



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**SIXTH ASSEMBLY**

**6 MARCH 2008**

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**Thursday, 6 March 2008**

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**Thursday, 6 March 2008**

**MR SPEAKER** (Mr Berry) took the chair at 10.30 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

## **Petition**

*The following petition was lodged for presentation, by Mr Mulcahy, from 20 residents:*

### **Griffith oval (No 1)**

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

*There is a Development Application to construct a fence around Griffith Oval (No 1), a public playing field.*

Your petitioners therefore request the Assembly to:

*Disallow any planning application to fence in Griffith Oval (No 1).*

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

## **Tobacco Amendment Bill 2008**

**Ms Gallagher**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS GALLAGHER** (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (10.31): I move:

That this bill be agreed to in principle.

I am delighted to introduce today the Tobacco Amendment Bill 2008. This bill significantly reforms the Tobacco Act 1927 to prohibit point-of-sale displays; remove the ministerial exemption for smoking and tobacco advertising sponsorship; amend the definition of vending machine; ban rewards for smoking product purchasers; include a power for the minister to declare flavoured cigarettes to be prohibited; prohibit split packets; and harmonise the act to the principles of the Criminal Code 2002.

The bill will place the territory at the forefront of regulation on point-of-sale displays, with the most restrictive requirements—that is, smoking products must be kept out of sight at point of sale. Part 2 of the Tobacco Act is to be amended to remove the complex display formula to apply a simple rule. If you sell tobacco, it must not be displayed. The display is one of the last remaining ways tobacco companies are able to display their wares. Storing tobacco out of sight will prevent people, in particular children, from being able to see tobacco. Research shows that point-of-sale display acts to promote and normalise smoking. The territory will be the first to send the message that it is not normal. Tasmania will join the ACT in removing point-of-sale displays from February 2011.

This bill strengthens the ban on receiving a reward such as a discount fuel voucher or fly-buy points in return for purchasing cigarettes. The government is concerned that these incentives reward people for purchasing smoking products. These rewards may even be inducing greater consumption because some people may spend more on bulk smoking product purchases in order to reach the threshold for a reward. The bill amends the act to explicitly exclude smoking products from such schemes. It is hoped that this will reduce tobacco consumption rates even more and sends a clear message that tobacco smoking is not to be rewarded.

The bill removes ministerial exemptions inserted into the act in 1990 to exempt certain smoking and tobacco advertising and sponsorship from the ban. The last exemption notified under the act was in August 1995. It is clear that the ACT is able to obtain sponsorship of its major events without the support of tobacco companies, so it is proposed to remove the ability to exempt such advertising and sponsorship in recognition of this. The commonwealth removed its exemption for sponsorship-related advertising for events of international significance in October 2006.

A new provision is to be included in the bill to give a power to the minister to declare certain smoking products to be prohibited. This will allow the government to move quickly to prohibit smoking products once the minister is satisfied that the smoking product or the smoke of the product has a distinctive fruity, sweet or confectionery-like character and that the nature of the product or its packaging may be attractive to children.

The ACT government identified fruit-flavoured cigarettes as a matter of concern in August 2005. Since then a condition has existed on all tobacco licences prohibiting the sale or display of fruit-flavoured cigarettes. The condition was an interim measure whilst consultation was undertaken on the best approach to regulate flavoured cigarettes. As a result, a provision that covers all possible products that may be attractive to children has been included.

The bill also closes a significant loophole that has allowed vending machines, though controlled by bar staff, to continue operating in the territory. As the intention of the vending machine ban that commenced in 2006 was to prevent ready access to smoking products, the definition is to be amended.

The ACT has one of the lowest percentages of adults who smoke—16.4 per cent. It is hoped that the reforms I am announcing today will see that figure reduce even more. I commend the bill to the Assembly.

Debate (on motion by **Mrs Burke**) adjourned to the next sitting.

## **Children and Young People Bill 2008**

**Ms Gallagher**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MS GALLAGHER** (Molonglo—Minister for Health, Minister for Children and Young People, Minister for Disability and Community Services, Minister for Women) (10.36): I move:

That this bill be agreed to in principle.

Along with the Attorney-General, I am pleased to introduce the Children and Young People Bill 2008. The bill proposes significant reform to the law relating to the care, protection and wellbeing of children and young people in the territory. I am very proud of the significant amount of work that has been undertaken in our review of the Children and Young People Act 1999. As members will be aware, the act commenced in May 2000 and provided for an operational review within three years.

In 2002, an extensive consultation process was commenced, involving a broad range of stakeholders, both government and non-government. These included children, young people, community organisations, legal agencies, ministerial advisory councils, unions and the judiciary. There have been forums, interviews, written submissions, reviews of related government reviews and inquiries, as well as the tabling of three interim progress reports.

Given the absolute importance of this legislation, we were determined to get it right. Changes had to be carefully measured and this was not something that would occur overnight. The new bill is, we believe, testimony to the care and attention to detail that was necessary to ensure the proper care and protection of children and young people in the ACT. We are the first Australian state or territory to review child welfare legislation in the context of a human rights act, something that we believe is very significant.

The review has already generated a number of important changes regarding the welfare of children and young people in the territory. Members will again recall that in 2006 the current act was amended to allow for the implementation of cultural plans for Aboriginal and Torres Strait Islander children and young people. A new principle was introduced to help families understand care and protection procedures, as well as a new concept of a child or young person being at risk of abuse or neglect. In 2007, another amendment introduced prenatal reporting and a revised search and seizure scheme for the youth detention centre.

The bill before us today—the Children and Young People Bill 2008—takes these reforms even further. Specifically, it addresses the welfare of children and young people at risk of abuse and neglect, as well as the sentencing of people who have offended while they were a child or young person. It also addresses the administration of sentences given to young offenders, the administration of the youth detention centre, the regulation of childcare centres, and the employment of children and young people. As well as this, the bill also implements a number of recommendations from inquiries relating to children and young people in the territory. These inquiries included the Vardon report, the Murray report, the inquiry into the rights, wellbeing and interests of children and young people, and the human rights audit of the Quamby Youth Detention Centre.

Last year, an exposure draft of the bill was released for community consultation. The findings from this consultation further contributed to the development of the bill. The bill introduces a range of key policy changes. In the area of care and protection, the bill allows the chief executive to commence a range of actions in response to concerns received about the abuse or neglect of a child or young person. These actions would follow an initial risk assessment and could include voluntary support options. New appraisal orders and more comprehensive assessment powers are established to assess and respond, at the earliest stage, to children and young people who are suspected to be at risk of abuse and neglect.

The bill also establishes a more transparent system for drug testing primary caregivers, through the introduction of standards for drug testing and care, as well as protection orders with drug use provisions. These orders will allow an assessment of a primary caregiver's use of substances in order to assess parenting capacity. There will be greater stability and certainty for children and young people subject to care and protection orders. This would be achieved through the introduction of stability proposals in care plans and, in circumstances where a parent is unlikely to resume care, the introduction of a statutory rule that favours the extension of orders until the child or young person turns 18. There will be improved protections for children and young people exposed to domestic violence who are the subject of care and protection proceedings.

The bill also enables the Children's Court to make interim and final protection orders for children and young people who are exposed to domestic violence in their home. The bill introduces improved safeguards for children and young people who are subject to therapeutic protection orders, to ensure that the orders are only used as a last resort. It also limits the period of confinement and exercise of powers to that which is reasonably necessary to safeguard the child's or young person's wellbeing, interests or human rights.

