycling network. I am a bit scared of mountain biking et cetera. A braver person than I can undertake those sorts of things.

Like all of Canberra's infrastructure, our road network has the potential to come under pressure from the increasing growth in our city. The low unemployment achieved by this government has meant that we continue to attract new people from across the country and the world.

Whilst I have great sympathy for those in our city who are uncomfortable with the pace of change, I refuse to join Alistair Coe and co, sticking their heads in a bucketful of rear-view mirrors. Canberra is growing, and we have to deliver the infrastructure to keep our city moving. Eight thousand people a year is a lot for a city of our size to absorb. That is why I believe this Assembly should be celebrating the delivery of the ACT infrastructure plan.

For my local community, that does not just mean a new school, a new nurse-led walk-in centre and an upgrade to the hospital, even though they are pretty amazing things. It also means light rail, not just to Woden but all the way to Tuggeranong. It means upgrading and renewing the Woden bus interchange. It means the upgrades to the Monaro Highway: keeping Canberrans safer, whilst helping them get to where they are going faster. It also means so much more.

Whilst I generally talk about my time as a hairdresser when I talk about my experience in small business, I also ran a small trucking business for a while. I have to tell you about the importance of maintaining our road network for freight. Whilst many people think of cars when they think of roads, it is the heavy vehicles that really matter. They feed us, clothe us and move the rest of our stuff around. Maintaining an efficient, smooth-running, well-maintained road network keeps all of our goods moving. It reduces emissions and pollution caused by traffic and reduces the cost for business and consumers.

Whilst I often do not like what—let me get the title correct for those opposite—the Hon Mr Scott Morrison does, I do like one of the things that he says over and over again: “congestion busting”. Of course, unlike the congestion busting that the Hon Mr Scott Morrison does, Mr Barr actually busts congestion.

Sometimes when I have a meeting in the north in the morning, I park my car here and get the light rail. What I see today compared to a couple of years ago is amazing and grouse. We have full light rail vehicles and a far emptier Northbourne Avenue and Flemington Road.

The federal Liberal government has a lot to learn from the ACT about delivering transport infrastructure when the community needs it, where the community needs it and how the community needs it. I would say that the Liberal opposition could learn a bit, too, but they do not want to. I am very happy for them to spend another 19 years in the cheap seats.

Let us celebrate the ACT infrastructure plan. It will keep delivering for our fast-growing city. I am sure that in about 20 years time the Canberra Liberals will be saying it is fantastic as well. It will be far enough in the rear-view mirror by then.

MISS C BURCH (Kurrajong) (3.16): I move the amendment circulated in my name:

Omit paragraphs (2) to (4), substitute:

“(2) further notes that:

- (a) despite the ACT Climate Strategy’s directive to encourage a range of transport options, the Minister has drastically reduced weekend bus services, limiting the range of public transport options available to Canberrans;
- (b) providing reliable and accessible bus services on weekends, and dedicated school services for children are an integral component of any public transport network;
- (c) an accessible and expansive public transport network will reduce the reliance on cars to commute around Canberra and lower Canberra’s carbon emissions;
- (d) Canberrans’ livelihoods are dependent on good access to various transport modes, depending on their commitments and circumstances, something which Network19 does not provide;
- (e) as a result, fewer Canberrans are using public transport in Belconnen, Woden and Tuggeranong, as per patronage data released in late August;
- (f) under this ACT Government, overall customer satisfaction in the public transport network has plummeted to just 62 percent in 2018-19; and
- (g) data from the ACT Government response to the Impact of Network19 on School Students depicted student patronage on public transport on school days remained broadly level;

(3) further notes that:

- (a) Ms Cody and other Labor Members continue to sanctimoniously refuse to acknowledge the ongoing chaos with regard to Canberra’s bus network;
- (b) Minister Gentleman has publicly misled Canberrans by claiming that Canberra has a ‘world-class public transport system’; and
- (c) despite over 100 adjustments being made to Network19, the ACT Government is yet to deliver the bus network promised to Canberrans; and

(4) calls on the Government to fix the problems plaguing Network19 as a matter of priority.”.

Another private members' day and another nonsensical motion from Ms Cody. Had Ms Cody bothered to run this motion past Minister Steel I feel he would have dissuaded her from bringing it to the Assembly today as it just shines a light on the huge failure that is Minister Steel's public transport network.

When I tried to raise these issues again last sitting week the Canberra Liberals were silenced by a Speaker who thinks we have spent enough time in this place talking about the disaster that is network 19. Ms Cody obviously did not get that memo.

Ms Cody's claim that the opposition has long-held disdain for public transport is laughable. If Ms Cody had bothered to listen in the chamber or to her constituents over the past year she would realise the only party showing disdain for public transport and, in fact, for the thousands of Canberrans who rely on public transport is ACT Labor.

Ms Cody's motion notes that roads are an integral component of public transport infrastructure and are necessary for the operation of our rapid bus network. Do you know what else is an integral component of public transport infrastructure and necessary for the operation of our rapid bus network? Buses, bus stops and bus drivers. These three components have been conveniently left out of Ms Cody's motion because she knows that her transport minister has been unable to provide these things for quite some time now.

Funnily enough, Ms Cody's motion further notes that Canberrans' livelihoods are dependent on good access to various transport modes, depending on their commitments and circumstances. This might be the most sensible thing Ms Cody has ever said. Her comments stand, however, in stark contrast to the actions of Minister Steel, who has been hell-bent on leaving Canberrans who live in our outer suburbs stranded by refusing to fix the ongoing issues with network 19. Dedicated school services—cut. Xpresso services—cut. Suburban services—cut. Weekend services—cut. Some 750 bus stops—cut. The former Minister for Transport—cut. The casualty list gets longer and longer, and it is Canberrans who are suffering.

It has now been six months since the commencement of network 19, six months of fewer services, weekend service failures, longer walks, longer commutes and transport chaos. Canberrans up and down our city are fed up not only with these network failings but with the lack of concern shown by ACT Labor to fix these issues. We keep hearing from this indifferent transport minister the same line over and over: patronage is up. Well, that is what you would hope after sinking so much money into a light rail line.

If patronage is the measure on which the ACT Labor-Greens government wish to be judged, it is clear that they are failing the people of Tuggeranong, Woden and Belconnen. In Woden and Tuggeranong patronage is down by five per cent. In Belconnen patronage is down by two per cent, and customer satisfaction across the transport network has plummeted to 62 per cent. Of course, the Labor-Greens government have previously shown very little regard for Canberrans living in our outer suburbs. Why would we expect them to start now? Only yesterday we had a minister in this place going to great lengths to deny that he lives in an outer suburb.

After thousands of weekend service failures, we have a shocking interim timetable, mocked up by the minister for weekend services, with two-hour gaps between suburban bus services. Two hours between buses is supposedly a state-of-the-art, seven-day network. Thanks to a \$400,000 campaign blitz from the ACT Labor-Greens government, Canberrans have been told over the past six months that their city is now better connected. Perhaps that \$400,000 would have been better spent hiring drivers willing to work weekends instead of selling Canberrans a lemon of a revised bus network.

If we look over the border to our colleagues in New South Wales we can see the success of a demand-responsive public transport network in action. Just last Wednesday the fantastic Berejiklian Liberal government announced that due to high demand on the T5 Cumberland line an extra morning peak service is to be added. Forgive me for stating the obvious but, generally when there is higher demand for a service or route you want to put more services on that route, not take them away. It appears, however, that this is something neither the current nor previous transport minister understands.

The transport minister's action plan includes stand-by drivers on weekends and rostering improvements and, yet again, another recruitment list to try to get drivers volunteering for these shifts. But the core issue remains: the weekend network will still rely on drivers volunteering for weekend shifts with no penalties paid. Minister Steel's so-called action plan has very little action in it, not to the surprise of many Canberrans. I, like many other Canberrans, remember his response in this chamber when asked when he would fix weekend bus service, that is, "Whenever I get around to it."

The Canberra Liberals value public transport. We understand that public transport plays two very important roles: getting commuters to work and school quickly and safely while reducing congestion on our roads; and providing an easy, reliable and accessible way for people to get around our city, particularly our most vulnerable Canberrans who would otherwise be isolated.

The Canberra Liberals accept and acknowledge that public transport will not be for everyone. For many reasons public transport will not always work for every Canberran. But we do not believe in penalising those who must continue to use their cars. The Canberra Liberals want a public transport network that is easy to use, reliable and safe, a public transport network that gets you where you need to go, when you need to be there. We want a public transport network that works for Canberrans, a public transport network that is your first choice rather than your last option.

There is a real need and demand for dedicated school bus services in the ACT. Thousands of parents have contacted our offices and signed petitions calling for the reinstatement of dedicated school bus routes. It is not a novelty or a privilege to expect your government to adequately provide reliable and safe transport options for young kids in our city. That is why I was proud last week to announce that a Canberra Liberals government will bring back dedicated school buses developed for schools and students in consultation with schools and students and families. Restoring

dedicated school services across Canberra is what is needed to solve the crisis this government has caused.

This ACT Labor-Greens government has failed families, Tuggeranong, Belconnen, Woden and every single person in our city who needs or wants to catch a bus on weekends. This new network has actually encouraged massive parts of this city to rely on their cars like never before.

This brings me to the hot topic of car-free days. According to Mr Rattenbury and his colleagues, Canberra is an aspiring Copenhagen or Paris that will one day be able to enjoy days and perhaps weeks of roads and avenues free from automobiles. Walkability is important and encouraging active travel and public transport patronage should be something that this city is proud of. But I hope that Mr Rattenbury's car-free days do not fall on a Saturday when residents in Charnwood wish to catch a bus to Belconnen or on a Sunday when residents in Narrabundah want to get themselves to the city.

Mr Rattenbury will try to tell us that these car-free days will be in one part of the city or another but fails to explain that closures of Lonsdale Street or Benjamin Way will have negligible impact on Canberra's zero emissions strategy. The inconvenient fact that Mr Rattenbury continues to ignore is that he and his colleagues of this Labor-Greens government have put more cars on our roads in the past six months than a car-free day could ever take off our roads. Their failure to provide adequate services and the reduction in suburban routes, weekend services and dedicated school bus services shows rank hypocrisy and incredible incompetence at managing our territory's transport system.

Mr Gentleman: On a point of order, Mr Assistant Speaker, during Miss C Burch's discussion on this matter she reflected on the decision of the Speaker in a previous debate. I understand that that is disorderly under the standing orders and she should either withdraw that reflection or go forward with a formal motion of dissent.

Ms Lawder: On the point of order, Mr Assistant Speaker, I was listening to Miss C Burch's speech and she referred to the Speaker's decision without any reflection on that. You might wish to review the transcript.

MR ASSISTANT SPEAKER (Mr Pettersson): That is a sensible idea; we will look at the transcript.

MS CODY (Murrumbidgee) (3.26): That was an interesting diatribe from Miss C Burch. Her amendment refers to the transport network. I have just re-read my motion and I am going to call a point of order, Mr Assistant Speaker, on relevance as to whether Miss C Burch's amendment is in order.

MR ASSISTANT SPEAKER: I will seek some advice.

Mr Hanson: On the point of order, in her speech Ms Cody waxed lyrical about light rail and public transport so I do not see why it would be out of order for Miss C Burch to have that in her amendment.

MR ASSISTANT SPEAKER: Thank you, Mr Hanson. Ms Cody, could you repeat the point of order?

MS CODY: Miss C Burch's amendment is all about light rail and my motion is about roads infrastructure and how it supports the ACT.

Ms Lawder: On the point of order, Mr Assistant Speaker, paragraph 3(b) of Ms Cody's motion specifically refers to light rail and public transport. I do not believe that it is irrelevant for Miss C Burch to propose an amendment, as she is entitled to do, that talks about public transport.

MR ASSISTANT SPEAKER: Ms Cody, there is no point of order.

MS CODY: Thank you. Back to my speech.

Mr Hanson: Do you know what your motion says?

MS CODY: I am referring to Miss C Burch's interesting amendment that further notes that:

Ms Cody and other Labor Members continue to sanctimoniously refuse to acknowledge the ongoing chaos with regard to Canberra's bus network;

It is an interesting concept.

I would like to draw attention back to my motion, the whole idea of which is to talk about Mr Steel's wonderful roads infrastructure plan included in the infrastructure plan the Chief Minister announced just last week. It will provide our city with a much-needed, ongoing plan for our future to help support the growing number of residents moving to our fabulous and wonderful city. This is our grouse city that we live in every single day. It is a wonderful opportunity to talk about this infrastructure plan, and I am pleased I brought my motion forward today.

MR STEEL (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (3.29): I would like to thank Ms Cody for bringing this motion forward today. As the Minister for Roads and Active Travel and the Minister for Transport, I am proud to support this motion, which calls on the government to deliver road infrastructure in line with our infrastructure plan and in Ms Cody's electorate of Murrumbidgee, and mine, as set out in the announcement that we have made over the past week.

Our ACT Labor government has a very proud history of investing in road infrastructure. That is because we know that roads are an integral part of moving all Canberrans around, connecting them with the services, with the schools, with everything that they need to get to. Roads are necessary for the operation of our public transport network. They provide corridors through which buses run. That is why investing in road infrastructure is not just about moving people around in private

vehicles; it is also about making sure that we can move people around in buses in particular but also providing a corridor for our light rail network.

Roads are also supported by our park and ride facilities and car parking facilities to make sure that families, particularly, have the ability to catch public transport as well. They support our emergency services vehicles to get around our city and, of course, play a very important role in transporting freight around our city, through our city and beyond into export markets, and also in importing goods into the city.

A well-designed and well-maintained safe road network gives Canberrans a flexible way to travel home every day. It is a crucial part of the everyday life of many Canberrans. Our investment in roads is complemented by our investment in active travel. We are, where possible, encouraging people to use a bike and potentially walk to where they need to go, whether it is on the weekend or during the week. Roads infrastructure is about giving people the ability to choose the transport option that most suits them and giving them genuine alternatives where available.

As we are a planned city, the ACT infrastructure plan demonstrates that our government is continuing to invest in sustainable infrastructure and integrated land use. It aligns with our recently updated policies such as the ACT's climate change strategy and with the ACT planning strategy as well.

As I am sure members are very aware, Canberra's population continues to grow. As a result, we need to continue to invest in infrastructure to make sure that our city is and remains an attractive place to live and work. Our population is projected to increase to 500,000 by 2029, which on average is about an additional 8,000 people per year. Woden, Molonglo and Weston Creek in particular are expected to accommodate a large portion of the increase in population. Growth increases demand for new infrastructure and also places increased pressure on the existing transport and road network.

We have seen growth across the border as well. That is particularly important, because the ACT should not be looked at in isolation. We have a large community in Googong—it will have 20,000 people living there over the coming years—and in south Jerrabomberra as well.

Mr Hanson: No wonder.

MR STEEL: That is why we are investing in projects like the Monaro Highway, and Mr Hanson has an opportunity to support the delivery of that infrastructure project by supporting this motion today.

The indicative project pipeline for roads improvements set out in the ACT infrastructure plan includes significant investment to both augment existing roads and provide new roads that will facilitate land releases, such as for the new suburb of Whitlam. These projects include intersection improvements, extensions and duplications, all which aim to safely increase capacity and to improve travel times.

Infrastructure investments in the electorate of Murrumbidgee include the duplication of John Gorton Drive. That includes the section north of Coppins Crossing, which

includes planning for a bridge which will be the longest road bridge in the territory and will help to future-proof our city from congestion but also ensure that there is an opportunity for light rail to move through that corridor in the future as part of the city-wide light rail network.

The future duplication of Athllon Drive and the planning and duplication of William Hovell Drive, as well as augmentation of car parking at Cooleman Court group centre, are other projects that are helping to support the growth of our city and our road network. All of these investments include the provision of on-road and off-road cycle infrastructure as we strive to increase the opportunities for people to cycle or walk to work.

The government will continue to build new roads and connections around Canberra, and we want to make sure that our existing roads and intersections are safe and efficient across the territory as well. Only last week AAMI, the insurance provider, released their annual crash hotspot report, which backed our government's investment in projects like the Monaro Highway to improve safety and speed by removing intersections, particularly around Hume. We also supported other key road improvements that we are making, such as the feasibility that we are doing on the upgrades to Hume Circle.

As members know, the Monaro Highway project will include the design and construction of grade-separated interchanges along the corridor around Hume, with the ACT government contributing up to \$100 million. We know that we have the support of the commonwealth government on this project, because they are putting in \$100 million today. The question is: will the Liberals support Ms Cody's motion which calls on the ACT government to deliver this project in accordance with our plan? Let us hope they do.

It is disappointing that that project has not been supported by all members of this place. Ms Le Couteur has said in this place something along the lines of questioning whether this should be a government priority. But, given the report last week, I hope that she has the opportunity to reflect again on the importance of this project in improving safety and improving traffic flow in the Hume area. The two go hand in hand, because this is about removing intersections that are dangerous, and by removing the intersections we can improve traffic flow.

It is also important to realise how integral our roads are in supporting our public transport system. Our buses carry around 80 per cent of public transport customers in our city now which is less than six months ago, with our new light rail network starting, covering a network of 355,000 kilometres in services each week. The efficient operation of the road network is critical to providing fast, frequent and reliable bus services for Canberrans. Just one bus stuck in traffic can cause a delay for more than 100 passengers, so getting roads right, investing in roads infrastructure, is also about investing in public transport. It is the reason why our government is investing in upgraded roads throughout the territory to make sure that we have better runs for buses, particularly going through the city. Cotter Road is one example where we know that there is a bit of congestion, and with our fantastic new R7 and

R10 services we need to make sure that they have a good run in. That is something that we will consider.

