



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2012–2013–2014–2015

## MINUTES OF PROCEEDINGS

No. 110

WEDNESDAY, 12 AUGUST 2015

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- 1 The Assembly met at 10 a.m., pursuant to adjournment. The Speaker (Mrs Dunne) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.
- 2 **MANUKA—REDEVELOPMENT OF LAND**

Mr Doszpot, pursuant to notice, moved—That this Assembly:

  - (1) notes:
    - (a) the recent protest outside the Manuka Oval by members and supporters of the Telopea Park School community objecting to the decision of the Barr Government to resume land from the school to construct a child care centre;
    - (b) that this protest followed months of unrest about the decision from local residents, child care centre operators and clients and the Telopea Park School community who objected to the lack of transparency and consultation;
    - (c) comments made by the Minister for Territories and Municipal Services, and Molonglo MLA, Shane Rattenbury, following an “I love MOCCA” event on Sunday, 14 June, in which he said that “there has been little if any public transparency around this” and “nor has there been a discussion with the community about possible approaches which could have been provided the space for additional ideas to come forward”; and
    - (d) comments made by Chief Minister Barr on ABC 666 talkback radio on 26 June and last week in the Assembly in which he said that the Government was actively looking at another site; and



- (2) calls on the Government to:
- (a) explain clearly to MOCCA clients and operators and the wider southside Canberra community whether MOCCA will be removed from its existing site and if so, to where;
  - (b) explain to the Telopea Park School community whether the bulldozing of tennis courts on Montgomery Oval will proceed in December, irrespective of whether a child care centre is located there or not; and
  - (c) commit to genuine and meaningful consultation with the wider Manuka community over future plans for development of the old Services Club site and plans for multi-storey apartment housing within the Manuka commercial precinct.

Mr Barr (Minister for Economic Development) moved the following amendment: Omit all words after “notes”, substitute:

- “(a) the Canberra Services Club cannot rebuild a sustainable club that provides services to the community on the site of their former building;
  - (b) that, after a number of years of examination, the Economic Development Directorate identified Griffith Blocks 2 and 5, Section 41, which is currently partially occupied by a building rented by the Manuka Occasional Childcare Centre Association (MOCCA), as the most suitable replacement site;
  - (c) demand for childcare places in the inner south exceeds supply;
  - (d) the importance of ongoing community-based, not-for-profit childcare provision in Canberra;
  - (e) the Government is considering the best location for a new, larger, replacement childcare centre for MOCCA in the inner south;
  - (f) the need for community involvement in urban renewal of the Manuka business precinct;
  - (g) that, in response to the community’s concern about placing a childcare centre near to Telopea Park School land, the Government has re-examined a range of sites and is actively considering whether Section 78 Griffith may also be appropriate; and
  - (h) that there are a variety of views in the community about changes to land use in Griffith relating to childcare; and
- (2) calls on the Government to:
- (a) continue to engage with the wider Canberra community over future development of the Manuka precinct;
  - (b) decide as quickly as possible on any replacement site for MOCCA, noting the mix of community concern and support about possible sites;
  - (c) ensure that MOCCA will not move from its current site until new facilities are constructed; and
  - (d) ensure that the lease for the site of the Telopea Park tennis courts is returned to school and community use.”.

Debate continued.

Mr Doszpot moved the following amendment to Mr Barr's proposed amendment: Omit all words after "calls on the Government to", substitute:

- “(a) provide an assurance that the Telopea Park tennis courts and change rooms be returned to the school and that any work towards the demolition of these facilities cease;
- (b) affirm its support for community, non-profit childcare;
- (c) continue to explore options for the rebuilding of the Canberra Services Club, with priority given to options that allow a new club without relocating MOCCA;
- (d) ensure that, if the decision is made that MOCCA needs to move, that MOCCA can stay on its current site until new facilities are constructed, noting that this process will take a number of years; and
- (e) report back on investigations of alternative sites for the Canberra Services Club and for MOCCA by the end of the October sittings.”.

Debate continued.

Question—That Mr Doszpot's amendment to Mr Barr's proposed amendment be agreed to—put.