Children who may be at risk of abuse or neglect at birth will be better protected through the introduction of powers to share pre-natal information with certain agencies. This will be in cases where the consent of the pregnant woman has been sought but not obtained. Finally, protections for children and young people who live in out-of-home care will be enhanced through the establishment of a clear framework to assess and monitor the ongoing suitability of carers and care services. Out-of-home

care standards will also be introduced and access to personal information held by care services enhanced.

In the area of youth justice, the bill establishes a comprehensive framework regarding the chief executive's powers and responsibilities in administering a place of detention for young detainees. Where appropriate, the framework is consistent with the Corrections Management Act 2007 to ensure that young detainees have the same minimal level of protections as adult offenders. However, it is worth noting that the Office for Children, Youth and Family Support will continue to manage both Quamby and the new Bimberi detention centre, ensuring that they maintain a focus on the unique needs of young people.

The bill addresses important recommendations of the human rights audit of Quamby Youth Detention Centre. It also elevates administrative powers relating to youth detention. The bill embodies and expresses relevant international human rights standards for children and young people deprived of their liberty. It will provide for increased transparency and accountability for the operations of the new Bimberi Youth Justice Centre and will ensure that young detainees, and others, know their rights and responsibilities in ensuring a safe detention environment.

Consistent with the government's commitment to safe and healthy environments, the Youth Justice Centre at Bimberi will be a smoke-free environment. All staff, visitors, children and young people will be bound by this policy. Powers currently existing in standing orders for the Quamby Youth Detention Centre will be replaced with the new act and generally, publicly available policies and procedures.

The bill restructures and modernises the sentencing of children and young people and the administration of their sentences. The bill consolidates these provisions for children and young people in the Crimes (Sentencing) Act 2005, the Crimes (Sentence Administration) Act 2005 and the Court Procedures Act 2004.

The criminal justice amendments focus on rehabilitation, flexibility and consistency in sentencing young offenders. Article 14 (4) of the International Covenant on Civil and Political Rights provides that, when dealing with young people, the decisions that the courts make must take into account the age of the young person and the desirability of promoting their rehabilitation. The bill provides for a sentencing methodology consistent with the United Nations Convention on the Rights of the Child and Australian common law that applies to all people under the age of 18. The primary purpose of sentencing young people is rehabilitation.

While the principle of rehabilitation is the starting point for sentencing children and young people, this does not mean purposes such as community safety or accountability are left unconsidered. Sentencing courts would consider applying those purposes in cases of serious offences or serious recidivism, having first considered the purpose of rehabilitation.

The bill will provide the Children's Court and the Supreme Court with a number of new sentencing options, which will enable sentencing courts to tailor sentences to the specific rehabilitative needs of young offenders. The government has responded to

calls from the Children's Court and the Supreme Court for consistency of sentencing dispositions and availability of dispositions to young offenders.

This bill achieves that goal by enabling the availability of sentencing dispositions that are currently limited to adults, along with the sentencing dispositions that are specifically relevant to children. For example, the Children's Court and the Supreme Court will be able to impose a good behaviour order with a range of tailored conditions, such as an educational condition, an accommodation condition, a rehabilitation condition, or any combination of conditions. The court will have the ability to impose place restriction and non-association orders on young offenders or to sentence a young offender to a suspended sentence or a deferred sentence order. It will also be open to the court to sentence a young offender to a term of periodic detention if the person turns 18 during the term of the sentence.

The bill will abolish the old remission schemes for sentences of imprisonment and replace it with a scheme requiring sentencing courts to consider placing young offenders on a good behaviour order, with a supervision condition to commence at the end of a term of imprisonment. This is a practice that the Children's Court uses at present and we believe that it is an appropriate means to supervise a young person's return to the community.

The bill enhances the Children's Court as a specialist court for dealing with young offenders in care and protection matters. The court will have the jurisdiction to hear any criminal prosecution relating to any crime allegedly committed by a person who was under 18 years of age at the time of the offence. The only exception to this rule would be offences that are punishable by life imprisonment, which must be heard by the Supreme Court. However, the court will have the power to impose a sentence up to and including two years imprisonment. If the Children's Court thinks that a sentence of more than two years imprisonment might be appropriate then it will have the power to commit the matter to the Supreme Court. Further, young people charged before the Children's Court would retain the right to elect to have a charge for an indictable offence heard before a jury in the Supreme Court.

The bill also consolidates and modernises provisions that govern the court procedures for matters involving children and young people. The procedures will be common to proceedings in both the Children's Court and the Supreme Court. These amendments draw on the terms of the Convention on the Rights of the Child and the jurisprudence of the European Court of Human Rights in relation to how proceedings should be conducted when dealing with children and young people.

Attending court can be a confusing and intimidating experience for people generally, let alone for children and young people. The bill will enable the Children's Court and the Supreme Court to develop common rules of court that account for the particular needs of children and young people.

In the area of childcare services, the bill introduces a number of significant policy changes in the regulation of services providing care for children. This is to increase transparency and consistency, reduce administrative burden and improve the quality of services provided. Childcare services will be required to comply with enforceable

minimum standards. Parents of children cared for by a childcare service will be notified in the event that a childcare service proprietor does not comply with a standard. Parents and other community members will have better information about the quality of childcare services through the introduction of public reporting of compliance with standards. Administrative burden will be reduced for childcare service proprietors, who will no longer be required to hold an approval in principle prior to obtaining a childcare service licence.

In the area of employment law for children and young people, the bill balances the need to protect children and young people from the risk of harm in employment while preserving their right to engage in and benefit from employment. Key changes include new powers to make standards that protect all children and young people in employment and children and young people in work experience. There is also a new definition of light work, to ensure that children and young people under school leaving age can engage in and benefit from light work that is deemed by employers, within the meaning set out by the bill, to be in the child or young person's best interests. There will also be a new power of the minister to declare an industry, occupation or activity to be high-risk employment if it is likely to harm a child or young person's health, safety, personal or social development.

Across the bill there are many general changes that will improve protections for children and young people. Children and young people who receive services regulated by the act will have greater safeguards. There is an expanded suitability test for people providing services or exercising functions under the act. It will, importantly, consider information about the conviction or finding of guilt of a person for a sexual offence, an offence involving violence or an offence against an animal.

People subject to the suitability test will have a new ongoing duty to report certain changes to suitability information. Children, young people and their families will also have more opportunities to participate in planning and decision-making processes under the act. The family group conferencing model has been expanded to facilitate the wellbeing and interests of a child or young person who is subject to care and protection or youth justice interventions. There are also new consultation requirements for the chief executive in relation to annual review reports. Children and young people subject to actions under the act who participate in certain research projects will be protected by new research standards, which researchers must comply with.

Finally, a new information sharing and protection framework will enable more effective and timely support to children, young people and their families. This will be achieved by improving information sharing between key agencies and professionals, while protecting the privacy of the individuals concerned. The framework includes new powers for members of a child or young person's care team to share information with each other.

Today, I have only highlighted some of the key policy changes proposed by this bill. However, they make clear the bill's significant scope and the high degree of work that has been required over a number of years to deliver this important legislation. Given the large size of the bill—I understand it may be the largest bill introduced into the

Assembly—I will ensure that officers from my department are available to brief every Assembly member on the key policy considerations and provide any necessary advice that members may wish to have.

I would like to acknowledge the efforts of my colleague Simon Corbell and the Department of Justice and Community Safety. This bill is the simplified version, once JACS got involved. Their cooperation with DHCS has significantly improved the bill overall, and I acknowledge their input. I also acknowledge the enormous community input that has been involved in putting this bill together. This has occurred over the last four years. Many community organisations and community members have provided input into this legislation.