Our road network is supported by fantastic park and ride facilities across the territory, encouraging people to use public transport where they might have to run and drop the kids off to school and then potentially catch public transport. It is providing people with options and a different way to use public transport that was not available before. We will continue to invest in that as we design a park and ride strategy.

We are also helping to significantly reduce congestion by investing in active travel. More Canberrans are opting to walk and cycle to work, and the government is managing effectively 3,000 kilometres of community paths across the territory. We have built over 45 kilometres of shared paths in the past two years alone. I have also asked TCCS to make sure that we continue to do this, particularly, as we invest in new roads projects, where we can invest in building off-road path infrastructure alongside those roads, unless it is not suitable, such as with the Monaro Highway project.

We continue to invest in the upgrading and resealing of our existing 3,000 kilometres of roads across Canberra. I was recently very pleased, with Minister Gentleman, to launch resealing program for this year. I am looking forward to 1 million square metres of roads being resurfaced, which equates to 230 lane kilometres of roads across 21 ACT suburbs, to help meet our targets of five per cent of main roads and four per cent of municipal roads resealed. That is part of a preventative maintenance program. We are looking forward to making sure that this covers over the cracks and the imperfections in the roads and maintains their life for a longer period of time. Adopting a preventative maintenance approach assists in improving safety as well.

This is why it is so important to invest in roads. I back Ms Cody's motion.

MS CHEYNE (Ginninderra) (3.39): I had not intended to speak, and I will not do it for long, but I need to draw attention to the opposition's ongoing misrepresentation of issues, particularly when (1) they should know better—

Ms Lawder: On a point of order, Mr Assistant Speaker, misrepresentation requires a substantive motion. I ask Ms Cheyne to withdraw.

MS CHEYNE: I do not think that is right.

MR ASSISTANT SPEAKER: Let me seek some advice. Ms Cheyne—

MS CHEYNE: Look, let's just get this over and done with. I do not want to waste time, Mr Assistant Speaker. I withdraw misrepresentation, notwithstanding that everybody else has said that word at some point today. I will say the opposition's ongoing not listening, the opposition's ongoing pretending not to hear things that are being said. The opposition, perhaps worse, are simply not doing the bare minimum of paying attention when things are said.

I want to draw particular attention to Miss C Burch's comments about car-free days. We have discussed at length in the media and in this place what car-free actually

means, and it is not what Miss C Burch said today. She knows that. She has been here when we have discussed this at length.

Mr Hanson: There are no cars. She just quoted Mr Rattenbury.

MS CHEYNE: From when did she quote Minister Rattenbury?

Mr Hanson: Well, she did.

MR ASSISTANT SPEAKER: The speaker will be heard in silence.

MS CHEYNE: I am not going to continue to have a conversation with the opposition, but at a point in time when people read back in *Hansard* I certainly do not want them to look at Miss C Burch's statements and think that they are gospel, because they are not. It is not true.

We need to go right back to look at all the other conversations that we have had in this place about car-free events. We already do them. We already do them with Enlighten and we already do them with the Multicultural Festival. Creating this fearmongering that somehow the government is going to take people's cars away from them is simply not true, and allowing that to stand in this place is not something that I am going to put up with, and nor are my Labor colleagues and nor are the Greens, who have also stood up in this place as well.

I also want to acknowledge (3)(a) in Miss C Burch's amendment, which, as Ms Cody noted, is bizarre: "that ... Labor Members continue to sanctimoniously refuse to acknowledge the ongoing chaos with regard to Canberra's bus network". We do refuse to acknowledge ongoing chaos because it is not ongoing chaos, but we absolutely have been acknowledging that there are improvements to be made. Minister Steele has iterated this. This was a massive change. We absolutely changed things. We acknowledge that. For a vast number of people it is much better. There are some people where we need to do more work. We understand this. We discussed this most recently in an MPI, which Miss C Burch was here for as well. So continuing to pretend that these conversations have not happened, that these debates have not ensued in this place, is just ridiculous. I really expect better from the opposition.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 13

Miss C Burch
Mr Coe
Mrs Dunne
Mr Hanson
Mrs Jones
Mrs Kikkert
Ms Lawder

Mr Milligan
Mr Parton
Mr Wall

Ms Berry
Ms J Burch
Ms Cheyne
Ms Cody
Mr Gentleman
Mr Gupta
Ms Le Couteur

Ms Orr
Mr Pettersson
Mr Ramsay
Mr Rattenbury
Mr Steel
Ms Stephen-Smith

Amendment negatived.

MS LE COUTEUR (Murrumbidgee) (3.47): It is very disappointing to see the ALP turning important long-term infrastructure planning for our city into a political stunt. A sensible, considered debate about infrastructure, in particular transport, is always welcome. The Greens have been part of these debates in the past and I sincerely hope to be part of them in the future. However, the debate does not start with a motion describing the opposition as sanctimonious and using words like “disdain”.

The Greens cannot support Ms Cody’s motion, and Miss C Burch’s amendment has the same unhelpful words, so we did not support that either. Hoping it will be third time lucky, I move:

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

“(1) notes:

- (a) the ACT Government recently released a long-term infrastructure plan for the ACT;
- (b) long-term planning is critical for ensuring that infrastructure is delivered for the community on time and at a reasonable cost, as well as providing certainty for businesses and the construction industry;
- (c) concerns from infrastructure experts that politicisation of the infrastructure planning process can lead to wasted funds and important projects being delivered late;
- (d) Members of the Assembly support the majority of projects listed in the Infrastructure Plan, which are sensible and non-controversial; and
- (e) there will be valid differences between political parties on some projects and the ACT community will benefit from a sensible and considered debate on these projects that does not unnecessarily politicise the process; and

(2) calls on Members of the Assembly to carefully consider future infrastructure projects against environmental, social and economic criteria.”.

I circulated the amendment this morning, so I am sure members have had the time to look at it.

MR ASSISTANT SPEAKER: Ms Le Couteur, you need to seek leave to move the amendment.

MS LE COUTEUR: Why do I need leave? I have not spoken before.

MR ASSISTANT SPEAKER: Sorry, Ms Le Couteur. Continue.

MS LE COUTEUR: That is why I did not speak earlier: so that I did not need leave. I am trying to follow the rules of this place. Proper infrastructure planning is vital for the ACT community. Let me give a few examples.

You may move into a new suburb like Denman Prospect or Whitlam where there is no school as yet. You know that a local school has been promised, but you are waiting for it to be delivered. You are relying on the government to have a considered, long-term plan to fund and deliver that local school. You are trusting that they have set aside sites for both public and private schools in appropriate numbers 10 years ahead of time and then that they will do the pre-planning work and start construction of the government school so that it opens as soon as there are enough students in the area.

Or you may buy a house because it is close to a bus stop. You depend on that bus stop. Understandably, you will be very upset if the government closes that bus stop or reduces services to it. Our transport system, as Ms Cody's motion discusses, and Miss C Burch's amendment echoes, is a vital part of Canberra's infrastructure. Every day, people make decisions based on it. We have to get it right.

It is not just residents who need well-planned infrastructure. There is a serious impact on businesses when infrastructure planning becomes politicised or is not done well. Businesses need to make investment decisions based on reliable information about future infrastructure. If you are setting up a medical specialist centre, for example, you need to know where the ACT government's key health precincts will be in the future. If you are a developer deciding where to buy sites for future projects, you want to know where the transport and public realm infrastructure will be delivered, and when.

It is so concerning to see this ALP motion whose aim appears to be politicising the infrastructure planning process.

Mr Hanson: It is not grouse at all.

MS LE COUTEUR: Infrastructure planning is too important to mess up for a quick political stunt. Yes, it is disappointing not to have an infrastructure plan for grouse; I totally get that point.

This sort of politicisation of infrastructure planning has a real cost. If infrastructure planning becomes a political football, projects become subject to radical changes when political circumstances change. It is possible that the ACT may have a change in government in the timespan covered by the new infrastructure plan.

In 2015, an incoming Victorian government spent a huge amount of money to cancel a politicised road project for which construction and financing contracts had been signed during the election caretaker period. The Victorian Auditor-General found:

The ... project was terminated in June 2015 with more than \$1.1 billion paid, or expected to be paid, by the state for little tangible benefit.

Around 10 years ago, the New South Wales government changed its infrastructure plan with each new premier. This led to one major project, a previous version of the Sydney CBD Metro, being scrapped while it was underway. The New South Wales Auditor-General found:

Of the \$412 million spent on the Sydney Metro, \$356 million represents expenditure with no apparent future benefit to New South Wales.

Political parties and MLAs will always have policy differences on infrastructure. This is good; this is the political process. The community will have differences. Experts will have differences. It is important that we debate the merits of individual projects, the balance of spending between different types of infrastructure, et cetera. That is our role. But it needs to be a considered, sensible and informed debate, not a debate which starts with a motion describing the opposition as sanctimonious.

A considered debate would instead recognise that the vast majority of infrastructure in the plan is reasonably sensible and not hugely controversial. It is very hard to argue against providing schools for new suburbs. The city clearly needs a new southern cemetery. I am sure that all parties in the Assembly agree that we need to fund the rehabilitation of the west Belconnen and Mugga Lane landfills.

Also, a well-informed debate is important. This means publicly considering the costs and benefits of various alternatives. Some of the projects in this plan have been subject to this, I assume, but others have not been. There has not been a lot of public discussion about the alternatives to these things, although I hope that there has been private discussion. Given the very limited government resources, it is important that alternatives are considered and the best option is chosen.

There is also the balance between maintenance of infrastructure and new assets. This is not canvassed in the plan. The word “maintenance” is mentioned once only, in the context of trees, but it is a significant issue for our assets. Look at some of our older schools, our older public housing or our older footpaths.

In the interests of providing certainty for the community and business, I will speak on the Greens’ position on infrastructure in general and the infrastructure plan in particular.

The Canberra community and Canberra businesses can be confident that if the Greens lead the next ACT government, there will be no wholesale overturning of the infrastructure plan. The Greens have important policy differences with the ALP on infrastructure, but they will come as no surprise to the community, or to Canberra businesses, as we have been making the same arguments consistently in many forums for many years.

If this was a Greens infrastructure plan, rather than a negotiated ALP-Greens government plan, it would clearly recognise that we are in a climate emergency, as the Labor and Greens members of the Assembly recognised earlier this year. As Mr Rattenbury said in his budget reply speech, people who care about the territory economy should be focused on climate change, because the impacts of climate change are already having costs for our community and for our infrastructure.

People who care about social outcomes should also be focused on climate change, because the most vulnerable in our community will be most impacted. People who

care about health impacts should be concerned about climate change. We already know that the excessively hot weather is leading to extra hospital presentations. Statistically, we believe that people are dying because of this in Australia, and I imagine in the ACT.

We know that people who care about the environment should be focused on climate change. It is already causing widespread environmental destruction, with more severe consequences to come. Those of us who have lived in Canberra for as long as I have can see that the climate and the environment in Canberra have changed due to climate change. The frosts just are not there. Hot weather is here. The species have changed. The flies, the insects, are gone. The species we used to share our suburbs with have gone.

In the interests of balance, I acknowledge up front that the infrastructure plan has a welcome investment in climate change. I welcome recognition of the important role of living infrastructure through the inclusion of future investment in trees to achieve the new 30 per cent canopy target. This is a really positive piece of infrastructure. This investment will be of big benefit to our community in the future hotter climate. You may all remember the work that was done by the CSIRO in terms of mapping the heat island effect in Canberra, which showed how important it was to have trees. That was one of the reasons for my motion earlier today.

It is pleasing that the plan includes zero-emission bus depots, and zero-emission buses are an important step in dealing with transport emissions. It is disappointing, though, that the plan does not include more buses.

I would have to agree with many of the comments that Miss C Burch made about needing to have a better public transport service. As she said, the patronage in Woden, Tuggeranong and Belconnen has gone down with network 19. But she did not mention one of the really positive things: from Weston, patronage has gone up by nine per cent. That demonstrates that if you give people a decent bus service or an improved bus service, they will use it. The people of Weston now have a quarter of an hour service between Cooleman Court and Woden. They are voting with their feet and getting on it. It is not called a rapid, because that is how it lucked out, you could say, but it is functioning as a rapid, and the people of Weston are using it.

The Greens and the ALP do differ on transport and climate change. As Mr Rattenbury said in his budget reply speech, the hundreds of millions of dollars for road duplications is not the mark of a plan that fully responds to climate change. More roads can temporarily make life easier for car drivers, and are sometimes justified, but we should be prudent and even reluctant when it comes to expanding roads; we certainly should not be rushing to double the size of every road that faces delays.

To avoid our views being represented as they have been at times in the past, I make the point very clearly that the Greens do support sensible road safety and quality improvements that ensure that our expensive road assets last and are used as effectively as possible. We support intersection upgrades that address black spots and projects that seek to move towards the vision zero road safety goal. Road trauma takes

a massive toll on our community, and having the right infrastructure is an important part of preventing it. Sometimes new roads and upgrades are appropriate.

The point we are seeking to make is that we need to change the government's general approach to transport planning and spending to stop it being so focused on roads and cars. More investment in roads will build a car-dominated city in the future like the one we have right now in Canberra. Most infrastructure planning experts agree that roads expenditure inevitably makes driving an even more attractive option and therefore entrenches congestion and emissions and essentially disadvantages the most vulnerable in our city who are either unable to drive or cannot afford to run their own car.

Infrastructure planning needs to recognise that when we reach 100 per cent renewable electricity—about now—more than 60 per cent of ACT greenhouse emissions will come from transport. Almost all these emissions are because of private car use. This is the number one issue we need to address to reach zero emissions in the ACT, as the government has promised.

The Labor Party have been very vocal about their support for reaching zero emissions and are justifiably proud of this target. The Greens have pushed this, and we are very proud of it too. But at the same time, the Labor Party is forging ahead on new road projects which will entrench car driving and transport emissions. It is not obvious that these two things are compatible. It is possible that we will have a very quick transit to zero-emission private vehicles, in which case we need to have the infrastructure in place for the delivery of the energy for this, for the hydrogen or the electricity. With the exception of the Woden bus depot, that was not in this plan.

If the Labor Party are genuine about climate change, they would be taking a prudent and reluctant approach to road building. They would be focused on more sustainable modes of transport and doing all they can to avoid infrastructure that entrenches unabated use of the private car. They are not doing that. How do they explain these two conflicting positions?

I am not trying to say that it is going to be easy to reduce car use in Canberra. It will take a different attitude and changes to our traditional approach to transport planning, and there will be political pressure. I would like to see the Labor Party at least try a bit harder on this and not show such a clear disconnect between their words and their actions.

The Greens see this motion as a regrettable politicisation of the ACT's new infrastructure plan. However, I am quite pleased that some of the conversation from all speakers seemed to recognise that roads were not the be-all and end-all of planning in Canberra. I urge all members to vote for my amendment. The "calls for" wording in the motions of both Miss C Burch and Ms Cody should have qualified as business as usual for the government. The government have put out an infrastructure plan. Would they not implement it? The government has recognised the problems with network 19. Would they not fix it?

MS LAWDER (Brindabella) (4.03): In general, it is good to be talking about infrastructure, about planning for good infrastructure in the ACT, about roads infrastructure and about any other types of infrastructure. It is also good to talk about the government's recently released infrastructure discussion paper. We previously had an ACT government infrastructure plan for 2011-21, which was released under former chief minister Katy Gallagher, some of which has not been delivered and probably never will be.

Historically, we have in our territory a long history of well-planned infrastructure planning and delivery. Many of us in Canberra are the beneficiaries of that good planning. We benefit from that legacy. We have a responsibility here to ensure good planning and good infrastructure—that we plan for it and build it for the benefit of future generations. So far, no argument.

We can also consider some of the discussions we had this morning in the debate on the motion about the Molonglo Valley. It is only too clear how important planning of infrastructure is. We have talked a bit about the newer suburbs, smaller blocks, narrower streets, heat islands. These are failures of infrastructure planning and people will suffer as a result now and into the future.

It is nice to have a mature, responsible, sensible and considered debate on Ms Le Couteur's amendment, which is a pretty straightforward amendment. It is something that we can all talk about and agree on without some of the completely unnecessary commentary in Ms Cody's original motion.

I also felt, as Ms Le Couteur obviously does, that this was an intemperate motion from Ms Cody. It politicises the planning process. It was unnecessarily inflammatory. It was obvious that it was trying to get a reaction. As Ms Le Couteur has also said, the government have released their infrastructure discussion paper. It is their job now to get on with it. I am not sure why we need a motion in this place except perhaps for the fact that it gives Ms Cody, who is well known as being a loopy headline in search of a newspaper story, the opportunity once again to come up with some inflammatory comments in the Assembly.

I believe her motion has some hypocritical elements. She talks about the importance of roads for the rapid bus network, while in my electorate of Tuggeranong, and in others, buses have been cut and people have been cast adrift from the public transport network. She acknowledged in her opening speech that Canberra was built for the car. She talks in her motion of the Canberra Liberals' long-held disdain for public transport, which I disagree with.