The Assembly voted—

AYES, 8		NOES, 9	
Mr Coe	Ms Lawder	Mr Barr	Ms Fitzharris
Mr Doszpot	Mr Smyth	Ms Berry	Mr Gentleman
Mrs Dunne	Mr Wall	Dr Bourke	Ms Porter
Mr Hanson		Ms Burch	Mr Rattenbury
Mrs Jones		Mr Corbell	

And so it was negatived.

Question—That Mr Barr's amendment be agreed to—put and passed.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) the Canberra Services Club cannot rebuild a sustainable club that provides services to the community on the site of their former building;
  - (b) that, after a number of years of examination, the Economic Development Directorate identified Griffith Blocks 2 and 5, Section 41, which is currently partially occupied by a building rented by the Manuka Occasional Childcare Centre Association (MOCCA), as the most suitable replacement site;
  - (c) demand for childcare places in the inner south exceeds supply;
  - (d) the importance of ongoing community-based, not-for-profit childcare provision in Canberra;
  - (e) the Government is considering the best location for a new, larger, replacement childcare centre for MOCCA in the inner south;
  - (f) the need for community involvement in urban renewal of the Manuka business precinct;

- (g) that, in response to the community's concern about placing a childcare centre near to Telopea Park School land, the Government has re-examined a range of sites and is actively considering whether Section 78 Griffith may also be appropriate; and
  - (h) that there are a variety of views in the community about changes to land use in Griffith relating to childcare; and
- (2) calls on the Government to:
- (a) continue to engage with the wider Canberra community over future development of the Manuka precinct;
  - (b) decide as quickly as possible on any replacement site for MOCCA, noting the mix of community concern and support about possible sites;
  - (c) ensure that MOCCA will not move from its current site until new facilities are constructed; and
  - (d) ensure that the lease for the site of the Telopea Park tennis courts is returned to school and community use."—

be agreed to—put and passed.

### 3 PUBLIC HOUSING—NORTHBOURNE AVENUE CORRIDOR

Ms Lawder, pursuant to notice, moved—That this Assembly:

- (1) notes:
- (a) the ACT Government's pursuit of light rail down the Northbourne Avenue corridor;
  - (b) the ACT Government's public housing program includes selling all public housing properties along the Northbourne Avenue corridor, including the Dickson Flats and connected vacant land, Dickson Garden Flats, Owen Flats, Northbourne Flats in Braddon and Northbourne Flats in Turner;
  - (c) the ACT Government's plans to relocate public housing tenants from the Northbourne Avenue corridor to outer suburbs, including Chisholm, Monash, Nicholls, Moncrieff, Coombs and Amaroo;
  - (d) the ACT Government has not made a commitment to build new public housing properties along the Northbourne Avenue corridor;
  - (e) the *Dropping off the Edge 2015* report shows that, in 2015, Chisholm ranks as one of the most disadvantaged suburbs in the ACT;
  - (f) research shows that building large concentrations of public housing in one suburb or area can create a pocket of disadvantage; and
  - (g) the ACT Government has repeatedly expressed its commitment to the salt and pepper approach; and
- (2) calls on the ACT Government to:
- (a) develop and implement a strategic plan for locating new public housing;
  - (b) ensure that new public housing is not built in areas where public housing tenants will experience, or be at risk of experiencing, transport disadvantage;

- (c) ensure that new public housing is not built on a site purely because there is vacant land at that site;
- (d) ensure that large concentrations of new public housing is not built in one suburb or area; and
- (e) report back to the Assembly in September 2015 on progress.

Mr Barr (Minister for Urban Renewal) moved the following amendment: Omit all words after “notes”, substitute:

“the Government:

- (a) is determined to deliver the first stage of a light rail network that will tackle congestion between Gungahlin and the City, provide 3500 jobs in Canberra over the course of construction, increase Canberra’s economic competitiveness, and reduce the ACT’s greenhouse gas emissions;
  - (b) is pursuing the biggest public housing renewal in Canberra’s history, replacing 1288 ageing and inappropriate public housing with new homes that will provide the kinds of housing our public housing tenants need;
  - (c) is consulting with public housing tenants about their needs, including which locations will most suit;
  - (d) in responding to the needs of tenants relocating from housing along Northbourne Avenue, will provide replacement housing within the 800m corridor either side of the Capital Metro line where possible;
  - (e) recognises large concentrations of public housing in a single location can create pockets of disadvantage; and
  - (f) is committed to maintaining the ‘salt and pepper’ approach to public housing, including along Northbourne Avenue and in new suburban developments, to avoid creating pockets of disadvantage; and
- (2) calls on the Government to:
- (a) continue its public housing renewal program;
  - (b) work with public housing tenants affected by the renewal program to identify their individual needs, including location; and
  - (c) ensure that new public housing is cost-effective to build and maintain for the Government and to live in for tenants.”.