I would also like to specifically acknowledge, in the Department of Disability, Housing and Community Services, Fiona McIntosh, Angela Buchanan—who has spent the last four years working on this piece of legislation—and, in the past, Adam Stankevicius, who did not survive the legislation before he moved on, and recently Meredith Whitten. I also acknowledge in my office Garrett Purtil, who has been living and breathing this legislation for the last four years.

Debate (on motion by **Mrs Dunne**) adjourned to the next sitting.

## **Justice and Community Safety Legislation Amendment Bill 2008**

**Mr Corbell**, pursuant to notice, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services) (10.53): I move:

That this bill be agreed to in principle.

The Justice and Community Safety Legislation Amendment Bill 2008 is the 18th bill in a series of bills dealing with legislation within the Justice and Community Safety portfolio. This bill makes minor and technical amendments to portfolio legislation. The bill I am introducing today makes the following amendments to the following acts.

Minor amendments have been made to sections 41A to 41D of the Administration and Probate Act 1929 to remove inappropriate references to people who have died before, on or after 1 January 1966. The bill also amends a number of other sections throughout the act which refer inconsistently to duties and powers which have been replaced with the term “function”, which is defined in the Legislation Act 2001 as including authority, duty and power.

The bill amends sections 39 and 40 of the Crimes (Restorative Justice) Act 2004 to facilitate a better process for the appointment and assignment of convenors to undertake restorative justice. Currently, the act allows the chief executive to appoint a

non-lawyer as a convenor only if the chief executive is satisfied that the non-lawyer has received sufficient legal training to advise those who take part in restorative justice of their rights and duties at law and under the act.

The requirement that a person must have sufficient legal training before appointment as a convenor, as distinct from assignment to facilitate a specific restorative justice conference, precludes appointment of otherwise suitable people who may not have had legal training but do have relevant experience and are willing and capable of undertaking legal training, as required. These amendments create opportunities for capable people with relevant experience to undertake the required legal training after being appointed as a convenor, but before being assigned to convene a restorative justice conference. These amendments make no changes to the current standards of training and expertise required of staff working in the convenor role.

The bill also amends the Crimes (Restorative Justice) Act 2004 to allow all ACT police officers to refer matters, where appropriate, to restorative justice, removing the need for the Chief Police Officer to personally refer every matter from the Australian Federal Police.

The bill amends the Crimes (Sentencing) Act 2005 to include a definitional section, which was a transitional provision in the Crimes (Sentencing) Regulation 2006, which has now expired.

The bill amends the Human Rights Commission Act 2005 to update the legislation to better reflect the operational requirements of the commission, and to clarify areas of uncertainty. For example, the objects of the act have been restructured to emphasise that the main object of the act is to promote the human rights and welfare of people living in the ACT and that this is achieved by the establishment of the Human Rights Commission. The bill also amends the act to allow the commissioners to delegate their functions to other commissioners for expediency.

To avoid confusion, the bill amends the act to explicitly mention “services” as well as “acts”, given that many other provisions in the act mention these terms. The bill also amends the act to improve the notification provisions by the commission in cases where the commission is satisfied that the complaint is frivolous, vexatious or not made honestly, or where the complaint lacks substance. The act currently requires the commission to notify persons complained about before the complaint could be considered. This means that persons complained about have to be notified even of vexatious and unfounded complaints.

The bill amends the act to assist the commission to maintain statistics on the resolution of complaints. It also amends section 78 (2) (e) to replace the word “considered” with the words “dealt with”, as this wording is a more accurate reflection of the circumstances in which the commission deals with complaints. The bill amends the act to clarify the procedure surrounding the closure of discrimination complaints and to prevent the duplication of discrimination referral statements being issued. The bill also amends the act to include a referral power for the commission to refer complaints to other more appropriate statutory office holders. This power is based on the referral power in the ACT Ombudsman Act 1989.

The bill amends the Partnership Act 1963 to recognise the new early-stage venture capital limited partnership investment vehicle. These amendments will allow investors in start-up Australian innovation enterprises to receive a number of tax concessions, reinforcing the reputation of the ACT as a positive place to do business. The ACT will be one of the first jurisdictions to amend its partnership laws to recognise this new investment vehicle, and this should encourage venture capital investment in the ACT. Only a limited partnership or an incorporated limited partnership established under a law of a state or territory is eligible to be registered under the commonwealth legislation. Consequential amendments have been made to the partnership legislation to recognise the newly created investment vehicle.

The bill amends the Residential Tenancies Act 1997 to give the Residential Tenancies Tribunal an explicit power to make a termination and possession order where there has been a breach of a specific performance order by the tribunal. A recent Supreme Court decision has ruled that section 42 of the act—conditional termination and possession orders—may only be used in rental arrears cases. This has left many lessors—in particular, Housing ACT—with eviction and possession as their only apparent remedies when faced with breaches of a lease.

As a result of the Supreme Court ruling against the practice of the Residential Tenancies Tribunal imposing conditional orders for non-rent breaches, this has left Housing ACT in a difficult position in relation to other breaches of the agreement—particularly those breaches by a tenant who interferes with the quiet enjoyment of neighbouring tenants. Rather than expanding the scope of conditional orders, which nevertheless remain well suited to deal with failures to pay rent, it is proposed to give the tribunal an explicit power to make an order for specific performance.

This amendment will provide parties and the tribunal with an additional remedial alternative rather than a party applying for an immediate eviction order. For example, when a tenant breaches an order for specific performance, the landlord would be obliged to return to court, but would only need to prove the breach in order to get relief. This initiative should enhance security of tenure and reduce the level of eviction rates. It will also give additional certainty to a lessor when a breach of a specific performance order occurs.

The bill amends the act to provide that the power to make a conditional order under section 42 is expressly confined to rent arrears cases and makes a number of consequential amendments in the act. The bill also amends the Residential Tenancies Act to remove any uncertainty about the power of the president of the tribunal to appoint a member of the tribunal for particular hearings.

The bill amends the Utilities Act 2000 to rename the Essential Services Consumer Council, or the ESCC, as the Energy and Water Consumer Council, or EWCC. The name change will better inform consumers about what the council does, which is dealing with energy and water complaints, and not other essential services such as housing and communications. Also, the use of the term “Energy and Water” is more consistent with equivalent bodies in other states and territories. The bill also makes consequential amendments to other legislation, including the Court Procedures Act 2004, the Magistrates Court Act 1930 and the Ombudsman Act 1989.

Finally, this bill amends the Victims of Crime (Financial Assistance) Act 1983, which contains a table of violent crimes for the purposes of the act. The previous table omitted two offences of a distinctly violent nature: culpable driving and sexual servitude offences under the Crimes Act 1900. These offences have a strong element of violence, and have been included in the list of violent crimes in the Victims of Crime (Financial Assistance) Act 1983. I commend the bill to the Assembly.

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

## **Administration and Procedure—Standing Committee Report 2**

Debate resumed from 6 December 2007, on motion by **Mr Smyth**:

That the report be adopted.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services) (11.03): The government will be supporting the motion that this report be adopted. The reason for that is that this report by the Standing Committee on Administration and Procedure is the culmination of an extremely long process of inquiry and report to this place into the modernisation of the Assembly's standing orders and other resolutions.