What we want is the most effective and efficient public transport that stacks up against sound business cases and that best serves the people of Canberra. I do not understand how that is disdain for public transport. So we will not be supporting Ms Cody's motion today, which politicises the infrastructure planning process. We will be supporting Ms Le Couteur's amendment, which recognises in a very matter of fact and non-controversial way the importance of long-term infrastructure planning.

We are disturbed by this attempt at politicising the infrastructure process and agree with Ms Le Couteur's concern. We are highly supportive of the need for us here in the Assembly to have robust and valid differences and debates on infrastructure projects just as in many other areas where we have robust and valid debates. We are all entitled to our own views. The fact that we are in different parties should highlight the fact that we will have different views on many topics.

In paragraph 1(d) of Ms Le Couteur's amendment she talks about support for a majority of projects that are sensible and non-controversial. Of course, that may depend on who you are asking about which ones are sensible and non-controversial. As an example of that, we are concerned about the government's SPIRE version 2 project. We are encouraging the public to have their say on this.

I imagine that as one of the local members, Ms Le Couteur is also receiving representations from local community members and that she will be looking at ways to ensure in respect of that particular infrastructure issue—it has been progressed already and the issues have been articulated by my colleagues Mrs Jones and Mrs Dunne—that the locals must be considered. We must also consider in all of these projects the social, environmental and economic aspects, as Ms Le Couteur has quite rightly mentioned in her amendment.

I feel it was quite unnecessary in the first place for Ms Cody to bring this to the Assembly for debate when the government already have released their discussion paper and they should already be taking steps to implement it. This is the business of government. They are the government at this time and they have the responsibility to the people of the ACT to undertake these tasks.

That is not to mean that the opposition may not question them on specific or discrete elements of their plans, hold them to account and ask questions about the planning, the costings and the delivery of those projects. But they should be implementing their plans and it should not necessarily be in line with election cycles, because that is how you get short-term planning rather than long-term planning.

Therefore, I commend Ms Le Couteur's amendment to the Assembly in which she recognises that long-term planning is critical to ensure that infrastructure is delivered. She mentioned her concerns about the politicisation of infrastructure planning processes. She acknowledges that there will be differences between political parties on some projects. She also calls on us—I think this is very important—to consider carefully future infrastructure projects against environmental, social and economic criteria. I feel this is very important. Sometimes we tend to act on one or two of those criteria, but not all three. I thank Ms Le Couteur for moving her amendment today. We will be supporting that amendment.

MS CODY (Murrumbidgee) (4.12): I will speak to Ms Le Couteur's amendment, but I am also happy to close the debate, in view of the time. Ms Le Couteur's amendment says that we should not be politicising infrastructure. Yet her amendment does just that. Her motion this morning was all about politicising infrastructure. In fact, a good half of her career here has been grandstanding about politicising infrastructure.

However, I do not really mind. I am not into the “holier than thou, let us not be political” approach to vote grabbing. It is good fun; cheap politics. This attempt is a little more transparent and a little less graceful than most. Whatever; I am not accepting Ms Le Couteur’s amendment today.

I think it is the responsibility of every politician to use every bit of skill they have to argue over every bit of infrastructure we can get for our communities. Mr Coe and co want lower rates. They want to build less infrastructure, cut corners and maintenance and run Canberra down. I disagree with him, but whatever. I respect that he is a politician and that he and his team have a barrow to push.

Paragraph 2 of Ms Le Couteur’s amendment implies that Mr Coe’s position is not carefully considered. Whilst I think it is wrong, I think it is an insult to suggest that he did not consider it carefully first. They have had 19 years to consider it. If Ms Le Couteur is not in the habit of careful consideration of infrastructure projects, that is her position, but I am not sure she should be projecting it on to other members.

Canberra’s road network is an important thing. So is public transport. On the south side of our city our public transport runs on roads. The fact that Ms Le Couteur gets more buses than I do is not necessarily a sign of moral virtue. I mean, that is great. I am really happy that she does, but it is not for me. Of course, this does not necessarily mean that she uses fewer roads than me. As many miles of asphalt and concrete pass under her as pass under me. But if Ms Le Couteur thinks it is an ethical issue, whatever. I support a government with a well-balanced, progressive infrastructure agenda.

This place invests a fair bit of time into public transport; it invests a fair bit of time into public service facilities. The one time someone brings up our biggest infrastructure network process, it gets to be obliterated from the record. No, I do not agree with that.

Amendment agreed to.

Original question, as amended, resolved in the affirmative.

Cannabis—commencement of legislation

MR HANSON (Murrumbidgee) (4.16): I move:

That this Assembly:

(1) notes:

- (a) since the passage of the Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018, the Federal Attorney-General has publicly stated that, on advice, the laws are invalid and are of no effect;
- (b) the Federal Attorney-General also stated “The expectation is that police enforce the law. And the law is, as I have been advised and which advice I completely accept, it remains unlawful at Commonwealth law to possess cannabis in the ACT”;

- (c) the Australian Federal Police Association have stated the laws are “setting police up to fail”; and
 - (d) the bill, as passed, has created a conflict that has actually resulted in the re-criminalisation of cannabis in the ACT; and
- (2) calls on the ACT Government not to commence the *Drugs of Dependence (Personal Cannabis Use) Amendment Act 2019*.

As members would all be aware, we had a substantive debate in this place about cannabis over the past year or so that led to the passing of the Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018 during the past sitting period. This motion today is not intended to re-litigate the substantive elements of that debate but it is here to find a way forward through the legal minefield that that legislation has created.

Despite their attempts to legalise cannabis—by “theirs”, I mean the government and the Greens—what has actually been done, based on the advice of the commonwealth Attorney-General, is in effect to re-criminalise cannabis. Regardless of your views on whether cannabis should be legal or not, what was actually meant to be a step in the direction of what is called harm minimisation and treating cannabis as a health issue has actually turned out to be, based on that advice from the commonwealth Attorney-General, a giant leap backwards that means that possessing small amounts of cannabis now risks serious criminal sanctions, including jail.

We on this side did not support the substantive issue of legalising cannabis—and I think you are all aware of that—but equally we do not support people being prosecuted and jailed for possessing under 50 grams of cannabis, which now is most likely the case, based on advice from the federal Attorney-General.

I make it very clear, as well, that I, Mr Coe and other members of the opposition have not asked the federal government to intervene in these matters and we accept the right of the ACT to make its own laws. We disagree with the law that was passed but we accept and acknowledge the right of this Assembly to make that law. But in this case we must accept the reality of the situation and the law is the law. We must be responsible legislators and we must not commence a law that purports to do one thing, and that is legalise cannabis, but in all likelihood does the exact opposite, which is to re-criminalise cannabis.

On Sunday the federal Attorney-General wrote to Mr Ramsay. He forwarded me and others a copy of that letter, and I will review what he said:

I note your view that the Act would engage section 313.1 and 313.2 of the Commonwealth Criminal Code and provide defences to the relevant Commonwealth offences. I am writing to advise that the Commonwealth’s view is that the approach taken in the Act has not engaged the defence available in section 313.1 of the code.

Consistent with the advice provided by my department to the ACT Government on 2 May 2019 and 23 September 2019, the Commonwealth’s view is that section 313.1 of the code requires a positive basis in the law to engage that

defence. On this basis, the Commonwealth's view is that the relevant offences, in particular section 308.1 of the code, continue to operate in the Australian Capital Territory, without the benefit of the exemption created by section 313.1 of the code.

In light of this clear view, which I will publicly communicate, it is also my view that section 313.2 of the code would not reasonably be available to a defendant in the ACT who points solely to the passage of the Act as the basis of their belief that the conduct is justified or excused.

I would expect that ACT Policing will continue to enforce ACT and Commonwealth drug laws in accordance with their processes and procedures for investigating suspected breaches of criminal laws.

Given their portfolio interests, I have copied this correspondence to the shadow Attorney-General.

There have also been public comments made by the Attorney-General that support that letter. This is an extract from the *Canberra Times* of his statement on *ABC Insiders*:

"Their law has not done what they think it does, which is provide some kind of defence or out for people who would be possessing cannabis in the ACT. It doesn't do that," Mr Porter said.

Mr Porter said: "The police enforce laws that are on the books and the Commonwealth law is on the books. The expectation is that police enforce the law. And the law is, as I have been advised and which advice I completely accept, it remains unlawful at Commonwealth law to possess cannabis in the ACT."

Mr Porter said on Sunday section 313.1 could only be used as a defence if the ACT had created "a positive right" in law to use cannabis—which it had not.

"The legal advice that I've got, which I agree with, which I've relayed by a letter today to the ACT Attorney-General, is that it is still an offence under Commonwealth law in Canberra to possess an amount of cannabis less than 50 grams. That's the state of the law," Mr Porter said, dismissing the ACT laws as "terrible laws for a variety of reasons".

"The ACT laws removed the criminal component at a territory level, but didn't establish anything that is a positive right to possess, which means there's no defence to the Commonwealth law."

This is the commonwealth Attorney-General, based on legal advice that he has received.

This is a quote from the *Australian* of 20 October, which is a response from an ACT government spokesperson to that letter and that statement from Mr Porter:

"If Commonwealth agencies, either under the direction of their conservative ministers or by their own volition, prioritise the prosecution of Canberrans

caught with a small amount of cannabis, then that is a matter for them and for the federal Attorney-General ..." the spokesman said.

He went on:

If more people are going to be incarcerated under these laws, then the conservative Liberals better have a plan for how they are going to build more prisons.

That is what the ACT government spokesperson said in response to the fact that the Attorney-General at the federal level said that these laws do not do what you think they do. The ACT government spokesman said, "Build more jails." That is on the record from the ACT government spokesperson. What an extraordinarily irresponsible response!

The ABC reported on this matter and provided an article called "One unlucky smoker will determine whether cannabis really is legal in Canberra". It says:

Criminal behaviour is generally seen as fairly black and white: an act is either legal or illegal.

But, when it comes to possessing cannabis, the situation in the ACT will be very hazy from early next year.

And it may take having a very unlucky Canberran arrested, charged and put before the court to clear the ... air ...

The ACT Law society's Michael Kukulies-Smith said the current situation left both cannabis users and police officers in an untenable position.

Professor Desmond Manderson, from the Australian National University's law college, suggested this would be the most likely outcome.

"There will have to be a court case to work out the meaning of the provisions in the Commonwealth Crimes Act that recognise the freedom of state and territory governments to make their own drug laws," he said.

Members, this botched bill has created a legal minefield where there is grave risk, a real risk—Mr Rattenbury is laughing; he thinks it is funny—that they are doing something that is completely legal but they find themselves prosecuted and found guilty of a federal crime. Regardless of whether you believe cannabis should be legal or not, as legislators I would hope that it is our duty, and I believe that it is our duty, to enact legislation that does not put our citizens at risk. And that is what this legislation does.

As late as yesterday Mr Ramsay would not rule out that someone could be prosecuted, convicted and possibly jailed for possession of small amounts of cannabis, which is being deemed legal by this Assembly. The reason he did not rule it out is that he cannot. As Mr Ramsey said in his speech during debate on the bill:

This does not entirely remove the risk of people being arrested under commonwealth law, and we are being upfront with the community about that.

Unfortunately, it cannot stop someone being arrested and charged if the commonwealth officials were minded to do so or prosecuted if the Commonwealth Director of Public Prosecutions thought it was appropriate to do so.

The use of the defence provided by ACT law would be a matter for the courts to consider. There are many steps that the commonwealth must take between arresting someone and successfully prosecuting them in court.

And this is where you get to the nub of it. He then went on:

Here in the ACT the government hopes sincerely that the time and resources of our Federal Police, prosecutors and courts will not be wasted pursuing individual cannabis users who are acting in accordance with ACT law.

Mr Ramsay hopes that people will not be prosecuted, because if they are, in every likelihood, they will be found guilty of a criminal offence. And isn't that the problem? We have an attorney-general whose legal argument, in essence, is that in regard to what is being pursued here in the ACT he is hoping that the police do not enforce the law. He hopes that no-one will be prosecuted; he hopes that police do not do their job.

But the problem is that—as I quoted from the letter and what Christian Porter, the federal Attorney-General, said on ABC *Insiders*, he has made it clear—he expects federal laws to be enforced and he expects sworn police officers to do their job. He does not expect them to be walking past what is a commonwealth crime being committed.

Unless the member opposite, Mr Pettersson, who put forward this legislation, is willing to put his hand up and say, “Yes, I will be the test case. I am happy to be the test case,” then what essentially is going to happen, as I quoted from the ABC article, is that some poor Canberra citizen, thinking that they are doing something legal, is going to be the test case and find themselves potentially prosecuted for a criminal offence. Will Mr Pettersson put his hand up? Will he be the person who is prepared to do that? And if he is not prepared to do so then we should not be commencing this legislation, because what we are saying is that we are going to tell people it is legal, let someone get caught up in the legal system, let them the best test case, and he is not prepared to do it. We will see.

It is not only citizens that get caught up in this, it is also our police officers. As the Australian Federal Police Association said, “These laws are setting police up to fail.” And they said yesterday:

ACT Policing hasn't had to use Commonwealth cannabis legislation because today's—

that is, the existing—

ACT legislation is sufficient to deal with the matter via SCONS, —

that is, a simple cannabis offence notice—

diversion, and education.

Then they say:

That all turns to custard on 31 January 2020.

You have the local Attorney-General, Mr Ramsay, saying that he hopes the police will not prosecute; you have the federal Attorney-General saying that he expects police to prosecute; and you have the Australian Federal Police Association, who represent police officers locally, saying that this whole situation, the legislation that we have that has been working effectively, “all turns to custard”. What do our police do? What are they expected to do?

You have the local Attorney-General saying, “I hope they do not prosecute the law. I hope they walk past crimes being committed.” And you have the federal Attorney-General saying, “I expect them to prosecute federal law.” What are they expected to do? How is it possible that the government has enacted laws and is going to commence laws that create that impossible situation for our police and that impossible situation for our citizens?

We are fortunate that there is a chance to stop this problem. These laws have not commenced. The amendment moved by the Greens to the bill means that it has got to be commenced by an act of the minister. What my motion today says is: do not commence this legislation; there is too great a risk to citizens; there is too great a risk to our police. As legislators, whether we agree with the underlying principle of legalising cannabis or not is irrelevant. It is reckless, it is irresponsible and it is wrong for us as legislators to be commencing a law in this town that tells citizens that something is legal when in every likelihood they will be charged, prosecuted and found guilty of a criminal offence. I call on members to do the responsible thing and tell the government and the minister not to commence this irresponsible legislation.

MS CODY (Murrumbidgee) (4.31): I thank Mr Hanson for the opportunity to have a bit of a say about his motion. Before I go that, I would also like to thank Breanna, who has been taking part in the girls takeover parliament program this week and has helped me research and write this speech. I would like to thank her, as a young person who lives in this city, for her input on this. What I am about to speak about today is a lot of what she has researched and what she has to say, and I think that is key to this debate.

The Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018 is vastly supported in the community that we here are elected to represent. Are you suggesting that we render the community’s wishes inadequate? The personal bias Mr Hanson has demonstrated against this bill is alarmingly apparent. I am not sure he even cares about the community’s wishes. It seems he is treating them as irrelevant.

Legislation that is passed but is sought to be overturned and rendered ineffective only confuses our wonderful police officers, whose job it is to enforce the law. If Mr Hanson cares as much as he says he does, he should be aware of the latest Roy Morgan poll that clearly states that 62 per cent of Australians disagree with the decision to overturn the ACT cannabis laws.

When we are met with a challenge, it is our job to update existing legislation and apply it according to our challenge. This involves hard work, communication, a vision, a commitment to democracy and a commitment to shifting our attitudes about addictions and how we confront them as a society. We should not be shutting down the challenge we face in the hope of shelving it away. We should be working together to respect the will of the people. It is our job to respect the democratic process and undertake the relevant tasks that are ahead. Let us not put personal bias in the way of genuine progression. To encourage the overriding of the democratic process is unacceptable. To try to render this law invalid is unacceptable. And to try to continue to shut down debate on this is unacceptable.

On the topic of mental health issues and related concerns about cannabis being the result of such issues, I have some research I would like to share. According to the National Drug and Alcohol Research Centre's conclusion from a recent study, "using cannabis placed an individual at a small risk of developing anxiety"—small. But the authors noted that, while the weight of evidence supported the coexistence of cannabis use and anxiety, there was relatively little evidence to suggest that cannabis caused anxiety. It also stated:

Clearly, the relationship between cannabis use and depression and anxiety disorders is complex and involves the individual's reasons for cannabis use and external situations. That is, cannabis may be used to help cope with social problems that were not necessarily caused by cannabis use.

Some further research that we found stated:

Research using longitudinal data from the National Epidemiological Survey on Alcohol and Related Conditions examined associations between marijuana use, mood and anxiety disorders, and substance use disorders. After adjusting for various confounding factors, no association between marijuana use and mood and anxiety disorders was found.

The war on drugs does not work. The approach we take should recognise that addiction is a health issue. When it comes to ending the war on drugs, it is not good enough to say we will not do that. Let us find ways to pursue our democratic responsibilities and actually end the war on drugs.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (4.37): The government will not be supporting the motion that has been brought forward by Mr Hanson today.

The Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018 was passed by this Assembly. It was formally notified on 10 October 2019. The act removes criminal penalties for small-scale cannabis possession by adults and it permits possession of two cannabis plants on residential premises per person, up to a maximum of four plants per premises. The legislation introduces offences prohibiting cannabis use around children and in public places. There has been no change to

criminal penalties regarding cannabis supply or possession or trafficable quantities of cannabis and the artificial cultivation of cannabis plants. The passage of this legislation is consistent with this government's intention to achieve better outcomes for existing cannabis users by destigmatising its use and encouraging our citizens to access treatment and support when it is needed.