Debate continued.

Question—That Mr Barr’s amendment be agreed to—put.

The Assembly voted—

AYES, 9		NOES, 8	
Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the Government:
  - (a) is determined to deliver the first stage of a light rail network that will tackle congestion between Gungahlin and the City, provide 3500 jobs in Canberra over the course of construction, increase Canberra’s economic competitiveness, and reduce the ACT’s greenhouse gas emissions;
  - (b) is pursuing the biggest public housing renewal in Canberra’s history, replacing 1288 ageing and inappropriate public housing with new homes that will provide the kinds of housing our public housing tenants need;
  - (c) is consulting with public housing tenants about their needs, including which locations will most suit;
  - (d) in responding to the needs of tenants relocating from housing along Northbourne Avenue, will provide replacement housing within the 800m corridor either side of the Capital Metro line where possible;
  - (e) recognises large concentrations of public housing in a single location can create pockets of disadvantage; and
  - (f) is committed to maintaining the ‘salt and pepper’ approach to public housing, including along Northbourne Avenue and in new suburban developments, to avoid creating pockets of disadvantage; and
- (2) calls on the Government to:
  - (a) continue its public housing renewal program;
  - (b) work with public housing tenants affected by the renewal program to identify their individual needs, including location; and
  - (c) ensure that new public housing is cost-effective to build and maintain for the Government and to live in for tenants.”—

be agreed to—put and passed.

#### **4 TEACHER QUALITY AND IMPROVED STUDENT OUTCOMES**

Dr Bourke, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) that first Ministers at last month’s COAG meeting committed to making improved student outcomes and teacher quality a national priority;
  - (b) that the ACT Government will work with the Queensland Government on developing recommendations to improve teacher quality nationally;
  - (c) the contribution the ACT Government has already made to enhancing teacher quality by establishing the Teacher Quality Institute and through its contribution to the Teacher Education Ministerial Advisory Group and the work of the Australian Institute of Teaching and School Leadership;
  - (d) the decision by the Minister for Education and Training to institute a literacy and numeracy test for all new teachers in ACT Public Schools from 2016;

- (e) the ACT Government's introduction of the ACT Teacher Quality Institute (Australian Professional Standards for Teachers) Determination as a requirement for teacher registration in the ACT; and
  - (f) the work the ACT Government is undertaking in collaboration with the University of Canberra and the Australian Catholic University to improve teacher education courses and ensure new graduate teachers are classroom ready; and
- (2) calls on the ACT Government to continue to work with:
- (a) the Commonwealth, States and Territories on implementing national improvements to teacher quality; and
  - (b) employers, universities, teacher and parent groups on improvements to ACT teacher quality to ensure ACT students continue to achieve excellent school outcomes.

Debate ensued.

Question—put and passed.

## 5 QUESTIONS

Questions without notice were asked.

## 6 PAPER

Mr Gentleman (Minister for Planning), having added to an answer to a supplementary question without notice from Mr Doszpot on 6 August 2015, presented the following paper:

Dickson Section 72—Community engagement—List of dates.

## 7 CFMEU—MEDIA CAMPAIGN

Mr Smyth, pursuant to notice, moved—That this Assembly condemns the Construction, Forestry, Mining and Energy Union (CFMEU) for their recent anti-Chinese media campaign.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 8

Mr Coe	Ms Lawder
Mr Doszpot	Mr Smyth
Mrs Dunne	Mr Wall
Mr Hanson	
Mrs Jones	

NOES, 9

Mr Barr	Ms Fitzharris
Ms Berry	Mr Gentleman
Dr Bourke	Ms Porter
Ms Burch	Mr Rattenbury
Mr Corbell	

And so it was negated.