It is worth while to reflect on the fact that the committee originally resolved to inquire into and report on a review of the standing orders of the Assembly on 7 June 2005. That was a considerable time ago; indeed, three and a bit years have elapsed since that time. It is probably one of the longest inquiries in the history of this place. It has been interrupted by at least one Assembly election during that time. It is appropriate that we now proceed to deal with these matters. I beg your pardon; it has not been interrupted by an Assembly election, but it has been a longstanding inquiry.

The changes outlined by the Standing Committee on Administration and Procedure in some respects endorsed an approach which the government is very supportive of: the removal of archaic and confusing language and the replacement with common English alternatives or plain English alternatives. That is a welcome change. Other changes outlined include changes to the title "Temporary Deputy Speaker" and replacement with the term "Assistant Speaker". That will aid debate in this place and ensure that members refer to the relevant presiding officer by their appropriate title.

The report also makes changes to a wide range of other procedures and orders of the Assembly. I note the intention of the committee to change the name of the standing orders themselves—from "standing orders and other orders of the Assembly" to "standing orders and continuing resolutions of the Assembly"—I think that is the language proposed. That reflects practice which has grown in this place that there is a series of continuing resolutions that, regardless of the passage of elections, continue to be in place until the Assembly decides otherwise.

I note changes to procedure in relation to answers and the time limits on answers that ministers give during question time. In relation to the time for answers, I welcome the proposal that the stop clocks here in the Assembly are stopped when members take

points of order or when other procedural matters are in play. That is a sensible amendment that provides for recognition that the use of points of order or other procedural motions in this place should not detract from the time available for ministers to answer questions.

I welcome changes in relation to petitions and the fact that there will be a new requirement for relevant ministers to respond to the Assembly on petitions within a set time period. This is a sensible reform. It is a reform that will provide for ministers and the government as a whole to make clear to the Assembly its position in relation to matters that are raised by petitioners to the Assembly. That will help to reinforce the value of petitions as a means of advocating a cause to this place. Currently, as has been observed, petitions disappear into the ether and nothing is necessarily done as a result of them—or it is perhaps more the case that nothing is seen to be done as a result of them. This will allow government ministers and the government as a whole to outline to the Assembly what has occurred in response to particular petitions that are presented to the Assembly.

There are a range of other procedural changes that I will not go into at this time. I will, however, respond briefly to the amendments that have been foreshadowed by Mrs Dunne and that have been circulated in the chamber this morning. The government is extremely surprised to see, at one minute to midnight after an inquiry lasting over three years, that all of a sudden there is a series of quite substantive amendments proposed by the Liberal opposition. The government's strong view is that these matters should have been raised by the Liberal Party's representative during the course of the 3½-year inquiry into the standing orders. There would then have been adequate time for all of these matters to have been considered in the tripartisan way in which the rest of this report is presented to the Assembly.

So I foreshadow that the government will not support these amendments today. The reason for that is quite a simple one. These are matters that should have been dealt with in the course of the 3½-year inquiry. It is simply not good enough, after 3½ years of inquiry, to come to this Assembly at one minute to midnight and say, "We want substantive changes to the standing orders." For over 3½ years the opportunity has been on the table to consider substantive changes to the standing orders. I am advised by the government's representative on the committee, Ms MacDonald, that the amendments circulated today have not been proposed in any of that time.

The amendments reflect the shambles that is the Liberal opposition in this place more than any serious attempt to engage in a considered process to develop reforms to our standing orders. Why couldn't the Liberal Party have taken the opportunity to raise these matters in the past 3½ years? Were they asleep on the job? Was Mr Smyth asleep on the job as the Liberal Party's representative on the committee? Or was it Mrs Burke? I think Mrs Burke was on this committee for a period of time as well. Was she asleep on the job? I think the answer to both of those things is yes, they were. It is simply not good enough, at one minute to midnight, to introduce these provisions into what is a very lengthy and considered report by the committee—a report that, as I understand it, has cross-party endorsement and that has taken 3½ years to get to this point—3½ years.

**Mr Smyth:** Tedious repetition, Mr Speaker.

**MR SPEAKER:** Reinforcement.

**MR CORBELL:** For all those reasons, the government does not support this last-minute, disorganised shambles of amendment. The Liberal Party need to explain why, in the course of the inquiry and in the course of consultation that occurred amongst all members about what the standing orders should be in this place, they never took the opportunity to introduce these amendments as proposals at an earlier time.

The government welcome the standing committee's report; we support its recommendations in full; and we are very supportive of the motion that they be introduced as the first and most significant reform of our standing orders since self-government. It is a great disappointment to us that at one minute to midnight the Liberal Party seek to be wreckers—and the shambles that they are in, trying to derail the whole process. It is just not good enough; the government will not support those amendments.

**MRS BURKE (Molonglo) (11.13):** That is a bit of a disappointing start to what was going to be quite a historic debate today in this chamber. Mr Speaker, you would be one who would be very much welcoming of this debate. It was pleasing to see that the government enforced a lot of the amendments put forward by the opposition. Contrary to belief by the government people—I do not know how many if we want to get down to numbers, who put in what and how many. It has got rather petty. Mr Corbell's ridiculous diatribe opened this debate in a rather sad way. We will leave that there.

Mrs Dunne's amendments have been circulated this morning. It is a pity that it would appear that the government, at the 11th hour, can change their minds on a whole raft of things but we cannot work on an ongoing basis to say, "Well, hang on a minute; we have gone back to it. We see there needs to be refinement." This is a big bill. It is a monumental change. No significant changes have been made to this bill since 1989.

**Ms Gallagher:** It is not a bill.

**Mr Corbell:** It is not a bill. It is not an act of the Assembly.

**MRS BURKE:** All right, you smarties over there. The debate that we have this morning is about standing orders that we operate under in this place. If we want to get to that, Mr Corbell, if we want to get to your point of order, if you are making one, get to your feet. We were talking about scrutiny. That is what Mrs Dunne's amendments propose to deal with. She proposes more scrutiny. You want less. That is a bit of a disappointment in itself.

I will make some brief comments. I have not been on the committee for the majority of this debate but I am more than happy to look at what the committee has been able to achieve today, and that is to have a much more streamlined approach to the standing orders that we all operate and work under in this place.

The proposed standing orders have been decided upon to streamline and simplify. On page 61 of volume 2, there is reference to things like terms of language—plain English, for example—terminology, grammatical changes, clarifications of meanings, points of order, syntax et cetera. There are a lot of positive moves. I was talking to the

Clerk and the Deputy Clerk about the way that the document is now set out. It is simpler and easier to read, particularly for new members coming in. I have always said that in this place there is a lot of assumed knowledge when a new member comes in. They are supposed to pick this up and run with it. The chapters now are clearly defined—what they are about and what they are going to cover. That is a very positive move.

There have been changes to the resolutions of continuing effect. In effect, they now become standing orders. That makes total sense. They become embodied within the whole review of standing orders as we have it now. There is a new chapter on privilege and contempt. This brings all matters together in one section, which is another positive move. It is a really good step forward.

I took on board Mr Corbell's points about the petitions that are handed in. It means that now—and it is right and proper—people who are handing in a petition do not just feel that it gets left in this place and nothing happens. I am not saying that that is the case and that that is what happens, but that is the perception and then that becomes reality. The ministers have to pick up on that as a very positive thing.

The stopping of the clock on points of order is another good step forward in regard to question time.

I am still looking through the amendments. Contrary to what the government says, we need to see now how the standing orders now amended will work in practice. I do not think that anything is ever set in concrete. The government leads the way in this, for goodness sake. Changing your mind or moving amendments 10 weeks ago or today—what difference does that make? That is a little petty—to be going off on that tangent. It shows that we are working continuously rather than being asleep on the job—that we are continuously looking to make sure that the orders of this place are workable and manageable.