Today we have heard again Mr Hanson continue to clutch at straws in his ongoing attempts to oppose the further decriminalisation of the personal use of cannabis. His views are well known. They were made public at least, if not before, along with the openness of the Chief Minister to consider this, back in 2016, prior to the last election. For all his feigned outrage that he has generated again today, it is clear that he will argue just about anything he can to prevent this change occurring which we know is not only in the interests of but also the will of the Canberra people.

In his speech, possibilities suddenly become high likelihoods. Words slide in his speech. Concepts are twisted. It is his debating style. Let me make clear that I am unaware of any advice the commonwealth Attorney-General has received about the legislation's validity. Despite incorrect reporting and statements that have been made by the ACT Liberals, it is important to clarify that the commonwealth Attorney-General in his letter to me makes no comment regarding the validity of the laws. The accuracy of words matters, especially when considering issues of legislation and the powers of government. The shadow Attorney-General should be very well aware of that.

After extensive consultation and the provision of comprehensive legal advice, the interaction between the legislation and the commonwealth Criminal Code was a consideration in constructing the legislation to ensure that it would have the desired effect. This government has been clear. I have been clear in this place. We have been clear in the public discourse, up-front with the Canberra community that, despite extensive analysis of the complex legal framework and carefully considered drafting, there remains a risk of commonwealth prosecution for cannabis possession.

The legislation was drafted with the intention of providing a clear and specific legal defence to an adult who is prosecuted by the commonwealth for possessing small amounts of cannabis in the ACT. Section 313.1 of the commonwealth code provides that the offence in section 308.1(1) does not apply to conduct that is justified or excused by or under a law of the state or territory in which the conduct occurs. Similarly, section 313.2 provides a defence against prosecution under section 308.1(1) where that person was under a mistaken but reasonable belief that the conduct was justified or excused by or under a law of a state or territory.

As this government has maintained, and despite the claims of the commonwealth Attorney-General, the use of either defence provided by the operation of the act would be not a matter for the Attorney-General's Department or the Attorney-General but obviously a matter for a court to consider. Whether a court would be convinced that an argument by extension from a taxation case that has nothing to do with drug possession was a sound legal argument is indeed highly uncertain. Only the relevant court can determine the outcome of raising such a defence, and this government is far

from accepting the view of the commonwealth Attorney-General's Department on that interpretation.

I note that there are a broad range of matters that our directionless commonwealth government could be working on at the moment. Obvious priorities could include a proper integrity framework, creating an integrity commission, developing legislation to prevent phoenixing by corporations, responding to threats to press freedom with real reforms, and effective action at a national level to address elder abuse. The strange obsession that multiple commonwealth ministers have with the issue of the possession of small amounts of cannabis reinforces that the conservative Liberals do not understand or care about the values or the wishes of the people of Canberra.

This government accepts and respects that the role of ACT Policing is to enforce the law. The AFP, and consequently ACT Policing, is an independent statutory body, and this government is unable to bind it in any way to prevent the charging of certain cannabis offences. We have never sought to do that, and we have made that clear.

Madam Deputy Speaker, as you are aware and as Mr Hanson, I am sure, is aware, it has been the case for years that prosecutions could take place under the commonwealth Criminal Code. The police have had that opportunity under existing legislation. Mr Hanson and the Canberra Liberals conveniently close their eyes to that current reality and pretend that now the AFP will have the opportunity where previously they have not. The opportunity has existed in the past.

I reiterate that it is the view of this government that the priority of our police ought not to be the pursuit of individual recreational cannabis users acting in line with this ACT law. It is our view that the precious time and resources of police, commonwealth prosecutors and the courts can be put to better use. In line with this, ACT Policing, in its submission to the Standing Committee on Health, Ageing and Community Services inquiry into this bill, confirmed that the current ACT Policing approach was, and was to remain, focused towards the supply chain and organised crime. I note that, given the importance of these laws, the government has committed to a review of the reforms within three years of their commencement.

The ACT government is proud to be committed to a justice system that is restorative and rehabilitative. By treating cannabis use as a health issue rather than as an issue requiring the intervention of the criminal justice system, we can better address dependency and work as a community to build more resilient people, families and communities. This legislation reflects a progressive and innovative approach to drug reform. It represents a step forward towards the goal of minimising the harm of drugs in this community.

This legislation has been passed by this democratically elected Assembly, representing the ACT community. That passage followed careful consideration of the legislation by all members of the Assembly, and nothing has changed since that took place that should affect that. I urge members to reject the motion to not commence the legislation of the Legislative Assembly either at the behest of members of this Assembly who may be dissatisfied with the outcome of the democratic vote within

this place or at the bidding of members of another government who are almost as conservative as those who stand opposite here.

I urge that this Assembly continue to lead the way in Australia with innovative policy approaches to drug law reform which aim to minimise harm in our community. I oppose the motion.

MR PETTERSSON (Yerrabi) (4.46): I want to be very clear about what the ACT Legislative Assembly voted for when we voted on personal cannabis use. We voted for a sensible and modern approach to managing drug use in our community. We voted to say that the war on drugs is ineffective and that drug use is not a moral failure but a health problem that is better dealt with in the health system.

To do that, we voted to change our laws, and we voted to change our laws in a very specific and well-considered manner. The ACT Legislative Assembly voted to exempt adults from personal possession offences. We voted to allow the possession of two plants, to a household limit of four. We voted to create new offences regarding smoking around children, smoking in public and growing and using cannabis in public places. We did not vote to legalise drug driving, to legalise sale or to legalise trafficking. Drug driving, dealing and trafficking are, and will remain, illegal. Those that suggest otherwise should simply read the bill and become better acquainted with the law.

Before conservative commonwealth politicians entered this debate, the law was obvious. The defence to a commonwealth possession charge is that the use is excused or justified under territory law. What is at stake in this debate is no longer just the legalisation of cannabis for personal use but the existence of prosecutorial independence in this country. Our public prosecutors should not be directed to prosecute particular cases by their political overseers.

This is important to ensure that our legal system is not clogged up with ineffective prosecutions with little prospect of success, and it is important to ensure that prosecutions are not used as part of the political process. Also, importantly, prosecutorial independence ensures that political actors do not use the courts to pursue political battles.

That is why the first letter from the commonwealth Director of Public Prosecutions is so important. This is what the director and her staff believed before the conservative commonwealth government intervened, using the basis of a dubious precedent based in taxation law. This law is not about taxation. This entire process has been politicised. They have been searching for an answer. This legal charade does a disservice to our justice system.

To get to the crux of Mr Hanson's motion, even with this overt politicisation we are on sound legal ground as we legalise cannabis in the ACT. On the first point of this motion, which I am not sure Mr Hanson has actually read, the bill is not invalid. "Valid" and "invalid" have a specific legal meaning, and this was not raised by the commonwealth Attorney-General. The act passed by this Assembly has legal force. It is fundamentally incorrect to say that it is invalid. I would urge the aspiring

attorney-general to not throw around words of which he does not understand the meaning.

On the second point, the act was drafted with the intention of providing a clear and specific legal defence to an adult who is prosecuted by the commonwealth for possessing small amounts of cannabis. Section 313.1 of the commonwealth Criminal Code provides that the offence in section 308.1(1) does not apply to conduct that is justified or excused by or under a law of the state or territory in which the conduct occurs. Similarly, section 313.2 provides a defence to prosecution under section 308.1(1) where that person was under a mistaken but reasonable belief that the conduct was justified or excused by or under a law of a state or territory. The text of the statute does not require anything else.

This idea that a positive right is required to exercise this defence has a very precarious basis, and it is clear that they had to go looking for something—anything—to fit their narrative. It is simply the view of the conservative commonwealth Attorney-General, and he has sought to make the law fit his view. It is very clear that he is clutching at straws. Let us be very clear: the conservative commonwealth Attorney-General's word is not gospel. He is not a court, and he certainly lacks conviction in explaining his view. If his grand plan to derail cannabis legalisation is to rely on tax rulings, I suspect he will not do too well in court.

Let me discuss what has been happening in the ACT for the last 20 years. Police have already been utilising ACT law to deal with personal possession of cannabis. Police have been issuing SCONs over the past two decades. This is because that is the way our community has determined it is best to deal with cannabis possession. Last month we decided we wanted to further decriminalise cannabis possession for personal use in the ACT. What is the legal difference between these two situations?

The commonwealth government should direct our police force as to what law to apply. I trust the judgement of police to apply the most appropriate law for the situation. I think it would be good if the Canberra Liberals provided that same level of trust to the police.

It is important that we address the hypocrisy of the Canberra Liberals. If you listen to what they say about cannabis and imply about its users, why do they actually believe in the SCON model? The short answer is that they do not. They are just trying to play some politics. We know what they actually believe. They believe that personal drug use is a moral failure and that its use deserves to be punished.

They say that they support the SCON model, but so did the South Australian Liberals before they quadrupled the possession fines to a maximum of \$2,000. There is deterrence and then there is trying to ruin cannabis users financially. When all of the evidence suggests that these attitudes only harm users, it is disgraceful to see Liberals peddling a stronger punitive approach.

The Canberra Liberals just yesterday, in question time, raised concerns about mixed levels of enforcement and officer discretion in establishing the new legal regime. Well, newsflash: officer discretion and mixed levels of enforcement are the hallmarks of a

decriminalised fines system in which some people face a criminal charge, some get the fine and others get a warning.

Let us be very clear, for anyone listening in to this debate: the Canberra Liberals are the most conservative branch in the country. They pretend on issues that they will not let their religious or ideological beliefs shape public policy against the wishes of the majority of Canberrans, but why on earth would you support a politician that says they absolutely will not vote for a policy that they absolutely believe in?

While I am on the topic of the Canberra Liberals' hypocrisy, it is worth drawing to the attention of the wider community an opinion piece written in March 2014. It starts with a question from an 11-year-old:

Dad, if cigarettes are so bad for you, how come they're legal?

The writer did not have a sensible answer other than to say:

They always have been.

It got them talking about drugs and about why alcohol is legal, considering the many problems it causes, and then about cannabis, and the unanswerable question regarding the weed: if tobacco and alcohol are legal, why isn't cannabis?

Apparently, the writer of this opinion piece would go on their radio show and bring this up. This writer would apparently battle with their listeners in convincing them that cannabis should be legal. The opinion piece ends with a rip-roaring call to action:

Let's grow up like Colorado, Washington, Spain, Switzerland, Uruguay and the Netherlands and just legalise it!

I do not normally name-check members of the opposition in this place, but I quite like Mr Parton's opinion piece. I am very surprised that he has been silent throughout this entire debate. I would urge Mr Parton to come forward and tell the Canberra community his actual views on cannabis legalisation. I suspect that he is too scared because he is worried about the repercussions in the local Liberal branches. I urge all members of this place to vote against this motion.

MR RATTENBURY (Kurrajong) (4.55): The ACT Greens will not be supporting this motion today, in part because the bill as passed has not been enacted and cannot be enacted until such time as the government produces a notifiable instrument before the Assembly outlining the legal and health implications of the effect of the amendments.

This is, as Mr Hanson noted, as a result of the amendment that we moved last time. As is well known, we support this bill and we think it is absolutely the right thing to be doing. But we also know that there are complex areas of medical and legal interaction, and, as the attorney has touched on, we think it is absolutely right to be up-front with the community about that so that they can make informed decisions.

The passage of the Drugs of Dependence (Personal Cannabis Use) Amendment Bill has created not only national interest—there is no doubt about that—but also an unusual amount of interest from the federal government and the agencies that they oversee. In fact, there has been a period of very public statements and letters shared in the public domain, with some, frankly, disappointing but quite predictable posturing.

I do not intend to spend too much time talking to the motion that is before us today. We have had plenty of debate on this matter, and the will of the Assembly is that these amendments will come into force in the near future. That is the bill that has been passed by this place. A date has been indicated for that, and, subject to the work being done which the government has given a clear undertaking to do, the act will come into effect early next year.

With respect to the views of each political party and representative most of us have put our views on the record, and these issues have been well canvassed in this Assembly—actually, no; it turns out that we do not fully know Mr Parton's point of view. The Greens, both here and nationally, have outlined for many years why this sort of legislation is the right way forward. We hope that the commonwealth government one day realises that it is the will of the majority of people that small amounts of illicit substances should not see undue involvement in the criminal justice system.

Mr Hanson made some deal of his view of the ambiguity. I think the situation is quite clear. The ACT has passed these laws. They are the will of the ACT Assembly, and it will be the law in the territory early next year. There is, as has always been the case, a commonwealth law that applies across the country, including here in the ACT. It comes down to the fact that this sits entirely with the commonwealth as to what they choose to do next. There is a range of discretion available to the commonwealth here. Mr Hanson referred to the possible consequences for citizens of the ACT, but any prosecution of an ACT citizen that takes place will be entirely on the heads of the commonwealth.

This is a choice for the commonwealth government. If they choose to prosecute ACT citizens, that is entirely on them, and that is where this matter stands. The law in the ACT is clear. The ACT government have made clear their expectations for ACT citizens, and I call on the commonwealth to respect that position of the ACT government. The states and territories should be given the respect and autonomy to fulfil the wishes of the majority of elected members of this Assembly and of other parliaments, should they choose to go down this path.

The way that the commonwealth is treating the ACT does reflect that it continues to be the case that ACT citizens are treated as second-class citizens in this federation. If this discussion was being had in New South Wales or Victoria, there would be substantial outrage at the likely commonwealth intervention. But here in the ACT it is standard fare. I trust that the commonwealth will respect the actions of this Assembly, that it will recognise the discretion that it has, and that it will not interact with ACT citizens in a way that it would not do for any other citizen anywhere in this country.

MR HANSON (Murrumbidgee) (4.59), in reply: In closing the debate, I will respond to some of the comments made in the debate. I turn first to the comments by Ms Cody. She talked about the fact that legalising cannabis is popular. It may be. That is not actually the issue for debate here. It is whether this is going to cause somebody who thinks that they are doing something legal to be prosecuted under commonwealth law.

As I made very clear, the substantive issue is not about whether or not we want cannabis to be legal or about whether or not it is popular. Absolutely, I accept—I have made these comments in public prior to today—that it is the will of the Assembly. I can count the 13 votes. We have had that debate. We understand that that is the word of the Assembly. We have moved on from that debate to the legal complexities and the minefield that is being created by the way that this legislation has been bolted together.

I am surprised that someone who purports to have a law degree has such a poor understanding of what we are actually debating today. I must say that I was somewhat concerned that Ms Cody seemed to be re-litigating old arguments that cannabis does not cause harm when it comes to mental health. I am disappointed by that. I am a little disturbed by that. I am certainly glad that I heard Mr Rattenbury, Mr Barr and Mr Pettersson identify and acknowledge that cannabis use can be harmful. For Ms Cody to come into this place and re-litigate those debunked arguments that cannabis does not have linkages to anxiety and other ill effects is problematic. It is not actually the substance of the debate today.

She also talked about the issue of ending the war on drugs and so on. The reality is that there is no war on cannabis here in the ACT, on small personal use. Certainly in terms of big quantities and the people who are dealing it, it remains an issue, and rightly. But the effect of the legislation that has been enacted here in the ACT and that is yet to commence is to restart that war in a sense because what it does, based on the advice provided to us by the federal Attorney-General, is actually re-criminalise small amounts of cannabis use.

As the federal Attorney-General has said, the legislation does not do what they think it does. However, as I said, we accept that it is the will of this Assembly. There are many things that the Canberra Liberals disagree with that are passed in this Assembly. This one is particularly problematic in that it potentially can lead to somebody being convicted of a crime whilst doing something that they have been told by ACT government ministers is actually legal.

There is a view being put forward by those opposite that somehow this is political interference, that the feds should not be telling police what crimes they should be pursuing and that individual officers should make judgement calls. I do not think anyone is saying that, but what the federal Attorney-General has said is that he expects police officers in the ACT to charge people with offences, and this remains a commonwealth offence.

The problem is—it has always been the case—that the advice that has been received is that the defence that previously existed that meant people could be provided with a

SCON and would not be found guilty under that commonwealth offence has, in essence, been removed. That is the advice he has provided .

Members will remember that the last time there was a debate of this sort it was on the issue of same-sex marriage. Regardless of whichever way you feel about that—I was on the side of same-sex marriage—there was a dispute about what the ACT did. The ACT said, “Trust us. We have this right. This is going to work.” The federal Attorney-General said, “No, our legal advice is that it is not right,” and they were proved to be correct. So the ACT does not always get it right; let us be very clear.

Ms Cheyne: It was by a court, not by people like you.

MR HANSON: Yes. The interjection from Ms Cheyne was that that was established in the High Court. Yes, this will need to be established in a court. The problem is that previously with the same-sex marriage case, that issue was taken to the High Court and it was resolved. But the person there arguing the case was the ACT Solicitor-General, whereas in this case the only person arguing the case will be somebody being prosecuted for a cannabis offence. It is different. There is some potential great harm that can occur to an individual as a result of this.