## 8 EMERGENCY SERVICES AGENCY—EXECUTIVE STRUCTURE

Mr Smyth, pursuant to notice, moved—That this Assembly:

- (1) notes that:

- (a) the United Firefighters Union ACT Branch has expressed concerns to the Minister regarding the proposed changes to the Emergency Services Agency (ESA) executive structure;
  - (b) the establishment of three executive positions to oversee support services will not lead to improved efficiencies and effectiveness in emergency service provision for ACT residents; and
  - (c) while the ESA had taken steps to establish operational capabilities across the ACTF&R and ACTRFS following the 2003 bushfires, there is now a perceived reversion to pre-2003 structures and mindset; and
- (2) calls on the Government to:
- (a) re-establish the ESA as a statutory authority, independent of the Justice and Community Safety Directorate, and to be headed by a chief executive officer; and
  - (b) make redundant the role of the Commissioner with amendments to the *Emergencies Act 2004* with new arrangements including the Chief Police Officer to be made Emergency Controller.

Ms Burch (Minister for Police and Emergency Services) moved the following amendment: Omit all words after “That this Assembly”, substitute:

- “(1) notes:
- (a) the commitment of the ACT Government and the Emergency Services Agency (ESA) to continue to deliver nation-leading emergency services to the ACT community;
  - (b) the significant changes put in place as a result of the recommendations of both the Coronial Inquiry and the Inquiry into the Operational Response to the January 2003 Bushfires in the ACT, including the creation of the ESA led by a commissioner;
  - (c) the increase to ESA’s budget of \$15.62 million over the next four years;
  - (d) the amendments to the *Emergencies Act 2004*, which strengthen the coordination of operational services during emergencies;
  - (e) the work the Commissioner is doing, with the support of the Chief Officers, to restructure the agency through the Strategic Reform Agenda;
  - (f) the All Staff letter signed by all Chief Officers on 17 July 2015 supporting the Strategic Reform Agenda and the proposed changes to the executive structure; and
  - (g) the Canberra Liberals’ continuing attacks on the structure of the ESA and its trained and dedicated staff; and
- (2) calls on the Government to provide regular updates to the Assembly on the implementation of the Strategic Reform Agenda.”.

Debate continued.

Question—That Ms Burch’s amendment be agreed to.

The Assembly voted—

AYES, 9		NOES, 8	
Mr Barr	Ms Fitzharris	Mr Coe	Ms Lawder
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Dr Bourke	Ms Porter	Mrs Dunne	Mr Wall
Ms Burch	Mr Rattenbury	Mr Hanson	
Mr Corbell		Mrs Jones	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes the:
  - (a) commitment of the ACT Government and the Emergency Services Agency (ESA) to continue to deliver nation-leading emergency services to the ACT community;
  - (b) significant changes put in place as a result of the recommendations of both the Coronial Inquiry and the Inquiry into the Operational Response to the January 2003 Bushfires in the ACT, including the creation of the ESA led by a commissioner;
  - (c) increase to ESA’s budget of \$15.62 million over the next four years;
  - (d) amendments to the *Emergencies Act 2004*, which strengthen the coordination of operational services during emergencies;
  - (e) work the Commissioner is doing, with the support of the Chief Officers, to restructure the agency through the Strategic Reform Agenda;
  - (f) All Staff letter signed by all Chief Officers on 17 July 2015 supporting the Strategic Reform Agenda and the proposed changes to the executive structure; and
  - (g) Canberra Liberals’ continuing attacks on the structure of the ESA and its trained and dedicated staff; and
- (2) calls on the Government to provide regular updates to the Assembly on the implementation of the Strategic Reform Agenda.”—

be agreed to—put and passed.

## 9 LOCAL SUBURBAN SHOPS—UPGRADES

Mr Coe, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) the importance of local shops to local communities;
  - (b) that many local shops are becoming rundown and are in need of an upgrade;
  - (c) the Government promised in 2012 to upgrade the Evatt, Florey, Fisher, Gwydir Square, Hughes, Glasson St, Macquarie, Mannheim St, Rivett, Fraser, Carleton St, Fadden, Wanniasa, Castley Circuit and Marconi Crescent local shops; and
  - (d) the majority of the promised upgrades have not been completed or even commenced; and

- (2) calls on the Government to undertake the upgrades to all local shops as promised in 2012.