My colleagues are going to speak further on amendments that they have moved. I notice that Mr Mulcahy, Mrs Dunne and Mr Smyth have moved amendments. They will each talk on theirs.

I thank the committee who have had input and who have put in many, many hours work on this. A lot has gone into it. As the manager of government business said, many, many years of work have gone into this. You cannot just say that we should not be able to table things at a later stage; that is a ridiculous thing to say. I welcome members working on this as a working document. It is not set in concrete.

**Mr Corbell:** Nice try there.

**Mrs Dunne:** Why don't you tell us what you have done?

**MRS BURKE:** Yes, let us hear what you have done, Mr Corbell. I do not see anything about what you have done.

**Mrs Dunne:** Why don't you tell us? Why don't you be honest for a change?

**Mr Corbell:** We have actually got two Liberal amendments—not just one Liberal amendment: two Liberal amendments from two different factions within the Liberal Party.

**MR SPEAKER:** Order!

**MRS BURKE:** Mr Speaker, it is obvious that Mr Corbell is very upset about this.

**Mr Corbell:** What a joke.

**MR SPEAKER:** Order!

**MRS BURKE:** He is obviously very upset about this—and very touchy this morning. Mr Speaker, I will leave it there; I will leave my colleagues Mrs Dunne and Mr Smyth, who were there for a large portion of the workings through the committee, to speak for themselves.

**DR FOSKEY (Molonglo) (11.19):** I was on the Standing Committee on Administration and Procedure through the whole of the long haul on the standing orders. I want to remind people of something. I do not know if you have forgotten about it, but almost the minute that I came into this place something landed in my in-tray—a document that was about comments on the standing orders. At that time, not knowing very much about how this place worked, I sat down and, with my staff, worked through some of those comments and submitted those. I believe they were added into the standing orders as draft text—added to the draft.

I am aware that the staff of the Clerk's office conducted a number of roundtables or workshops on the standing orders to which all members were invited. I did not attend those, but I believe that there was a very exhaustive process there. And I am aware that, for about the last year, page by page, clause by clause, the committee has been working through these standing orders.

Today we have three lots of amendments. Some of these are probably good amendments, and I am not denying that. For instance, as a member of the crossbench I think that Mr Mulcahy's amendment is an improvement on Mrs Dunne's amendment No 3. What if, after the election, the opposition has only three or four people and they are going to be heading up all these committees? There are certain things we do not want to set in cement now. I think that we will have to see what the new Assembly looks like, because the appropriateness of some of these amendments cannot be judged at this moment.

But my main concern is that the amendments have just arrived now. I know what a process it has been. I know how difficult it has been for the Clerk's office and his staff to get members to even give their attention to this process. And here we go: it lands on our desk and suddenly everyone is giving it attention. I know this process. It is human nature. There is no blame attached to it. It is just what happens: deadlines occur and then "whoops", five minutes behind the deadline.

It is especially interesting that Mr Smyth has amendments. He was there during the last few meetings of the committee when we sat down and went through it, I thought, word by word. It is unfortunate if the Liberals' perspective was not purveyed into the process, and I understand that that would have been quite difficult.

**Mr Smyth:** That's not true.

**Mrs Burke:** You had better withdraw that.

**DR FOSKEY:** I want to say this without actually judging the amendments; I am not dismissing the fact that some of them could be really important, including the one that lists the number of committees that we have—to be put in the standing orders. That is probably a good one, though I know it is not going to get through, Vicki, given the numbers in this house. Some of these really do deserve scrutiny. Again, it is really up to the next Assembly. The Clerk must be groaning as I say this, because I am quite sure that every Assembly has felt that it has to give attention to the standing orders.

All I can say is that what we have got now is better than what we had before. If I was doing what the others were doing, I would probably move an amendment to have something in the standing orders that allows a member to stand up and say, "I have been misrepresented" or "Those are not the facts." I have come across that frustration; I do not think that the standing orders cover it. Maybe the concern is that a member would be standing up all the time, because there are frequent misrepresentations and frequently incorrect facts are cited in this place. But I will leave that. I am now four years into the process. I am probably a better judge of the standing orders than I was when I arrived. I will leave it there.

**MRS DUNNE (Ginninderra) (11.24):** I move:

Add the following words: "and the following new standing orders be adopted:

## **Chapter 20**

### **Committees**

(1) Add new standing order after standing order 215:

215A The Assembly shall, as a minimum, establish standing committees on:

- (a) Scrutiny of Bills and Subordinate Legislation;
- (b) Public Accounts; and
- (c) Planning.

(2) Amendment to standing order 217: After 'select committees', insert 'And the Assembly must establish a select committee on estimates to enquire into the annual budget.'.

(3) Amendment to standing order 225: Add 'In the case of the Standing Committee on Scrutiny of Bills and Subordinate Legislation, the Standing

Committee on Public Accounts and the Select Committee on Estimates, the Chair shall be a member of the Opposition.’”.

It is undoubtedly the case that the review of the standing orders which came into this place in December last year is important and is testament to a lot of work by most of the members in this place over a long time—and the staff of the Assembly as well. It is a substantial amount of work and it reflects the substantial need for the updating of our standing orders. The standing orders were something that essentially grew like Topsy over the previous 17 years of the Legislative Assembly. Those standing orders were essentially imposed upon the Assembly in the first instance, and this is the first time that the Assembly has really taken ownership of them. This is an extraordinarily important piece of work. The input from the members of the Assembly has been long and ongoing, and that will continue to be the case.

Before I get to Mr Corbell’s remarks, there are a couple of comments I would like to make. There are substantial improvements in this. One that I would particularly like to refer to is that we now have a separate and stand-alone chapter on privilege. That was probably the thing that is most lacking in the current standing orders and I think that will be a substantial improvement.

The manager of government business adverted to the new procedure for dealing with petitions. From my study of accountability mechanisms in a range of parliaments, that is a good first start but it is something that the Assembly and future assemblies should look at. There is scope for even more accountability by ministers in relation to petitions, and there are many other mechanisms by which this could be done. The Australasian Study of Parliament Group conference in Adelaide last year concentrated on these things. There were a number of models proposed, one of which was direct and immediate reference to a committee—for a committee of the Assembly to inquire into the petition. After all, a petition is not to a minister; it is to the Assembly and perhaps it should be more the job of a committee to consider it.

That is something that we should be looking at. We should be looking at how this change to standing orders works and seeing whether this is enough of an accountability mechanism. We should make sure that the people who make the effort to speak to the Assembly through the mechanism of a petition are actually having their issues considered. At the moment, a petition arrives here and then goes into a vault somewhere; the minister takes no responsibility for it. Last year, with attempts to refer petitions in relation to school closures to the standing committee on education, we saw that this government was not very keen on accountability when it came to petitions. The change is a good start, but if I continue in this place I will be watching this and I hope that there will be more innovation here.

I come to the innovation which I have proposed today in the amendments which have been circulated. Mr Corbell gets up on his high horse and says, “This is an outrage.” On the last occasion that we sat in this place, members of the government were virtuously standing and saying, “When I see more material; when more information comes my way; I have the right, indeed the responsibility, to change my mind and adjust my views on this.” This is what the Liberal party has done. It has been a growing thing.

Members will recall that on a number of occasions, through debates in this place, we have attempted to create a situation whereby, for instance, the chairman of the select committee on estimates is a member of the opposition. We passed a resolution on this matter in our party room probably three years ago, and the issue has been raised here in the Assembly on a number of occasions. Amongst other things, this mechanism today seeks to entrench that.