Members opposite also attempted to use the advice from the commonwealth DPP with regard to whether this matter would essentially be a successful prosecution. Let me be very clear about her position. This is what she said. This was reported in the *Canberra Times* on 23 October:

“It is a more complicated issue than first appears and should a brief come we should wait until that happens to see what the legislation might look like at that date.” ... Ms McNaughton has now named the tax case that Mr Porter and his department are relying on - *Denlay vs the Commissioner of Taxation*. She did not detail the legal argument, but said the tax case suggested the excuse under state law had to be a positive one, and it was clearly open to the Attorney-General’s Department to come to the view that cannabis remained illegal.

It is reported that she went on to state:

I became aware of that case and on becoming aware of that case that’s when I decided that the previous view was no longer one that I held.

In essence, those opposite are using the DPP’s advice as evidence that their law is effective when the commonwealth DPP has, in essence, retracted that advice. She is saying that that initial advice is no longer valid. She is saying:

I became aware of that case and on becoming aware of that case that’s when I decided that the previous view was no longer one that I held.

If your whole argument is based on the DPP’s advice, you need to get up to date, because she has said it is not a view that she continues to hold. It would appear that this motion will not be supported today. I express my disappointment. I accept that it is the will of this Assembly to legalise cannabis, whether or not I agree with that. But

the reality is that the way they have done it is going to cause significant problems. It is a bad piece of law. This bill should not have been passed; this act should not commence.

What should happen if this coalition government of the Labor Party and the Greens wishes to legalise cannabis is that they should go back to the drawing board and form legislation that will not cause the problem of somebody being convicted under commonwealth law. In essence, they need to provide a positive defence, without my telling them how to do it. But it has been pretty clear from the advice of both the commonwealth DPP and now the commonwealth Attorney-General that, without positive defence, there is a great risk of an individual being prosecuted.

I understand that in part that was advice that was provided as part of a committee recommendation that the government and Mr Pettersson chose to ignore. I am very disappointed by the response from those opposite today. If we do see an individual member of our community being prosecuted and found guilty of a criminal offence in the ACT as a result of your telling them that it is legal to smoke cannabis when it is not, it will be on your heads.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 7

Miss C Burch	Mr Milligan
Mr Coe	
Mrs Dunne	
Mr Hanson	
Mrs Jones	
Ms Lawder	

Noes 10

Ms J Burch	Mr Pettersson
Ms Cheyne	Mr Rattenbury
Mr Gentleman	Mr Steel
Mr Gupta	Ms Stephen-Smith
Ms Le Couteur	
Ms Orr	

Question resolved in the negative.

Schools—violence

MS LEE (Kurrajong) (5.14): I move:

That this Assembly:

(1) notes:

- (a) the concerns of parents, teachers and the community about reported incidences of violence in ACT schools;
- (b) that, on 20 February 2019, Labor and the Greens voted against the Canberra Liberals' motion calling on this Assembly to establish an independent inquiry into violence in ACT schools;

- (c) the Minister for Education and Early Childhood Development established the Education (Safe and Supportive Schools) Advisory Committee (the Advisory Committee) on 18 March 2019 for the purpose of providing advice and examining the influence of policies to reduce violence in ACT government schools;
 - (d) the Advisory Committee apparently presented its final report to the minister on 19 August 2019;
- (2) further notes that:
- (a) on 4 April 2019, the Assembly referred the issue of violence in ACT schools to the Standing Committee on Education, Employment and Youth Affairs for inquiry and report; and
 - (b) the Standing Committee tabled its report in the Assembly on 19 September 2019; and
- (3) calls on the ACT Minister for Education and Early Childhood Development to table, by the end of this sitting period, the final report of the Advisory Committee.

Madam Speaker, they say that a day is a long time in politics, and this motion absolutely proves this. I brought on this motion for debate today because we, as elected representatives of whatever party we belong to, should not, must not and cannot ignore the anguish of the many parents who saw their children suffering at school and felt that their concerns were not being listened to.

The first part of my motion briefly outlined the various steps taken on this issue. It references the refusal of Labor and the Greens to support my motion, moved by my colleague Mr Wall in February, calling for the establishment of an independent inquiry; it references the minister establishing her own advisory body—the Safe and Supportive Schools Advisory Committee—which apparently presented its final report to the minister on 19 August. It also acknowledges that the matter was referred to the Assembly’s Standing Committee on Education, Employment and Youth Affairs in April for inquiry and that this committee tabled its report ahead of schedule in September.

What I did not expand on in my motion but had intended to today during the debate was the lack of communication and almost wilfully blind approach that was taken in the first place in dealing with this serious issue. The parents had approached the school; they had written to the directorate; they had contacted the minister’s office. When all that failed to elicit a response, they approached the Canberra Liberals and they went to the media. Frustrated, angry and bewildered by the refusal by Labor and the Greens to support the establishment of an independent inquiry, these parents were forced to get a petition going to provide a pathway for the Assembly committee to look into these issues. Whilst it was not the independent inquiry they wanted, at least the issue would be investigated closely by a committee that was independent of the minister, independent of the government, independent of the directorate and answerable to the Assembly as a whole.

Even then, this government took the extraordinary and unprecedented step of dictating to an Assembly committee the manner in which the inquiry was to be conducted. The

Greens once again placed loyalty to their parliamentary partner above the concerns of Canberra parents in supporting this move, in an extraordinarily disgusting abuse of the power they hold as the apparent crossbencher.

Despite these limitations, the committee held its inquiry. It received 29 submissions, visited six ACT and three interstate schools and in September presented its report to the Assembly, with nine findings and 23 recommendations. Given that the report had been tabled, my motion calls on the government to also table the report from the advisory committee, which I know, from the minister's communications to me, was received on 19 August, more than two months ago.

Madam Speaker, I take this opportunity to thank the minister for giving me the courtesy of coming to my office and personally handing me not only a copy of the advisory committee report but also the government's response to it, together with the government's response to the Assembly committee's report, which, I note, were all tabled earlier today. I thank the minister for her courtesy in doing that. My staff and I—and I am sure many parents—will read these three documents with great interest.

Given that the advisory committee's report is some 94 pages long, it is clear that the experts took these issues seriously and gave the inquiry the respect it deserved. I take this opportunity to thank the members of the advisory committee for their time, expertise and hard work. It is, however, disappointing that it required a motion on the Assembly's notice paper to make this happen.

I am sure that the issue of keeping our children safe at school is a priority for all of us. Given the way the minister came to see me today with these reports, I am hopeful that we can work more cooperatively in moving forward. We know that there are no simple solutions, but keeping the pathways of communication open between schools and parents, and between MLAs on both sides of the chamber, is important.

The minister also did me the courtesy of showing me the amendment to this motion that I understand she will be moving. I confirm that the Canberra Liberals will be supporting that amendment.

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) (5.19): I thank Ms Lee for bringing this motion to the Assembly today and for this important conversation. I can inform members that, leading into this sitting week, it was my intention to table the report of the school education advisory committee on safe and supportive schools, the ACT government response to this report, and the ACT government response to the report of the standing committee's inquiry during tomorrow's sitting. In an effort to make this a constructive debate—I understand that there may be more debate on this matter in the Assembly—as members know, these documents were tabled earlier today and, as Ms Lee said, I provided a copy to Ms Lee this morning.

Members may recall that earlier this year, in March, I established the school education advisory committee to provide expert independent advice on opportunities for strengthening safe and supportive school culture in every ACT government school.

Shortly after that, in April, following debate in this place on matters regarding the safety of students and teachers in ACT schools, the Assembly referred the issue of the management and minimisation of bullying and violence in ACT schools to the Standing Committee on Education, Employment and Youth Affairs. Members would be aware that the standing committee tabled its report on this inquiry early, on 19 September 2019.

Given the common ground canvassed by both reports, it was opportune for the government to consider the reports and the government responses together. Both the standing committee and the advisory committee reports tell a similar story. They both found that bullying and violence are whole-of-community issues, they found that these issues are not frequent in ACT schools, and they acknowledge the sound response already present in ACT schools. The government is grateful for the useful guidance from both committees on opportunities to strengthen the government's response to these issues.

Firstly, I would like to talk about the schools education advisory committee, which I tasked with reviewing current policies, procedures and processes, with a focus on the positive behaviours for learning framework, the PBL framework, and other specific interventions that support the implementation of the safe and supportive schools policy in ACT government schools. The advisory committee report validates the ACT government's position that the Education Directorate and its schools have strong foundations in place to manage and minimise bullying and violence. It acknowledges the considerable investment, effort and progress already taken by the government.

The advisory committee made observations in 10 themes that they identified where government could strengthen its response. As members will see in the government response, the government is already undertaking significant work aligned with the advisory committee's observations in all 10 themes that they raised. In particular, it highlights the strength of the positive behaviours for learning framework, the PBL framework, as an integral part of the government's approach to safe and supportive schools. Research shows that school-wide positive behaviour support reduces behavioural issues.

The PBL framework is international best practice. In schools implementing PBL you will see things like students following routines and procedures promoted by visual cues such as posters in corridors, classrooms and canteens; teachers providing positive acknowledgement to students who are making positive behavioural choices and having restorative conversations about behaviours that are not appropriate; and students being able to demonstrate an understanding of their school's expectations, such as being respectful, caring, and safe. The ACT government is committed to the ongoing implementation of PBL.

Madam Speaker, as the government response details and as the advisory committee report affirms, we are working hard to ensure that we have the most effective policies, procedures and processes in place to create safe and supportive schools. The government has already dedicated significant resources to this task and will consider additional resource needs in the future.

Notably, the advisory committee report emphasises the importance of genuine and full commitment to the policies and frameworks that are already in place to ensure their success. There can be risk in diverting from the path or adopting additional courses of action too soon. The advisory committee report provides assurances that the government is on the right track but notes that we must stay the course. The advisory committee report helpfully provides independent external observations about areas where the government can improve or adjust its approach. I thank each member of the advisory committee for their work. In particular, I acknowledge Sue Chapman as chair of the committee.

The ACT government has also responded today to the Standing Committee on Education, Employment and Youth Affairs report from its inquiry into the management and minimisation of bullying and violence in schools. It is relevant for members to note that this response comes just one month after the standing committee report was released, three months earlier than is required under the Assembly standing orders. I acknowledge the significant community interest in these reports and the expectation that the government is promptly acting on the advice it has received. The government is doing so. The standing committee made 23 recommendations. Of these, the government response agrees to 12 recommendations, agrees in principle to nine, and notes two recommendations.

The standing committee found that incidents of bullying and violence in ACT schools are not frequent and that schools experience similar challenges to other parts of society in relation to bullying and violence. However, any instance of bullying and violence in a school is unwelcome and must be managed appropriately. I also appreciate the standing committee's useful guidance on the opportunities to strengthen the government's response to this issue.

I acknowledge the personal stories shared with the standing committee. My concern through the public debate on this issue was that individual students and schools were not further harmed. It was for this reason that I asked the Assembly to agree to the standing committee receiving some evidence in camera. I acknowledge the families who brought their stories to the committee's attention and I know that in some cases these families have also brought their experiences to the government's attention. I want to assure them that the government is treating their experiences seriously and will work hard to address them.

The government is keen to ensure that the community has confidence in the mechanisms to bring these issues forward. For this reason, the Education Directorate is currently redesigning its complaints management and case coordination process, which aims to include an online solution that will give families the opportunity to log their complaint and track its process.

As both government responses detail, we are continuing to work to create safe and supportive school environments for all students, teachers and staff, through the safe and supportive schools policy and the implementation of PBL in all ACT public schools. As I have said before, while the prevention and management of bullying in schools is not a new issue, it is an area that requires constant vigilance and review.

Bullying and violence can have immediate and long-term negative impacts on everyone involved. It can create anxiety, fear and distress, and have lasting impacts on a person's psychological and physical health. For students, this can impede their full participation in school life, learning and enjoyment.

The ACT government recognises that bullying is a whole-of-community issue and requires a whole-of-community response. Schools can and should draw on the help and expertise of other community organisations to respond to bullying and violence. When I moved a motion to refer this important matter to the committee in this place, on 4 April 2019, I said:

Any instance of bullying or violence in a school is unwelcome. It is vital that bullying and violence in schools are minimised to the extent possible and that these issues are ... dealt with when they arise. Equally, because all are welcome in government schools, there will always be a need for deliberate effort to make school communities safe, supportive and inclusive. Schools are not isolated from social issues like bullying or violence faced in the wider community, and everyone—particularly community leaders like members in this place—has a responsibility to change our culture for the better.

I want to thank the parents, carers, teachers and other school staff, school leaders, school communities and stakeholders who have contributed to both the standing committee and advisory committee inquiries in a range of ways by hosting school visits, answering questions, writing submissions and appearing before hearings. I especially want to thank those who shared personal experiences of bullying and violence. This process can be incredibly difficult, and I am very sorry for their experiences.

As the government responses to both reports make clear, the government is committed to continued improvement in its response to bullying and violence in schools. The government is acting on the advice that it has received. Madam Speaker, I move:

Omit paragraph (3), substitute:

“(3) notes that the Minister for Education and Early Childhood Development tabled, on 23 October 2019, the School Education Advisory Committee's Safe and Supportive Schools report, the Government response to that report, and the Government response to the Standing Committee on Education, Employment and Youth Affairs' report on the inquiry into the management and minimisation of bullying and violence in ACT schools.”.

MR RATTENBURY (Kurrajong) (5.29): The ACT Greens are very happy to support the motion and the amendment. The motion relates to the production of documents which, as we now know, have been tabled in the Assembly. I acknowledge Minister Berry's efforts to table the various reports and responses for today's debate and I want to offer an independent view that she intended to bring them forward this week. I can say this because it was on the cabinet agenda last Friday and the documents were available to cabinet members last Friday. There was a clear intention to table them this week, and it is important to clarify that in light of the remarks made today.

Today's presentation of papers is more about an issue of serious concern that has been the topic of much debate and community distress over this year in particular—that is, violence and bullying in our schools. It is more about that than any procedural questions of who brought what motion and when they were going to be tabled. It is far more important that we focus on the substance of the topic.

I believe all members of the Assembly have been trying in their own way to respond to both individual and community concerns as they see best. This advocacy overall has led to the constructive, forward-facing reports we have seen tabled today. The reports and the responses illustrate that, while there are issues in our schools that need increased support and attention to improve the safety of students and teachers, the majority of school environments are safe and supportive.

Having said that, ongoing feedback, both formal and informal, over some time highlights the importance of school communities working together and the need for more genuine communication between individual schools, the directorate, students and parents. That has become very clear to me from the feedback we have received and from the recommendations made in the reports. Some areas where parents have had concerns have been the result of inadequate or poor or misunderstood communications. You can put a range of labels on it, but it speaks to a communication issue, and that is well drawn out in the reports, particularly that from the advisory committee.

I also note the issues of subclinical supports being offered in the form of youth workers, support workers and the like. It is well known that the Greens support increased numbers of psychologists in our schools, and as the Minister for Mental Health I am very conscious of these issues. But we also understand that not all young people feel comfortable seeking and attending fixed appointments or walking through the door of a counsellor or a psychologist or whatever the label put on it. I have had that conversation with students where they have said—rightly or wrongly, and I think wrongly—there is stigma around going through those doors. It casts questions and invites certain discussions that some students do not feel comfortable with.

For some students a brief conversation with a trusted adult can be just as effective in seeking help as a referral to a psychologist or a counsellor or an external source of advice. Reflecting on the role that some of those other subclinical roles can play, such as support workers and youth workers, is important in this discussion as well. There are a range of possible responses and different students will react more positively to different types of support.

I do not intend to go through all of the recommendations in the responses today. I am sure the government's position will be discussed in the Assembly again. Certainly I will continue to reflect on those documents. Despite the at times testing year we have had debating some of these issues, ultimately we have some really valuable advice and perspectives. This is acknowledged in the government's response from Minister Berry that these matters will be followed up. That will ultimately be a positive for our school environments in the ACT.

These benefits will be felt by children and young people, parents, teachers and the directorate alike. We have all now placed our collective focus on bullying and violence where it occurs, thought about the issues and had a range of inputs that will help us move forward.

The Education Directorate has outlined its recognition of the problems that have been identified and has produced a solid plan to improve on areas of need. I particularly note the report from the advisory committee that talked about the fact that the PBL program is a good one and that we need to stick with it in the ACT. They suggested some areas of greater focus and the like, but I take on board their comments of giving the program time to work and to have effect. That is worth reflecting on. We will be watching closely the progress of the implementation. The directorate has taken these matters seriously. I look forward to seeing the continued implementation of the recommendations being agreed to and to hearing about that progress as we move forward.

MS LEE (Kurrajong) (5.35): I thank Minister Berry and Mr Rattenbury for contributing to this debate, which took a significantly different turn when the minister tabled the advisory committee's report earlier today, the very report my motion called on the minister to table. As much as I would like to be a member of cabinet, I am not, so it is gallant of Mr Rattenbury to jump to the defence of Minister Berry in her assertion that it was her intention to table the report tomorrow. It was on the agenda on Friday, as I understand it. I had written to the minister twice between August and now, and my motion did not make it onto the notice paper until Monday, so I agree that it is about communication.

It is not surprising that the minister has gone to great lengths to bring forward a very carefully scripted speech that focuses on everything the government is doing right. After all, she has had this report for two months and has had full control of setting the terms of reference of the exact matters to be investigated.

One thing that at least in this debate that Minister Berry has acknowledged as needing some improvement is the complaints management system. Our schools are not a customer service hotline. Whilst I reserve the right to discuss the content of the report once I have had a chance to read it, it is disappointing that after having had the report for over two months the minister has identified, at least according to her speech today, that the only room for improvement is to streamline and make better the complaints management system. This ignores the anguish of parents who have come to us because their children are suffering at school and they are not getting the answers they deserve.