Debate ensued.

Mr Rattenbury (Minister for Territory and Municipal Services) moved the following amendment: Omit all words after “notes”, substitute:

- “(a) the importance of local shops to local communities;
  - (b) the importance of upgrading local shops to assist with their viability and vitality;
  - (c) the Government promised in 2012 to upgrade 15 local shops at Evatt; Florey; Fisher; Gwydir Square; Hughes; Glassey St, Spence; Macquarie; Rivett; Fraser; Fadden; Wanniasa; and Carleton St, Mannheim St, Castley Circuit and Marconi Crescent in Kambah;
  - (d) the Government has had a continuing program of local shop upgrades since 2008 and has upgraded Waramanga, Farrer, Red Hill, Scullin, Lyons, Ainslie, Garran, Charnwood, Griffith, Theodore and Chapman since 2012;
  - (e) upgrades for Cook, Rivett shops and Mannheim St, Kambah are underway and will be finalised in 2015-16;
  - (f) minor upgrades will be undertaken at Torrens, Evatt, Florey and Hughes shops in 2015-16;
  - (g) feedback from the community highlights that, although the ACT Government is able to upgrade the public space around local shopping centres, as the buildings and adjacent land are privately owned, public investment in upgrades does not always create the desired outcome for the community; and
  - (h) the ACT Government is developing a shopping centre co-investment model that will allow for privately and publicly funded upgrades with better overall outcomes for the community; and
- (2) calls on the Government to continue the program of shopping centre upgrades and explore options to leverage greater levels of private investment into these projects.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
  - (a) the importance of local shops to local communities;
  - (b) the importance of upgrading local shops to assist with their viability and vitality;
  - (c) the Government promised in 2012 to upgrade 15 local shops at Evatt; Florey; Fisher; Gwydir Square; Hughes; Glassey St, Spence; Macquarie; Rivett; Fraser; Fadden; Wanniasa; and Carleton St, Mannheim St, Castley Circuit and Marconi Crescent in Kambah;

- (d) the Government has had a continuing program of local shop upgrades since 2008 and has upgraded Waramanga, Farrer, Red Hill, Scullin, Lyons, Ainslie, Garran, Charnwood, Griffith, Theodore and Chapman since 2012;
  - (e) upgrades for Cook, Rivett shops and Mannheim St, Kambah are underway and will be finalised in 2015-16;
  - (f) minor upgrades will be undertaken at Torrens, Evatt, Florey and Hughes shops in 2015-16;
  - (g) feedback from the community highlights that, although the ACT Government is able to upgrade the public space around local shopping centres, as the buildings and adjacent land are privately owned, public investment in upgrades does not always create the desired outcome for the community; and
  - (h) the ACT Government is developing a shopping centre co-investment model that will allow for privately and publicly funded upgrades with better overall outcomes for the community; and
- (2) calls on the Government to continue the program of shopping centre upgrades and explore options to leverage greater levels of private investment into these projects.”—

be agreed to—put and passed.

## **10 EXECUTIVE BUSINESS—PRECEDENCE**

Ordered—That Executive business be called on forthwith.

## **11 ADJOURNMENT NEGATIVED**

It being approximately 6 p.m.—The question was proposed—That the Assembly do now adjourn.

Ms Burch (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

## **12 APPROPRIATION BILL 2015-2016**

The Assembly resumed further consideration at the detail stage.

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### *Detail Stage*

Schedule 1—Appropriations—Proposed expenditure—

Consideration resumed on Part 1.9—Education and Training Directorate—

Debate continued.

Proposed expenditure agreed to.

Part 1.10—Environment and Planning Directorate—debated and agreed to.

Part 1.11—Health Directorate—debated—

Debate adjourned (Mr Smyth) and the resumption of the debate made an order of the day for the next sitting.

**13 ADJOURNMENT**

Ms Burch (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 9.38 p.m., adjourned until tomorrow at 10 a.m.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting.

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**Tom Duncan**  
Clerk of the Legislative Assembly