**Mr Corbell:** Why didn't you raise it during the inquiry? If it's been Liberal policy for some time, why didn't you raise it during the inquiry?

**MRS DUNNE:** These matters were discussed in the committee. They were touched on in the committee. They were touched on when I was a member. I do not recall where they went, but they did not surface in the final report. It probably means that the Labor Party had its way and said that this is not the case.

This is about an accountability mechanism. The real truth is that the manager of government business will not support these because those opposite do not want accountability mechanisms in this Assembly. Except for this Assembly, it has always been the case that substantial committees like the public accounts committee, the scrutiny of bills and subordinate legislation committee and estimates committees have been chaired by an opposition member or a crossbench member. It has been only through the abuses of this place, particularly the abuses of the last year or so, that this has not been the case, and the opposition has found it necessary to move these amendments.

My thinking and the opposition's thinking on this have evolved over the past six months or so. I refer specifically to papers presented at the Adelaide conference of the Australasian Study of Parliament Group which I attended in August last year and the papers and discussions at the Ottawa CPA conference in late October last year, which Mr Mulcahy and I attended. Papers presented at those conferences, particularly the Ottawa papers, were what prompted me to do this.

I discussed this with my colleagues. The model that I used for these changes is from the standing orders of the House of Commons in Ottawa. Their standing orders in relation to committees in chapter 8 to some extent go to list the number of committees that there should be—not to limit the parliament in any way as to the number of committees, but specifying that there must be certain committees of a particular nature. In the Canadian parliament, they are quite extensive, and I do not think that in the ACT Assembly we are justified in doing that.

In the past, there have been occasions—it happened on one occasion with a Liberal government; it may have been an oversight—when there was a possibility that there may not have been a scrutiny of bills committee in this place. That would have been a scandal. There should always be a public accounts committee—and I suppose that will have to be the case, because there are some statutory requirements. And there are statutory requirements for some sort of planning committee.

Members know that an Assembly may establish a select committee on a number of matters. I wanted to reinforce that there should always be an estimates committee. It is

possible that from time to time, if there was a completely ruthless majority government, they might try to completely subvert the scrutiny of budgets by not having any estimates committee at all.

The third part of these amendments is to entrench the policy, which members on this side and some members of the crossbench have previously endorsed, that the chairmanship of particular committees should be in the purview of the opposition.

**Mr Mulcahy:** Your colleagues wouldn't back you on that, Mrs Dunne. They went to water.

**MRS DUNNE:** This again reflects the standing orders of the Canadian parliament. Standing order 106, about the election of chairmen, specifies that particular committees must be chaired by a member of the opposition—and it is the recognised opposition, not a member of a minor opposition party. When we discussed this in Canada, Mr Mulcahy was wholly in agreement with this as a principle, but I see that his principles have been modified somewhat today and he has become somewhat more independent. It is, again, the evolution of one's thinking, depending upon one's circumstances.

These amendments are purely accountability measures. They are important accountability measures. We have seen the Stanhope government ride roughshod over these measures in the past and we must support them.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services and Minister for Planning) (11.34): Mr Deputy Speaker, I want to put on the record very clearly and up front right now that the government supports the provision and the Assembly's enacting resolutions to establish a scrutiny of bills and subordinate legislation committee, public accounts committees, committees that deal with planning and, of course, select committees that inquire into budgets.

This government have had a majority in this place for four years and on each and every occasion we have always supported the establishment of a select committee into estimates; we have always supported a committee of scrutiny of bills and subordinate legislation; we have always supported a committee on public accounts; we have always supported a committee that enquires into planning matters here in the territory. Any suggestion that the government has some agenda not to do so is simply not supported by the facts and our practice in this place in the past.

The government has every right to be frustrated that, after 3½ years of inquiries, at one minute to midnight we have not one but two amendments from the Liberal Party from two separate Liberal members, both of whom have been members of this committee during the course of this inquiry. The real issue here is that the Liberal Party just cannot get its act together.

**Mrs Burke:** On a point of order, Mr Deputy Speaker, this is tedious repetition under standing order 62. Mr Corbell has already said this. How many times are you going to say that?

**MR CORBELL:** As long as it makes you uncomfortable.

**MR DEPUTY SPEAKER:** Resume your seat, Mr Corbell. Mrs Burke, direct your comments through me. Mrs Burke, I did not hear what you had to say. Repeat your point of order, please.

**MRS BURKE:** I was just asking the minister to desist from tedious repetition under standing order 62. He has already made his case clear.

**MR DEPUTY SPEAKER:** I do not see a point of order there. Maybe one on relevance, though, minister. I just might—

**MR CORBELL:** It is entirely relevant. I am explaining—

**MR DEPUTY SPEAKER:** I will advise you about relevance, minister, which I think is more important than tediousness at this stage. Mr Corbell, you have the floor.

**MR CORBELL:** Thank you, Mr Deputy Speaker. I am, of course, pointing out why the government opposes these amendments. Let us just reflect on the opposition's failure to properly insert these sorts of issues into the process of the inquiry. The opposition have had—how many is it?—one, two, three, four, five separate occasions on which a member of their party has been engaged in this inquiry. Mrs Dunne has been a member of this committee not once but twice during the course of this inquiry, interrupted by Mrs Burke on two separate occasions and then Mr Smyth as the latest incumbent. We have seen five separate appointments from the Liberal Party during the course of this inquiry. The reason why the Liberal Party are moving these amendments today has nothing to do with matters of principle. It has everything to do with the fact that they are so bloody disorganised—

**MR DEPUTY SPEAKER:** Order! That is disorderly language, Mr Corbell.

**MR CORBELL:** I beg your pardon; I apologise, Mr Deputy Speaker.

**MR DEPUTY SPEAKER:** Apology accepted.

**MR CORBELL:** The Liberal Party are so appallingly disorganised and are such a shambles of an opposition that they have been incapable of advancing these matters during the course of the inquiry. At one minute to midnight they are still so disorganised that they cannot even get a coherent opposition position. Each of them has their own bright idea about what the amendment should be. We have got Brendan Smyth, the leader in waiting, still seeking to take the limelight, so you cannot have Mrs Dunne moving something without Mr Smyth moving something as well.

These are matters that should have been dealt with during the course of the inquiry. I was present, as was Mr Smyth, at a roundtable that occurred back in September 2006—over 1½ years ago. I do not recall—

**Mrs Dunne:** You didn't stay for the whole time, Simon. I was there too. I stayed for the whole time.

**MR CORBELL:** Well, you were not there, Mrs Dunne. It does not say so in the report.

**Mrs Dunne:** I was. I was there at the roundtable you were at. You left early—

**MR CORBELL:** Along with Mr Smyth—

**MR DEPUTY SPEAKER:** Order! Let us cut out the conversations across the chamber.

**MR CORBELL:** I was there, along with Mr Smyth, Ms Porter and Mr Gentleman. The Labor Party was well represented; we were engaged; we were there; we were talking about it. Those are the members recorded as being present. I do not recall these matters being raised then. I do not recall these heartfelt and strongly felt matters of principle being raised then. I do not remember that happening. Certainly the government's representative on the committee cannot recall these matters being advanced in any substantive form during the course of the committee's deliberations, and that is the whole point.