I reiterate that our schools are not customer service hotlines where making sure that we make better our complaints management system will be the fix-all to the issues raised by so many parents, so many teachers and so many members of our Canberra community. I also reiterate that I am heartened by the minister's approach today and hope that the communication channels—this is an issue that Mr Rattenbury also raised—will be open in moving forward, because the safety of our children, especially when they are at school, has to be the top priority for any government and, indeed, all members of this chamber.

Amendment agreed to.

Original question, as amended, agreed to.

Consumer protection—second-hand vehicles

MS CHEYNE (Ginninderra) (5.38): I move:

That this Assembly:

- (1) notes that the *Sale of Motor Vehicle Act 1977* (ACT) provides;
 - (a) a statutory warranty of up to 5000 kilometres or up to three months for second-hand motor vehicles less than 10 years old or driven less than 160 000 kilometres;
 - (b) no warranty for second-hand motor vehicles 10 years old or more or driven 160 000 kilometres or more; and
 - (c) no warranty for second-hand motorcycles;
- (2) notes that under Australian Consumer Law:
 - (a) suppliers must guarantee goods, including second-hand goods, are of acceptable quality, that is, fit for purpose, free from defects, safe and durable;
 - (b) if there is a major fault that cannot be fixed or is too difficult to fix within a reasonable timeframe, the consumer can choose between a repair, replacement or refund, or compensation for decreased value; and
 - (c) if there is a non-major fault the supplier can choose between a repair, replacement or refund;
- (3) further notes that:
 - (a) Australian Consumer Law only applies to goods purchased after 1 January 2011, with ACT consumer protection laws applying before that date;
 - (b) in practice, the supplier of goods generally determines if a fault is major or non-major rather than the consumer due to technical knowledge;
 - (c) a lack of statutory guarantees for second-hand motor vehicles has encouraged the emergence of third-party warranty companies that have attracted criticism from consumers; and
 - (d) the ACT Civil and Administrative Tribunal jurisdictional limit is \$25 000 for consumer law matters; and
- (4) calls on the Government to review existing legislation and consider:
 - (a) expanding consumer protections by introducing 30-day warranties for second-hand motor vehicles purchased through dealerships, including cars, motorcycles, caravans and motorhomes, that are 10 years old or more or driven 160 000 kilometres or more;
 - (b) raising the ACT Civil and Administrative Tribunal's jurisdictional limit for motor vehicles, including cars, motorcycles, caravans and motorhomes, so consumers can more easily enforce their rights;

- (c) introducing a limit on the number of faults a motor vehicle can have, or how many times the same fault can be repaired, before a replacement is necessary; and
- (d) expanding the cooling-off period from three days to seven days.

I want to share the experience of a young consumer I will refer to as Jess, a university student who bought a second-hand 2005 Holden Rodeo from a used car dealership in Canberra just last year. Soon after purchasing the car Jess took the vehicle to a mechanic for a general service. Jess does a lot of driving and wanted to ensure that everything was okay. This is where the problem began. The mechanic came back with what Jess describes as a giant list of faults, and they were not minor. There were giant cracks in the rear shock absorbers, an oil leak had ruined the clutch and there were substantial cracks in the engine belts. She was told the repairs would total \$3,000 to \$4,000.

The mechanic told Jess that these were not problems that had appeared over a matter of weeks, regardless of how much driving she had undertaken since buying the car; these problems had developed over six to 12 months or more. So Jess returned to the used car dealership where she bought the vehicle. The dealership denied any responsibility; they said there was no indication of any issues with the car in their records other than a fixed headlight. It was not their problem. Jess says it was this failure to appropriately disclose information about the car, including any faults, that concerned her the most.

The other big concern for her has been cost. More than a year later issues still need to be fixed. As Jess said:

I'm only a uni student. I can't afford to fix everything at once. \$3,000 or \$4,000 is a lot of money.

Many Canberra consumers just like Jess have found themselves stuck with a lemon. Some motorists are covered under the Sale of Motor Vehicles Act 1977. It provides a statutory warranty of up to 5,000 kilometres or three months for second-hand motor vehicles but only if they are less than 10 years old or have been driven less than 160,000 kilometres. The act does not provide any warranty for older motor vehicles or vehicles driven more than 160,000 kilometres, vehicles just like Jess's 2005 Holden Rodeo.

This means many motorists like Jess are not covered under the act. They do not have a statutory warranty in place where, after a few months, they can take the vehicle back to the dealership and ask for the repairs to be undertaken. And it is not only older vehicles like cars, caravans and motorhomes; second-hand motorbikes are not covered by a statutory warranty at all. That means no matter how old a motorbike is, it is not covered.

Australian consumer law provides some protection for motorists, but it seems this might not always be enough. Under the Australian Consumer Law, suppliers must guarantee goods, including second-hand goods, are of acceptable quality—that is, that they are fit for purpose, free from defects, safe and durable. Second-hand vehicles are

no exception. But sometimes things go wrong. A newly purchased car breaks down, or the air conditioning, for example, stops working. There might be a major fault that cannot be fixed or is too difficult to fix within a reasonable time frame. In this instance the consumer can choose between a repair, a replacement or a refund, or they can receive compensation for the decreased value of the goods.

There might be a non-major fault. In this instance, the supplier rather than the consumer can choose between a repair, replacement or refund. But here is the thing—the supplier of goods usually has more technical knowledge than the consumer, so in practice it is the supplier who generally determines if the fault is major or non-major. This can then lead to other problems, such as consumers finding themselves trapped within a cycle of repeated non-major faults or continuous repairs of the same defect. Rather than just nipping the problem in the bud, motorists can find themselves repeatedly coughing up money for bandaids solutions.

If a consumer is unable to reach a solution through negotiation with their supplier, under Australian consumer law they may wish to pursue a remedy through the ACT Civil and Administrative Tribunal, but this is not an option for some motorists. The tribunal has a jurisdictional limit of \$25,000 for consumer law matters, and consumer law matters cover motor vehicles. Vehicles like second-hand caravans or motorhomes are usually well above that \$25,000 limit.

This is one of the reasons second-hand caravan and motorhome owners can be very vulnerable if they end up with a lemon, and aspiring grey nomads are particularly vulnerable. Some have poured a significant portion of their pension or their savings into their dream vehicle. They may not have a lot of money or even enough to cover legal fees.

The ACT's Consumer Law Centre receives many inquiries about second-hand vehicle purchases, including the application of the Sale of Motor Vehicles Act and the Australian Consumer Law. According to the centre, many people spend their money or in some cases their life savings on motor vehicles. When something goes wrong, they feel like they are not protected or that they have little recourse.

Another problem with limited consumer protections is the emergence of questionable third-party warranty companies. You do not have to look far to find complaint after complaint. Some warranties offered may appear okay on the surface, but dig a little deeper and it is clear many offer very little in the way of value and include a lot of exclusions.

Byron understands many of these problems all too well. He bought a second-hand 2007 Jeep from a used car dealership in February. Yes, I very much appreciate he bought a Jeep, and he acknowledges that as well. Byron's purchase was not covered under statutory warranty as the car was more than 10 years old, but the dealership offered a warranty agreement as part of the sale, with the caveat that it be regularly serviced through an approved mechanic.

A few days later, the driver's side window became stuck while open. Luckily the dealership agreed to fix it under warranty. Shortly after, Byron was passing through

Braidwood on his way to the coast when, as he puts it, the whole car just broke down. He could not restart it. It was 8 pm on a Friday night. Luckily, Byron knew the warranty included roadside assistance. Unluckily, he soon discovered it was only available Monday to Friday between 9 am and 5 pm, because cars only ever break down during business hours, right?

Byron ended up camping on the side of the road. The next morning, he phoned the dealership. While they did eventually offer to cover half of the towing expenses, they said the breakdown simply was not their problem. It got worse. Byron decided to take the vehicle to an independent mechanic. The verdict: the whole underside of the car was a big problem. As Byron said, at any given point it could come apart. Two mechanics said they would not drive this car because of safety issues.

This is when the warranty also became a problem. On face value it seemed to be relatively comprehensive, but as more faults emerged it became clear that there were also many exclusions. Fast forward to about four weeks ago and Byron's car broke down again. Byron was travelling at 100 kilometres an hour when one of the tyres sustained a puncture, or so he thought. As Byron explains:

I went to change the tyre and could see the whole front side of the car was broken and leaning on the tyre.

It soon became clear that further repairs would cost more than the car was worth. Byron had already forked out thousands of dollars. Now he is selling a vehicle that will probably be used for parts, rather than reliable transportation.

These experiences not only highlight the need for greater consumer protections for motorists but highlight how manoeuvring through the world of motor vehicle sales and warranties can be challenging and stressful for consumers. So today I am simply calling on the government to review the existing legislation and consider expanding the consumer protections for people buying second-hand vehicles, particularly ones that have been driven a bit further or are a bit older.

One possible measure I have highlighted in the motion is introducing 30-day warranties for second-hand motor vehicles that are 10 years old or more or have been driven more than 160,000 kilometres. This could include second-hand motorbikes as well as other vehicles like cars, caravans and motorhomes. I am not wedded to 30 days, but it seems to strike the right balance for these older or more driven vehicles, giving consumers the protection and confidence they need when they make this very significant purchase, while not placing an unfair burden on car dealerships.

Consumers expect older cars to have normal wear and tear, and by no means am I asking dealers to take responsibility for vehicles for an unreasonable period. A warranty in the vicinity of around one month is about making sure cars are simply in proper working order. Another possible measure is introducing a limit on the number of faults a motor vehicle can have or how many times the same fault can be repaired before a replacement is necessary. Many people who have ended up with a lemon will appreciate the frustration of a seemingly never-ending cycle of repairs.

This motion also calls on the government to consider raising the ACAT jurisdictional limit for motor vehicles so that consumers such as the second-hand caravan and motorhome owners have the option of enforcing their rights via the tribunal, which is often the most cost-effective way of resolving disputes. Lastly, it suggests extending the cooling-off period from three days to seven days. While the ACT's existing cooling-off period is considered pretty good all round—especially when you compare it to the one day offered in New South Wales—maybe it could be better. I know the Consumer Law Centre supports a lengthier time frame.

Buying a car—particularly if you are buying your first car, as many people are doing when they are buying a second-hand car—or, indeed, any vehicle is quite a heady experience. It is a big deal. Having a little more time to think about the decision you have made might be helpful, allowing people to talk with their friends and family and colleagues about what they have done and perhaps also to those who might have a bit of experience with motor vehicles and who might be able to advise them in the right direction to make sure it is really the right vehicle for them.

Jess, who I spoke about at the beginning of this speech, believes an expansion of consumer protections for those purchasing second-hand motor vehicles would be incredibly helpful so that consumers like her are not left to bear the full cost of major repairs for issues that should have been fixed or disclosed before the car was sold. Unfortunately, she was not covered by the consumer protections currently available, but others like her could be. I commend this motion to the Assembly.

MR WALL (Brindabella) (5.51): I rise to speak to Ms Cheyne's motion. I must say that, to me and my Liberal colleagues, this is a perfect example of the lack of regard that those opposite have for the consequences of their thought bubbles for those who work in the automotive industry or know it best and the unintentional consequences that might be even more detrimental to those who they seek to champion.

In a climate where exorbitant commercial rates, lack of support and poor government decision-making occur at every turn, it is no wonder that ACT businesses are looking over the border as an alternative to the anti-business policies of ACT Labor. If they have not packed up and moved already, they are considering it.

Motions like this, and the inevitable legislative agenda set to follow, will only recklessly skew the balance that needs to be struck between consumer rights and the commercial reality of those who provide goods and services. I can guarantee you this, Madam Speaker: not one member opposite has had any conversations with the automotive industry prior to bringing this motion to this place—not one conversation with business owners, employers and those who contribute significantly to this town about the impact such changes would have on their business and their industry, and the inevitable poor consumer outcomes that would follow as a result.

I can understand the frustration for someone when things go wrong. We all know someone who purchased something and did not quite get what they had hoped for. The joy of buying a car can turn quickly into frustration if the car turns out to be what is commonly referred to as a lemon. There are things that can be done to improve

consumer protections in this space. However, the proposed measures in the motion before us today are deeply flawed and ill-conceived.

The changes proposed in the government's motion will see a decline in the number of dealers that sell used cars in the ACT, force more cars to be sold privately, where no consumer protections exist, and drive jobs and business activity over the border into New South Wales. All that will be achieved by adhering to the purpose of the motion that is before us is that purchases of used cars will occur more often online, and more often under-the-table cash deals will be done, and regulation and compliance of the car market will be a long-forgotten space.

Gone are the days of having to wander through car lots or wait for the motoring lift-out of the *Canberra Times* on a Saturday morning to find a car to buy. Most people are using apps and websites such as RedBook or carsales to research and find the best car for them. These online platforms have opened up the used car market particularly, more than ever before, with dealers and private sellers competing side by side, not just in a local marketplace but in what is now a national one. Often people are buying a car from interstate, as the model, the colour or the variant that they have decided on are not available locally and they source it from across the border.

If buying a car from a dealer interstate, the purchaser is covered by the consumer protections that exist in the state or territory that the dealer is based in, as well as federal protections afforded under the Australian Consumer Law. If a buyer, however, purchases a car from a private seller, the worst outcome occurs, where there are no protections in place—no statutory warranties for the purchaser and no cooling-off periods.

If the proposed new laws as outlined in this motion were introduced, they would put local car dealers at a disadvantage as they would need to price in the warranty risk to all of the cars that they sold, making them more expensive than an identical model sold just over the border in New South Wales. It also risks driving more private-to-private sales where, as I have stated, no protection exists. These initiatives are remarkably anti-competitive and anti-consumer, all at the same time.

In our view this motion does nothing more than to highlight the determination of ACT Labor to go it alone and to ignore any nationally consistent approach to issues, particularly consumer protection. A more sensible view is to support a national approach to these protections, providing a much better outcome for consumers than the territory adopting a standalone position that is in stark contrast to what is enforced less than 15 minutes away in New South Wales.

I will go directly to what this motion is calling on the government to action, bearing in mind that this part of an ACT Labor motion usually heralds a foreshadowed legislative change that is already in the wings and being developed. The Labor Party has failed to acknowledge the work currently being undertaken by the Legislative and Governance Forum on Consumer Affairs, which consists of all commonwealth, state, territory and New Zealand ministers.

At forum meetings this year, ministers endorsed a regulatory impact assessment of options to ensure that businesses comply with the consumer guarantees and that consumers can access the remedies to which they are entitled. Again, the ACT is part of this forum and contributes to the discussion. As far as statutory warranties go, the ACT currently offers a statutory warranty of three months or 5,000 kilometres for vehicles under 10 years with less than 160,000 kilometres on the clock. This is exactly the same as the protections offered by New South Wales and Victoria.

The opposition remains to be convinced of the need for the ACT Civil and Administrative Tribunal's jurisdictional limit for motor vehicles to be increased. The jurisdictional limit for the ACT is high when compared to other administrative tribunals around the country.

Looking at the proposal to introduce a limit on the number of faults that a motor vehicle can have, it is important to understand that a modern motor vehicle is a complex piece of computerised machinery consisting of around 60,000 parts and containing in excess of 10 million lines of computer coding. Cars are simply not the same as they were years ago.

Given the complexity and growing sophistication of each new vehicle model that is released, any reasonable consumer would expect minor or unfamiliar glitches to be rectified during the manufacturer's warranty period. In some cases manufacturers can offer up to seven years warranty for this very reason and as an incentive to buy the brand.

In a newly purchased car, it may be that the same fault occurs again and again before being resolved, as the tale of symptoms needs to be addressed to find the underlying cause. Therefore, placing a nominal limit on the repair attempts completely ignores the complexity of modern car technology.

Setting the ACT apart from other jurisdictions is nonsensical in this context. Creating specific rules for the ACT that are inconsistent with other states is unhelpful, to say the least. Consumer protections would differ depending on which state the vehicle was purchased in and would create greater uncertainty for consumers as to what rights and obligations they might have.

Looking now at the proposal to extend the cooling-off period for a purchaser, we must remember that a seven-day cooling-off period would be longer than the cooling-off period for purchasing a house, and that is a right that is most commonly waived when purchasing property in the ACT. This is simply not a reasonable or considered proposal.

There are some things that could be done to avoid unnecessary surprises when buying an old car—one that has been around the block more than once—such as ensuring that purchasers are informed of their legal right to have an independent inspection done prior to purchasing. To use Jess's example, as Ms Cheyne outlined, that simple action would have alleviated a whole lot of unnecessary stress, worry, frustration, anger and resentment that goes along with finding out that you have made a poor purchasing decision.

Ms Cheyne: Except if everyone is in on it in the one town.

MR WALL: That is an outrageous statement. That is an absolutely outrageous statement. I would encourage Ms Cheyne and those opposite in Labor to communicate with industry in this town before they bring motions such as this into the Assembly. I encourage them to start listening to those who work in this space every day of the week, to ensure that those opposite understand both sides of the argument and the unintended consequences of what will inevitably follow out of this proposal—unintended poor consumer outcomes. A simple attempt at a conversation would have changed the way this motion was perceived by the industry and would have ensured that better outcomes were achieved.

Again the Barr Labor government have failed. Have they learned anything in 18 years of government? It seems not. Motions such as these, put forward without consulting with everyone who may be affected, are simply insulting, as are her interjections.