These are important issues. The standing orders and the continuing resolutions of this place are fundamental to the operation of this place. There needs to be broad agreement and consensus across the Assembly on how we conduct our business and what the rules of this place are. That is why we had such a lengthy and detailed process to reach a strong level of agreement across all the different interests represented in this place as to how we should conduct business. It is simply not good enough that at one minute to midnight, after five individuals on different occasions represented the Liberal Party in this committee—

**Mrs Burke:** This is a recording. This is a recording.

**MR CORBELL:** I know you do not like it, Mrs Burke, but I am going to continue to say it. What an absolute shambles the representation of the Liberal Party on this committee has been—Mrs Dunne, Mrs Burke, Mrs Dunne, Mr Smyth, Mrs Burke—

**Mrs Burke:** Standing order 62—

**MR DEPUTY SPEAKER:** Order! Mr Corbell, I must say you have repeated that theme about 17 times. Can you please come to the substance of your debate?

**MR CORBELL:** Mr Deputy Speaker, I think you need to put aside your partisan perspectives on this matter.

**Mrs Dunne:** On a point of order, Mr Deputy Speaker: Mr Corbell needs to withdraw the imputation that you are partisan. He needs to withdraw that now.

**MR DEPUTY SPEAKER:** Mr Corbell, you withdraw that—pretty rapidly, too.

**MR CORBELL:** I am glad you take your instructions from Mrs Dunne, Mr Deputy Speaker, but I withdraw—

**MR DEPUTY SPEAKER:** Mr Corbell—

**MR CORBELL:**—I withdraw that—

**MR DEPUTY SPEAKER:** Mr Corbell, not only will I now ask you a second time to withdraw that, but I hereby warn you, Mr Corbell. Mr Corbell, you have the floor.

**MR CORBELL:** Thank you, Mr Deputy Speaker, and I withdraw any inference of offence. The bottom line is that the government believes that such significant changes as outlined by the Liberal Party should have been dealt with during the substantive course of the committee's inquiry into the standing orders. The government does not support a last-minute attempt to change these matters. The government supports the resolutions of this cross-party committee in full. We will be voting to endorse the recommendations of the committee in full, but we will not be supporting the proposals put forward by either of the Liberal Party's spokespeople on these matters—that is, Mr Smyth or Mrs Dunne. (*Time expired.*)

**MR SMYTH (Brindabella) (11.44):** Mr Deputy Speaker. I will be speaking to the amendment; I am not closing the debate as the original mover. Mr Corbell is just wrong. Mr Corbell quotes from the document that Mrs Dunne was not at the meeting. But, of course, in his usual way, Mr Corbell just twists things. He did not read the full sentence, which is:

A roundtable discussion of MLAs was held on Tuesday, 26 September 2006. At that meeting the committee, along with ...

At that stage, Mrs Dunne was a member of the committee, so Mrs Dunne was at the meeting. That is the first problem for Mr Corbell. The second problem for Mr Corbell is that he has taken advice from Ms MacDonald on what actually happened in the committee. That is curious, because perhaps the least productive person on the committee was Ms MacDonald, who had very few amendments to make and who said very little to the committee through that whole process.

**MR DEPUTY SPEAKER:** Mr Smyth, a little less on the personal. Let us stick to the substance of the debate.

**MR SMYTH:** This is the substance. Mr Corbell has relied on Ms MacDonald's recollection. Now the interesting thing is that at that meeting on 26 September that Mr Corbell mentioned, the roundtable, submissions were discussed. One of the submissions considered was the submission from the Committee Office of the Legislative Assembly for the Australian Capital Territory. What does the Committee Office recommend, Mr Deputy Speaker? I notice Mr Corbell has fled the chamber, as is his wont. He has dug a big hole and now he is hiding out. Paragraph 12 of the submission states:

As a threshold issue, the Assembly may wish to consider whether it wants to establish a "core committee system", ie those committees which have been established in some form in every Assembly, set out in Standing Orders ...

It goes on to name them. It continues:

These are the Public Accounts Committee, the Planning and Environment Committee and a legislative scrutiny committee.

It actually then suggests further in the submission under the heading of “Draft standing orders as they relate to committees—Appointment of general purpose standing committees” in paragraph 2:

The following standing committees shall be appointed:

- (a) Planning and Environment;
- (b) Public Accounts; and
- (c) Scrutiny of Bills and Subordinate Legislation.

I find it quite amazing that Mr Corbell would come in this place and take up so much time saying things that are not correct. These issues were discussed at the meeting. I went and checked with members of the staff who were there and I said, “I have recollections.” We checked the notes, and it is included in the notes. This is the submission that you clearly have not read, Mr Corbell, and you have dug yourself an enormous hole. The whole issue of whether or not standing committees should be listed so that it is quite clear in the standing orders that they exist or not was debated, and the committee came to the conclusion that they should not be. Does that mean I have to accept what the committee has decided? No, it does not. The process in this place for a long time has been that members issue dissenting reports.

*It being 45 minutes after the commencement of Assembly business, the debate was interrupted in accordance with standing order 77. Ordered that the time allotted to Assembly business be extended by 30 minutes.*

**MR SMYTH:** Mr Corbell did come to that meeting, and my recollection is he left early, so he was not there for the entire debate. We have got a minister who takes second-hand advice from someone who does not remember what actually happened or is recorded in the minutes, and then accuses others of not being there when they were, because he left early. That is standard operating procedure for the minister. He comes in here and twists and turns and spreads falsehoods. He can go and check the minutes—I have got the minutes with me and I have got the submission with me. Mr Corbell has not read it and he does not remember it. Ms MacDonald has not read it and Ms MacDonald does not remember it. I am quite happy to table it if they want. It is in the notes. These issues were discussed. It is quite clear that they were discussed, and Mr Corbell is just wrong. If he had any moral fibre, he would apologise for his goings-on this morning.

The second issue is whether or not people can move amendments to anything that comes before this place. The standing order provides that amendments can be made. We have got this old minute-to-midnight speech—woe is us, a minute to midnight. I do not think you should be reflecting along the way—

**Mr Corbell:** Point of order, Mr Temporary Deputy Speaker: in the same way that the issue of relevance was drawn to my attention around debate on this, I think it is

entirely appropriate that Mr Smyth be relevant in his remarks and speak to why the amendment should be supported rather than anything to do with my so-called moral fibre, which would appear to be completely irrelevant to the amendment.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Thank you, Mr Corbell. You have a point of order, Mrs Dunne?

**Mrs Dunne:** Yes. On the point of order, Mr Temporary Deputy Speaker: yesterday just after question time, the Speaker made a ruling about disruptive points of order. Twice since that ruling was made the manager of government business has conducted himself in a completely disorderly fashion, and that is an example of it.

**Mr Corbell:** On Mrs Dunne's point of order: people in glass houses should not throw stones.

**MR TEMPORARY DEPUTY SPEAKER:** Mr Corbell, do you have a point of order?

**Mr Corbell:** Yes, I do. Mrs Dunne did not take that point of order in the spirit of the standing orders of this place. She is wasting time and she is attempting to advance a political debate rather than accept that it is entirely legitimate for me to take a point of order when a member is not being relevant.

**MR TEMPORARY DEPUTY SPEAKER:** Thank you, Mr Corbell. Mr Smyth, could you ensure your remarks remain relevant to the amendment that Mrs Dunne has put?

**MR SMYTH:** Mr Temporary Deputy Speaker, I am simply addressing the comments that Mr Corbell made on why the amendments should not be considered. It is quite clear that Mr Corbell did not know what went on in the committee, has not read the submissions—

**Mr Corbell:** Point of order, Mr Temporary Deputy Speaker: my activities in the committee have absolutely nothing to do with why the motion of the Assembly should be amended in the terms—

*Members interjecting—*

**MR TEMPORARY DEPUTY SPEAKER:** Order! Members of the opposition.

**Mr Corbell:** My participation or otherwise in the committee has absolutely nothing to do with why these amendments should be agreed to by the Assembly. The amendments deal with whether or not an assistant speaker should instead be called a deputy speaker and so on. That is what is relevant.