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) (6.00): I thank Ms Cheyne for bringing this motion to the Assembly today. It provides an opportunity to talk about important issues of consumer rights and consumer protection that do not often get an airing in this place. As the Minister for Consumer Affairs, I am pleased to have the opportunity to talk in this place about some really important areas of what the law currently is and some of the services currently available to consumers.

We do not want consumers being ripped off when they are buying vehicles. They do need appropriate protections and remedies if they get dodgy products. The motion gives us the opportunity to reflect on the importance of consumer protections in the motor vehicle industry. It is a matter that has captured significant attention, both in the ACT and, as Mr Wall noted, nationally in the Consumer Affairs Forum that consumer affairs ministers from across the country attend.

I am pleased to speak about the important work the ACT government is doing to address these concerns. I will also be agreeing with Ms Cheyne's motion and undertaking further consideration of these issues to see whether there are any appropriate changes that need to be made to the law.

A motor vehicle is a significant purchase for Canberra households. Many consumers rely on them for their daily routine, whether it is taking children to school, getting to work or running a business. After the family home, a motor vehicle is often the second most expensive asset a consumer will purchase. Motor vehicles are also complex pieces of machinery. Modern vehicles, including motorcycles, are fitted with proprietary software and thousands of mechanical and electronic parts.

This complexity leads to a significant power imbalance between consumers, dealers and manufacturers. While many consumers have little or no understanding of the mechanics of a motor vehicle, dealers and manufacturers have access to specialised knowledge and diagnostic tools. It can be difficult for consumers to identify the cause

of, and to fix, the faults in their motor vehicles. When something does go wrong, consumers want to be able to resolve the problems quickly to minimise the inconvenience.

This pressure is often amplified for certain members of our community, such as those who are living with a disability, those who are on a low income or those who are simply absolutely reliant on their vehicle to meet their daily demands. When consumers can make purchases confidently, this stimulates competition. This can lower prices and improve service and innovation. For a consumer to be confident, they have to be able to make informed purchasing decisions and also to access remedies when they suffer detriment from defective goods or services.

In the ACT and across Australia these important consumer protections are primarily contained in the Australian Consumer Law, known as the ACL. The ACL was decided on by governments at the territory, state and federal levels. It is the same across Australia. Under the ACL, goods and services purchased from 2011 onwards come with automatic consumer guarantees. These guarantees provide that goods will be of acceptable quality, fit for any particular purpose and match the demonstration model.

Motor vehicles purchased prior to 2011 were covered by statutory rights, including that they be of merchantable quality and fit for purpose. These rights were conferred by the then Trade Practices Act 1974. If a motor vehicle does not meet a consumer guarantee, a consumer may have recourse against the dealer and manufacturer. The remedy will depend on whether the failure is considered major or minor.

If there is a major problem with a motor vehicle such that the consumer would not have bought it if they had known about the problem, the consumer can choose from a refund or replacement or to keep the motor vehicle but receive compensation for the decline in its value. If there is a minor problem with a motor vehicle, the dealer can choose to give the consumer a free repair instead of a replacement or refund. The free repair must be undertaken within a reasonable time.

One of the important facts to note about this law is that a series of minor faults can be considered a major fault. This should cover the issue of so-called lemons, where a vehicle or a product suffers multiple minor faults and the consumer wishes to receive a replacement product or refund instead of repeatedly having minor faults repaired. They were the issues raised in Ms Cheyne's motion and in the information she has provided.

I would like to explore whether it is practically possible for consumers to get a suitable remedy in a situation where there are multiple minor faults. It no doubt requires some effort by the customer. They are likely at a power and information disadvantage with complex matters like vehicles. It may take some effort and potentially action in a tribunal for the customer to get this remedy. However, this is where the ACT's Fair Trading office can assist consumers, as part of their role is to receive these complaints and to assist to conciliate a suitable outcome for the consumer.

Consumer guarantees are additional to any manufacturer or extended warranties. These warranties do not displace the consumer guarantees or other rights under the ACL. The Sale of Motor Vehicles Act 1977 provides ACT consumers with additional statutory rights. These include a warranty for all used cars that are less than 10 years old and have travelled less than 160,000 kilometres. It also provides for cooling-off rights on a purchase.

The ACL consumer guarantees apply to both new and used vehicles purchased from dealers in the ACT, regardless of their age or mileage. That is an important point to emphasise. Any second-hand vehicle purchased from a dealer is subject to the consumer guarantees under the ACL. That means that anyone who buys a second-hand car from a dealership, even if is 15 years old or has travelled 200,000 kilometres, can access the consumer law protections.

The Access Canberra website includes detailed information about consumers' rights if something goes wrong with their motor vehicle. Access Canberra and other consumer protection regulators have developed a comprehensive guide to motor vehicle sales and repairs under the ACL, including with examples. The guide is available on the Access Canberra website.

In addition, each year Access Canberra provides around 900 Canberrans with advice, information and conciliation services where they have consumer guarantee concerns. Consumers can contact Access Canberra by calling 132 281 or by visiting the Access Canberra website. I also encourage consumers to inform themselves as best they can by researching what choices there are when purchasing a motor vehicle. Consumers should ask questions about the history and condition of used motor vehicles, check documents and service logbooks and consider the risks when information is missing or incomplete.

It is also worth while having a qualified motor mechanic inspect and report on the used motor vehicle. In addition, the ACT government roadworthy certificate scheme ensures that a motor vehicle is safe for road use and that key components are up to standard. A certificate of inspection is required for any vehicle over six years old that requires a transfer of ownership.

While an awareness of rights is important, it is equally important that consumers are able to enforce their rights quickly and effectively when something goes wrong. This also provides greater incentives for dealers and manufacturers to voluntarily comply with the law. I note that Ms Cheyne's motion calls on the government to consider increasing the ACAT's jurisdictional limit for motor vehicles, including motorcycles, caravans and motorhomes, so that consumers can more easily enforce their rights.

The ACAT is a critical component of the justice system in the ACT, providing the community with an accessible forum for access to justice. The ACAT was established to provide a simple, quick, inexpensive and informal avenue for resolving disputes through the use of alternative dispute resolution processes, active case management, the provision of assistance to self-represented litigants and by limiting legal representation.

The civil dispute jurisdictional limit of the ACAT, under which ACL matters fall, was last reviewed in 2016, after extensive consultation with the public and key legal system stakeholders. Responses from this consultation were overwhelmingly in favour of increasing ACAT's jurisdiction. However, there was some variation in the amount that people thought that increase should be. After careful consideration, the government decided to increase the civil dispute jurisdiction to \$25,000, with a view to increasing access to justice, while also allowing the government to monitor and manage the impacts of the reform on the workload of ACAT.

The ACAT has dealt with the increase in its jurisdiction in an exemplary manner, seeing an average increase of approximately 300 matters per year as a result of the reform. I see merit in the proposal to increase its jurisdiction further in relation to consumer matters, as Ms Cheyne has suggested in her motion. However, to ensure that any policy reforms in this space meet its objective and can be properly implemented within the justice system, I suggest that relevant stakeholders are consulted and their views are considered in developing a way forward. In particular, the potential resourcing implications on the ACAT that would flow from this initiative would need to be carefully considered prior to making a decision about whether the tribunal's jurisdiction should be increased. Of course, the Attorney-General also has an interest in this matter through his portfolio responsibilities.

I note that there is a body of work being progressed at the national level regarding these matters, which follows a review of the ACL by Consumer Affairs Australia and New Zealand, or CAANZ. Following this review, I wrote to the Attorney-General about ensuring that the ACT's legislation continues to align with the ACL. Access Canberra and the Justice and Community Safety Directorate are working together to provide government with advice about the potential to increase the tribunal's jurisdictional limits.

Ms Cheyne's motion also calls on the government to give consideration to enhancing statutory warranties for certain second-hand vehicles and introducing increased consumer rights in relation to faulty vehicles. I agree that this is worthy of consideration. The government has an ongoing commitment to ensure that our laws provide a robust consumer protection framework for the people of Canberra, especially for significant investments such as motor vehicles. We will explore this issue and the other issues raised in Ms Cheyne's motion to ensure that our consumer protection laws meet the ongoing needs of our community.

Ms Cheyne has noted some instances in which consumers were unsatisfied with second-hand vehicles they purchased in Canberra. From talking to Access Canberra, I understand that they have received very few complaints about these issues. In the instances where they have received complaints, they have been able to assist and to conciliate satisfactory outcomes. I encourage consumers who have issues to contact Access Canberra. They can also receive assistance through our Fair Trading office. I accept that there may be a disconnect between the number of complaints received by Access Canberra and the number of people who are experiencing grievances with motor vehicle purchases. There is a likelihood that not everyone with a grievance is making a complaint.

I have asked Access Canberra to redouble its efforts in terms of promoting material to the public about the role that Fair Trading plays and in promoting material about consumer rights when it comes to motor vehicle purchases. Faulty vehicles can be a difficult area of consumer law for the consumer. The case may not be clear cut. There may be a lack of information and getting a remedy may require engaging Access Canberra or other advocacy services to assist.

The ACT government continues to be a strong advocate for enhanced consumer protections in Australia. Members may have seen that we recently secured national support to progress work on giving consumers a right to repair. This would empower consumers to have faulty goods repaired at a competitive price by a manufacturer, third party or in some instances the consumer, using replacement parts.

This is a national first that would bring Australia in line with the European Union and increasing moves in the United States, where various forms of a right to repair are already being introduced. We are also working with other jurisdictions around Australia on a range of options to strengthen consumer guarantees, including a proposed civil prohibition for failure to provide a consumer guarantee remedy.

The government is committed to providing strong consumer protections. Certainly, the sale of motor vehicles is just one area where these protections are essential to secure the social and economic wellbeing of ACT residents. Of course, I also note the comments that Mr Wall made. Whilst there was a certain amount of political frisson there, I think the point that he makes is also an important one and it is one that we need to balance in this space.

Of course, any considerations that we give to this motion will take into account the points that Mr Wall has made today. On the basis that it is always valuable to have a look at these things and that there are active discussions going on at a national level in this space, I am happy to support the motion today and to look at the issues that have been raised in it.

MRS DUNNE (Ginninderra) (6.14): I rise to support the comments made by Mr Wall in relation to this motion. It was interesting. I was a little surprised for a while, when I was not paying enough attention, that Mr Rattenbury was so keen to laud the achievements of the ACL, but then I realised he was talking about a different ACL.

I want to comment particularly on the interjection made by Ms Cheyne, which was a disgraceful interjection about motor vehicle repairers in the ACT. Mr Wall rightly suggested that one of the most efficient things that people could do if they were buying a second-hand car was to have it inspected by a reputable motor vehicle repairer. Ms Cheyne basically said that they were all in it together, that there was some collusion between motor vehicle repairers and motor vehicle salesmen. This is an outrageous slur against reputable motor vehicle dealers who every day in this town do exactly what Mr Wall has suggested.

Over the years I have purchased, and my family has purchased, a number of second-hand vehicles. Even if a second-hand vehicle is covered by warranty, no-one

in their right mind should make a large purchase like a motor vehicle without having it checked out by a reputable person, unless you are Mr Gentleman and know a great deal about cars. Most of us do not and we should rely on the advice of somebody who does. For Ms Cheyne to come in here and speak about motor vehicle repairers in the way she did—that they are in cahoots and that they are not in the business of providing impartial advice—is outrageous and shows how out of touch she is with the hardworking motor vehicle repairers in this town.

MS CHEYNE (Ginninderra) (6.16), in reply: I am really disappointed that the opposition has used this motion as an opportunity to whack the government and has misunderstood its intent, whether wilfully or not. I really hope that Mr Wall's misreading of the motion is not deliberate.

As is abundantly clear in this motion, in point (4)—have a read—I am not committing the government to any proposal except reviewing the existing legislation and considering whether there are some ways that consumers could be afforded greater protections in this space.

Mr Wall's reaction to this motion is hysterical. He says that adhering to this motion will result in a drastic change to the industry and will put people out of business. Are you kidding me? That is absolute rot. Adhering to this motion is simply going to result in the government reviewing whether existing consumer protections are adequate. As Minister Rattenbury said, and as should be taken for granted, naturally all stakeholders will be consulted.

I actually had the head of a second-hand car dealership ring me today who supported what I was doing, that it was worth simply having a look at the consumer protections available. Far from Mr Wall's alarmist comments, we have players in the industry who are lending their support to simply having a closer look. What does that tell you? I am completely comfortable if the government's review confirms that the protections are adequate or that this work that is happening at the national level is worth waiting for. I am not convinced that that work is worth waiting for, but if the review does confirm that the protections are adequate I will be comfortable with that.

It is clear from Byron's and Jess's cases alone, and yet another woman who commented on my Facebook page just today—and I hope we are all in agreement about this—that at the very least we need better transparency about how to go about things, better advice when you are buying a second-hand vehicle and better knowledge about your rights and what is available to you. If this conversation, this debate and the coverage today achieve that, I will be pretty satisfied.

I am very appreciative that Minister Rattenbury has already asked Access Canberra to redouble their efforts in this space. The problems I have heard repeatedly are about car dealerships, and that is what this motion is about. But if, in doing the review, Minister Rattenbury considers that a closer look at how private sales work or online sales work is warranted, I am open to that.

I want to revisit Byron's experience of ending up with a lemon. It goes to one of the points that Mr Wall well raised. Byron bought the car, a second-hand 2007 Jeep, from

a used-car dealership in February. Eight months and multiple faults and repairs later, Byron does have one clear regret. When he was initially looking at the car, he did consider getting an independent mechanic to inspect the vehicle. He broached the idea with the salesperson at the dealership, who insisted that a reputable mechanic had already inspected the car and that there was nothing wrong with it. Byron wishes he had pushed back harder. I can appreciate Byron's regret. But I think it is worth acknowledging that for some people, particularly in terms of negotiations, there is a power imbalance when you are the purchaser of something and someone knows more about the industry and what they are doing there. That seems to be blatantly what happened in Byron's case, and I think it is true of others as well.

I do think I have been misrepresented in the comments that Mrs Dunne made about me. But I also appreciate that the tone of my interjection was poor, and I withdraw it. I did not mean to suggest in any way that there is an activity of collusion of mechanics in this town. However, what I am hearing is that it is very hard to find a genuine second, independent opinion in this town. Maybe I am wrong. Maybe that is not the case. I really hope it is not the case. But that is what I am hearing. There is a perception in this town that it is hard to find an independent second opinion. I have heard of one client, just recently, who travelled all the way to Sydney to get a second opinion on a used vehicle that they were buying. That goes to the point I was trying to make. I do appreciate it was in poor form and I do withdraw it. But I also think that the way in which Mrs Dunne characterised it was wrong.

Another issue is the expectation that comes with purchasing a car through a dealership as opposed to a private sale. The Consumer Law Centre has witnessed this firsthand through its interactions with clients seeking advice about statutory warranties and consumer law. Consumers purchasing second-hand cars from private sellers are genuinely much more attuned to the buyer beware principle. Consumers buying through a used-car dealership often believe they are better protected. I think what has emerged today is that this might not necessarily be the case. It is just worth having a look at.

Not everyone has a negative experience when purchasing a second-hand motor vehicle. Mrs Dunne is a great case in point. But the thing is, too many do, people like Byron and Jess, and they are not alone. A significant portion of the Consumer Law Centre's work involves providing legal advice and assistance to Canberrans about the application of statutory warranties and Australian consumer law. The fact that a significant proportion of their work involves second-hand motor vehicles raises an alarm with me. And it really should raise an alarm with the opposition, who I have to say have been quite hypocritical in comparison to what they were saying yesterday.

It is a confusing process. It is a stressful process. It can be incredibly expensive. Often the people who are buying older second-hand vehicles have fewer funds. So when something goes wrong with that older or more driven second-hand vehicle they do not have the money for the repairs. Not only do they not end up with any vehicle; they end up potentially with a debt or a really big dint in their savings.

Talking about standing up for vulnerable Canberrans, as the opposition has been banging on about this week, that is exactly what this motion goes to. If Mr Wall was

actually listening, and if Mrs Dunne was actually listening, they would understand that that is what the heart of the motion is about. But I guess now they will have to read the transcript.

This motion is about doing our best to allay confusion, stress and expense. It is simply about enhancing buyer confidence. And, if someone does end up with a lemon, it is about providing better and clearer channels of recourse. It is why I am simply calling on the government to review the existing ACT legislation and consider whether consumer protections can and need to be expanded. I have put forward a number of options within the motion.

As Mr Wall drew attention to, one option is introducing 30-day warranties. Just like now, I think he was talking to his colleague when I discussed this at length in my first speech, but I am not looking to unfairly burden car dealerships. That is not the intent of it at all. It is about striking the right balance. A warranty in the vicinity of one month, or maybe that could be thought through a bit further, is simply about making sure that older second-hand vehicles are simply in working order.

Again, I am absolutely not convinced by Mr Wall's remarks that this is going to affect the industry negatively. In fact they may get more business out of this because people will have more confidence in them and in the process of buying a vehicle and the protections afforded to those people. It might result in consumers moving away from private sales. You would think that Mr Wall, if he had actually thought through the intent of this motion, would be supportive of that.

This motion comes too late for consumers like Byron and Jess. But we have the opportunity to ensure that more people avoid purchasing a lemon, or at least are better protected if they do and at least are better aware of all of the options available to them when they are purchasing a vehicle.

I commend this motion to the Assembly.

Question put:

That the motion be agreed to.

The Assembly voted—

Ayes 10

Noes 7

Ms J Burch	Mr Pettersson	Miss C Burch	Mr Wall
Ms Cheyne	Mr Rattenbury	Mrs Dunne	
Mr Gentleman	Mr Steel	Mrs Jones	
Mr Gupta	Ms Stephen-Smith	Ms Lee	
Ms Le Couteur		Mr Milligan	
Ms Orr		Mr Parton	

Question resolved in the affirmative.

Adjournment

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

That the Assembly do now adjourn.

Australian Breastfeeding Association—50th anniversary

MS LEE (Kurrajong) (6.31): New mother Mary Paton knew breastfeeding was good for her baby but had nowhere to go for help when she struggled. It was not long before she realised that she was not alone. Mary and five friends met in Mary's home in Balwyn North, Victoria, with the aim of supporting each other to breastfeed. Fears were aired, tips were shared, encouragement was given and the Nursing Mothers Association of Australia was born. It was 13 February 1964. Five years later the first meeting in Canberra was held.

Breastfeeding was not really talked about and rarely seen. It was a time when bottle feeding was promoted as the modern, scientific choice, giving women greater freedom and flexibility. It was a time when this group was not allowed to call themselves the Australian Breastfeeding Association because it had word "breast" in it.

Today the Australian Breastfeeding Association, as it was renamed in 2001, has over 230 branches, supports over 80,000 mothers a year, has 1,100 trained volunteer counsellors and runs a 24-hour helpline. I was diagnosed with gestational diabetes halfway through my pregnancy and was advised to express colostrum from 36 weeks to make sure my baby had this liquid gold in the first hour of her life.

Having my waters break and going into labour at 35 weeks and six days, of course, was not part of the plan—no colostrum, held up in recovery after a semi-emergency C-section, with my daughter's blood sugars low, Mia was bottle fed by her father in the first hour of her life. Naively, I imagined that breastfeeding would just happen. Day one, day two, day three—no milk and a premature baby unable to latch. It was, as one friend described to me, the most unnatural natural thing in the world.

Fast-forward four months and I have tried it all: balm for the cracked and torn nipples, massage and heat packs for the blocked ducts, antifungal cream for the nipple thrush, Panadol for the pain, ultrasound therapy and antibiotics for mastitis. There was also medication, lactation cookies, tea and traditional Korean remedies of soup made of seaweed and chicken feet to boost milk supply. Today Mia is thriving as a mixed-fed baby because fed is best.

I am lucky to have the support of family, friends and a medical team to encourage breastfeeding whilst not being made to feel guilty for not being able to nourish my daughter on breastmilk alone. I am lucky that I am able to afford to buy formula so that my daughter will not go hungry. I am lucky that I have never been made to feel ashamed or embarrassed to breastfeed where and when my daughter needs it. Not every mother is that lucky.

The Australian Breastfeeding Association ACT provides support and encouragement and on so much more than breastfeeding. The only regret I have is not becoming a member earlier, whilst internally debating time and again whether to persevere or end my breastfeeding journey.

On 1 October members, former members and volunteers gathered at the Canberra Southern Cross Club to celebrate 50 years of the ABA providing this support to mums across Canberra and the region. We were joined by special guest, Mary Paton, on her birthday, no less, whom tens of thousands of Australian mums have to thank for achieving amazing milestones like making workplaces more breastfeeding friendly, symbolised by the iconic Breastfeeding Welcome Here stickers, one that we have right here in the Assembly; being instrumental in making it illegal for employers to discriminate against breastfeeding mothers; and normalising breastfeeding so that it is not something that must be kept hushed up or done behind closed doors.

My colleagues, Nicole Lawder and Caroline Le Couteur, were also there. The ABA ACT expressed their thanks to the Assembly, in particular acknowledging Mrs Jones and Ms Cheyne, on our work in making it a breastfeeding-friendly workplace. For the mums who had their heart set on breastfeeding but, for whatever reason, were unable to do so, for the mums who have chosen not to breastfeed because it is not the right choice for them or their baby, for the mums who choose to breastfeed on demand where and when their baby needs and are shamed for doing so: thank you for the amazing work you do in nurturing and raising our next generation.

Press freedom

MS LE COUTEUR (Murrumbidgee) (6.36): Today I would like to talk about our democracy and the freedoms that our democracy is supposed to guarantee us. On Monday this week newspapers across Australia blacked out their front pages as part of a movement for freedom of information in the press. This was launched by Australia's Right to Know Coalition in response to the ongoing deterioration of media freedom and the ability to hold the power to account. This movement has unfortunately been a necessary reaction to the government's increasing attacks on freedoms of expression, the press and even active citizenship.

There are numerous cases where individuals who have exposed the misconduct of governments and other powerful institutions have been prosecuted for providing the truth to the public. For example, in 2018 prosecutions against former ASIS spy, Witness K, and his attorney, Bernard Collaery, who is a former Attorney-General of this place, began. The charges brought against them were for breaching the Intelligence Services Act in a so-called conspiracy to reveal information to the public about ASIS's unlawful spy operations during the 2004 Timor-Leste maritime boundary negotiations.

In the same year former tax office debt collection officer Richard Boyle revealed that the ATO had been conducting improper debt collection practices. His home was subsequently raided by the ATO and the AFP and he now faces up to 161 years in prison for going to the media. In June this year there were two AFP raids on

journalists and the ABC for reports in 2017 and 2018 relating to national intelligence agencies and foreign operations.

These raids came as a result of the beginning of the trial of David McBride, the military lawyer who leaked to the ABC the Afghan files on potential war crimes conducted by Australian Special Forces in Afghanistan. While these may not all seem directly linked they all point back to a state apparatus which is increasingly securitising the state and, with this, eroding civic freedoms.

In each of these cases the individuals had sought to disclose and resolve perceived misconduct internally. It was only after the failure of internal regulatory measures to act appropriately that these individuals turned to the press and the public to do the job of keeping our institutions accountable.

In almost every one of these instances prosecution began years after the alleged misconduct occurred. In Witness K's case, he and Mr Collaery had received approval by the Inspector-General of Intelligence Security to lodge an internal complaint and provide evidence in private proceedings at The Hague. It was only after ASIO raided their homes and seized their files in 2013 under a piece of anti-terrorism legislation that the issue later became public. Given the time frame, these issues were not matters of national security but rather revelations of acts of corruption and exploitation by institutions not sufficiently held accountable. Whistleblowers and a free and independent media are necessary components of the mechanism of valuable democracy.

Since 11 September 2001 a plethora of national security and counter-terrorism laws have been implemented with the intention of protecting our institutions, laws, freedoms and democracy. Yet as these laws continue to extend in an era of increasing state securitisation, increasingly they are becoming tools of oppression and control. Right now our democracy is at stake.

We need fully equipped, fully resourced and fully independent regulatory bodies to ensure that institutions are acting lawfully and are held to account. We need to increase protections for press freedom to uncover these acts of misconduct masquerading as matters of national security. We need to consider and be more wary of national security justifications for secrecy and opaque state operations. If we do not we risk losing our democracy.

I note that there is to be a rally tomorrow lunchtime at Parliament House about Witness K and Bernard Collaery, if anyone is able to go. And if you want to get distressed you can see some horrible discussions on Julian Assange, who has just had his extradition hearing heard again in London. It is not looking good for press freedom.

Climate change

MS J BURCH (Brindabella) (6.41): Recently I had the pleasure of hosting a university student in my office, Eleanor Hickey, a bright and capable young woman who had an interest in how politics and parliaments ticked and how they worked.

During her time in my office, I asked Eleanor what issue she felt passionate about and wanted to see more action on. I am pleased to be able to use some of the notes from Eleanor in her time in my office here in this adjournment debate.

Eleanor told me that as a young person she is passionate about climate change and the way it will affect her future. She told me that young people often feel ignored by government when it comes to this issue and see that climate change is the largest threat to her and future generations. Sadly, she tells me that sometimes she feels, and young people feel, that governments are more focused on short-term issues than fighting longer term problems.

As well as being concerned about the eventual threat of climate change, we can already see the effects here in the ACT. My electorate of Brindabella, where the grass is greener and the sun shines brighter—that is a regular line of mine—is a very rural-focused electorate, which is very large and spread out, and vulnerable to bushfires. Last bushfire season was the longest one since 2003, lasting for eight months. This year is also predicted to be a long, and possibly dangerous, bushfire season. The threat of these bushfires and the length of the seasons as a result of changing climate are symptomatic of the problems that climate change is causing around the world. Increased global temperatures and decreased rainfall lead to drying out effects that worsen local bushfires.

Eleanor tells me, and I will use her words, that she is very pleased that this ACT Labor government is committed to reducing the impacts of climate change on our city and our community, doing all we can to combat the very real threat that climate change poses, making tangible changes to the way we impact on the environment, and harnessing resources such as renewable energy. Through this, Eleanor sees that the government is taking much-needed action on climate change, making the ACT's the most proactive government in this country. I am pleased to share those views with Eleanor.

By making Canberra the first city outside Europe to run on 100 per cent renewable energy, the government here, the ACT Labor government, is committed to combating climate change and setting an example for the world stage.

As Eleanor says, climate change is not an issue that can be dealt with and resolved on the other side of the world. We need to participate. We need to be part of the solution, which requires action from everybody. In times when we are seeing inaction from the federal government, it becomes all the more important that a progressive state and territory government such as ours steps up and takes that action. Eleanor and I share the view that everyone involved in making the ACT 100 per cent renewable, and the work that this government has done, is to be applauded.

I want to thank Eleanor for her time in our office. It is always good to have a litmus test of our policies and processes through the young voices of our community, the next generation. We are here to serve them and make sure that they have the world and the community they can benefit from. It stands us all in good stead to make sure that we have that ear to the next generation and ensure that those voices are heard. To

Eleanor, and to other young women who have been in this Assembly over this week: well done, don't be shy, and do come back.

OzHarvest Safe Shelter

MR PARTON (Brindabella) (6.45): I rise to pay tribute to one of our great community organisations who go about their business every day making the lives of less fortunate Canberrans a little better.

Last week, as a part of Anti-Poverty Week, I had the opportunity to go out in the OzHarvest van with Des, who showed me firsthand what the organisation does. This is something that Dave Burnett from OzHarvest has been talking to me about for a long time, and it is remiss of me that I had not made it happen earlier. Finally we got there last week, and I am so pleased I did.

OzHarvest is an Australian-run food rescue organisation which collects food from local supermarkets or other commercial outlets and delivers them to more than 1,300 charities, supporting people in need right across the country. OzHarvest rescues over 180 tonnes of food each week from over 3,500 food donors, including supermarkets, hotels, airports, wholesalers, farmers, corporate events, catering companies, shopping centres, cafes and restaurants, to name a few.

OzHarvest hit the road in the national capital early in 2008, following consultation with some local community groups which were struggling to help those experiencing food insecurity or those in need of short-term assistance.

I do not know about you, Madam Speaker, but whenever I see the vans driving around town, I always assume that Dave Burnett is driving. I just always assume. I say, "There's Dave." I give him a wave. It turns out that there is a large volunteer contingent. It could be Dave, Des, Lisa or any number of people. I now know just how much food could well be in the back. A typical week sees OzHarvest rescuing between 9,000 and 10,000 kilograms nationally.

In the past three years, the Canberra team have rescued over 670,000 kilograms of surplus food in the local area, which equates to two million meals. It is ridiculous: two million meals over 60 charities in the ACT! It was good for me to see the reactions from some of the community organisations when they received the goods. It was a wonderful experience, and I fully support what OzHarvest do in this space.

In regard to Anti-Poverty Week, I would also like to pay tribute to my friend Richard Griffiths and the army of Safe Shelter volunteers for what they do in regard to the provision of emergency overnight accommodation during our harsh Canberra winters. They are genuine lifesavers. This year, for the first time, I have been on the volunteer roster for Safe Shelter, doing one night per month in various church halls. I have found it an extremely rewarding experience, but first and foremost I have seen firsthand how Safe Shelter go about their business. I am more than happy to go on the record in full support of the Safe Shelter concept. I hope they will have me back next year.

**Telangana Association—Bathukamma
Help Now charity baseball game
Jasiri Australia—girls take over parliament program**

MR RATTENBURY (Kurrajong) (6.48): I would like to take this opportunity to briefly touch on some recent community initiatives that I have been part of. On 5 October, I was pleased to attend the festivities of Bathukamma held at Harrison School. This event was held by the ACT Telangana Association, a not-for-profit association which aims to provide a platform for the Telangana people to promote the rich cultural diversity and traditions of the Telangana region of India, to celebrate Telangana festivals in the ACT, and to strengthen community harmony by engaging with the broader ACT community.

Bathukamma is a colourful festival celebrating the cultural identity of the Telangana region. This festival encompasses the beauty of nature, the collective spirit of the Telangana people, and the strong-willed character of the local women. It is predominantly celebrated by women over a span of nine days, when the region is transformed into a vibrant area of flowers that prosper from increased rainfall during the monsoon season. Women make small Bathukammas out of flowers throughout the nine-day period, dance around them each evening and immerse them in nearby water bodies.

ACT Telangana Association's event was an excellent display of these festivities, with a certain Australianisation of it to some extent, or a localisation of it, and it was a delightful example of Canberra's rich multicultural community. I want to thank the community for the warm welcome that I received at the event.

Recently I also had the pleasure of playing in the celebrity all-stars team for Help Now's charity baseball game. Help Now comprises CIT students, social workers and others. It was founded in 2016 to address the gaps in mental health within the ACT. In 2019 it focused on the role of peer workers in the mental health space.

The celebrity all-stars charity baseball game was not only enjoyable but also raised 41 hours worth of mental health peer support work in the ACT. I was disappointed that my team went down. I certainly demonstrated my lack of experience on the baseball pitch, but we had a great time.

I sincerely thank Rodney Stanton and the rest of the Help Now group for organising such a great event. It is a very worthy cause and I think everyone who attended the match had a great time. It was not only the baseball players; Rodney and his team created some terrific opportunities for the children and other spectators who came along to participate in a range of activities.

Finally, Brianna Partington was a welcome part of my office this week for Jasiri Australia's girls take over parliament event. Jasiri Australia is a volunteer-driven organisation which advocates for enhancing women's and young girls' representation in parliament and other leadership roles. I have been really pleased to see the number of young women in the Assembly this week as part of the program, and I

acknowledge all of the members of the Assembly who have sponsored a participant to be part of the program this week, including you, Madam Speaker.

It is important for us to continue supporting programs such as Jasiri's girls take over parliament to encourage more young girls and women into these seats and other leadership roles in the future. I want to thank Brianna for being part of my team this week and also congratulate all the young women who have come to the Assembly and taken part in the program. I hope they have found it a worthwhile and interesting experience.

Jasiri Australia—girls take over parliament program

MS CHEYNE (Ginninderra) (6.51): I too had a young woman in my office as part of the Jasiri Australia girls take over parliament week. Unfortunately Dua Fatima was only able to spend a day with us, but it was very productive day indeed. Here is a speech that she has written for me to give.

Whether entering politics or business, young women face constant resistance, discrimination, social stereotypes and double standards. Women make up 50.2 per cent of the Australian populace and yet are drastically under-represented in positions of leadership, be it in politics or business.

This lack of representation can fuel further sentiments of disenfranchisement and disempowerment. Overwhelming statistics indicate that 94 per cent of parliamentarians are of Anglo-Celtic, and European heritage, with the average age between them being 51.

In the House of Representatives, a mere 30 per cent of all parliamentarians are female, whilst in the Senate the number remains just under 50 per cent. These statistics seem pretty damning when compared to the high numbers of female representation in the Legislative Assembly—go us.

For me, these statistics are a stark reminder of the differences between the Australian government and wider Australian community. Dua said she strongly believes that women's issues cannot continue to be addressed by men because men simply do not understand the needs, the aspirations or the desires of their female counterparts.

Thus, initiatives such as girls take over parliament, run by Jasiri Australia, ignite and inspire young women across the Pacific to advocate for democracy, political inclusion and gender equality. Young women such as Dua—or, as she has written, “myself”—want a fairer, more egalitarian Australia. We want to see more diverse and equal representation which has the capacity to address long-term policy problems. But for this to occur, gender equality must be at the forefront of all democratic issues, and those already in power must work towards it.

Thus I sincerely applaud all parliamentarians who are supportive of or partners of the girls take over parliament program, because in my view this program is vital for ensuring that women are justly represented in positions of leadership in politics. Jasiri

Australia's program provides an unparalleled insight into the political mechanisms which govern our great country.

Arriving at the Legislative Assembly, Dua says, she was filled with an equal amount of eagerness and nerves. "But as the day commenced, I settled into my role," she says, "shadowing Tara and her staff." Unfortunately parliament was sitting, so she could not actually take over my role, much as I am sure she wanted to be the whip.

Each staffer provided an invaluable insight into their respective political roles while she attended meetings, received behind the scenes tours and engaged in one-on-one conversations. As the day continued, Dua says, she was further reminded of how fortunate she was to be in such a position and how grateful she was to take part and contribute to reducing gender inequality across Australia, while hopefully galvanising and empowering other young women to do the same.

I want to put on the record my thanks to Dua for her genuine interest in politics and wanting to get involved, wanting to really understand the stigmas associated with it but also wanting to smash through those glass ceilings and let us destroy the patriarchy.

Question resolved in the affirmative.

The Assembly adjourned at 6.56 pm.