**MR TEMPORARY DEPUTY SPEAKER:** Thank you, Mr Corbell. I will just remind members on the point that Mrs Dunne has made—please keep remarks relevant to the debate. Also, there should be fewer repetitious points of order. Mr Smyth, be relevant to the debate at the moment, please.

**MR SMYTH:** Mr Temporary Deputy Speaker, being entirely relevant and addressing Mr Corbell's arguments, Mr Corbell talked about participation. I was there; I have got a submission. Do not take my word for it; here is the submission from the office about these issues. These submissions were discussed by the committee. Now, if you have been misinformed or you were not there for the part of that discussion—

**Mr Corbell:** Point of order, Mr Temporary Deputy Speaker: Mr Smyth should address his comments through the chair and not directly at me. He knows that is quite disorderly.

**MR TEMPORARY DEPUTY SPEAKER:** Indeed, thank you.

**MR SMYTH:** Mr Temporary Deputy Speaker, I am sorry that I have offended the sensibilities of the minister. But the reality is that you were actually at that meeting, Mr Temporary Deputy Speaker. I have got your name on the list: Mr Gentleman; you were there. The issue here is that Mr Corbell said these matters should have been discussed in the committee. They were discussed in the committee, and it is every member's right to pursue whatever avenues they can under the standing orders to put their case. We are simply putting the case again in a very public venue that we think these standing committees should be listed in the standing orders. The Assembly Committee Office had the same opinion.

The fact that the committee in the end decided not to proceed with it is for the committee. But what this house does is for this house to decide. It is open to every member to move amendments as they see fit. I think it is a clear indication of how stung the minister is over his lack of knowledge of this matter. I am sure he will be taking this up with the Labor Party whip as to how she forgot that these things had been discussed—

**Mr Corbell:** Point of order, Mr Temporary Deputy Speaker: again, the issue is relevance. Communications I have with the government whip have nothing to do with the resolution that the Assembly has before it at this time. It is about whether or not Mrs Dunne's amendment should be accepted. If the Liberal Party are going to object to me making commentary about their approach, they cannot have it both ways and then seek to do the same thing again. I was drawn to order on these matters, and so should Mr Smyth be.

**Mrs Dunne:** You were drawn to order for being disorderly.

**MR TEMPORARY DEPUTY SPEAKER:** Members of the opposition, please do not interject. The question is that Mrs Dunne's amendment be agreed to.

**MR MULCAHY (Molonglo) (11.55):** I would like to speak on the amendment put forward. I cannot support it in its current form. It is a pity Mrs Dunne did not separate parts 1 and 2 of her amendment because they would have been more acceptable.

Mrs Dunne is correct in noting the fact that the particular concept here arose as a result of our attendance on behalf of this place at a commonwealth parliamentary

conference held in Ottawa at the beginning of November last year, and we did have the opportunity to be briefed on the standing orders of the Canadian parliament. A point that was identified there was that the existence of certain committees and the manner in which the chair of that committee was to be appointed were actually enshrined in the standing orders. I did agree that that was a sensible idea, and I do.

Where I obviously now take exception is confining that role to simply a member of the official opposition. Dr Foskey makes the point—and a very valid point, I suggest, in the current climate, that if the current opposition ranks are decimated, as I suspect they will be in October, and we end up with a Country Liberal Party scenario as happened in Darwin—that if there are probably only four of them left in this place, there could well be a significant number of additional independent cross-party members and it would not be unreasonable that the role of chairing some of these committees could potentially be drawn from those ranks to still preserve the integrity of the parliamentary system. So I have circulated an amendment which I would seek leave to move, depending on the outcome of Mrs Dunne's amendment, which I imagine will be defeated.

I find a little bit of inconsistency in the Liberal Party position—a quite substantial amount—in that they are standing on their digs today about capturing the chair of these committees, but at the federal level they tore the rule book up and said, “No, no, government should grab that committee,” and appointed one of their own to chair the public accounts committee. I do not think that there is any ideological purity in this whole exercise.

I was interested, with the developments last year with the public accounts committee, in the reluctance of some members opposite to do anything about the issue, for factional reasons. I do not think that the commitment about capturing the chair for the opposition is based on any genuine motive other than the old catchery of self-interest. So I indicate that I will not be supporting that part of the amendment as it comes forth.

I think Mr Corbell has been a little bit uncharitable. His observations were profoundly accurate, but he should be sympathetic to the complete disarray that has occurred in the ACT opposition since coming into office in 2004. There have been five changes of personnel in the role of whip and it is, in fact, a very, very accurate observation that the shambolic way in which the standing orders have been tackled is due in no small part to that constant changing of the guard. I give credit to Mrs Dunne because, when she had that role as whip, she actually was quite comprehensive in her approach in the early stages of this debate on standing orders.

However, the ball was dropped, as I distinctly remember, when Mr Smyth took over. The reason this input is so fragmented now is that the appropriate input and consultation, in fact, did not occur. There was this frantic note around saying, “We are looking at it on Tuesday. Let me know if you have got a problem.” Various people raised concerns. “It was too hard to get this up; I could get that and I could not get this.” Then, of course, we have had all these other changes.

I think Mr Corbell has been very uncharitable in not recognising the permanent state of chaos and disorder that exists. Some allowances ought to be made for their

incapacity to agree on anything, even right down today where, not only is it not the whip putting forward the amendments, not only is it not the member who is sitting on the admin and procedure committee, it is, in fact, the two previous occupants of the role of whip. Everybody is doing everybody else's job. Mr Smyth, whom I used to refer to as the shadow minister for shadow ministers, is an expert on doing everybody else's job. I am sure Mrs Burke, despite him telling her to get out of the deputy's job, appreciates the tutelage and sponsorship that he is providing in doing her job with these changes.

**MR TEMPORARY DEPUTY SPEAKER** (Mr Gentleman): Mr Mulcahy, come back to the amendment, please.

**MR MULCAHY**: Of course, Mr Temporary Deputy Speaker. My mind wanders back to these remarkably memorable days.

I would also like to highlight another point which has not been addressed, and that relates to the changes on page 10, under chapter V, standing order 30. It relates to the acknowledgement at the beginning of each period of sittings and says:

... "The Speaker shall also acknowledge, at the beginning of each period of sittings, that the Assembly is meeting on the lands of the traditional owners."

I do not purport to be an anthropologist or a leading authority on Indigenous matters, but one of Canberra's leading academics, who in fact does hold various appointments made by the Stanhope government, has raised with me the fact that that terminology is wrong and that it demonstrates a lack of appreciation of the fact that ownership of property was not a concept understood by the original inhabitants of this country.

Whilst I am not going to propose an amendment, it does come back to me, every time I hear this said in this place and sometimes at government presentations, that certain leading academics—and I am not talking about people who are on the radical side of the political spectrum but people for whom I think even this government would have a lot of regard—have said to me that the appropriate term ought to be "custodians" because there is a distinction in ownership. If you do your work and research on the customs and practices of the original inhabitants, the concept of ownership, I am told, was not part of their culture and it is being inaccurately reflected in this acknowledgement. I am not proposing an amendment, but I would hope that maybe the Speaker or the Clerk could make appropriate inquiries from experts—and I am not one—to see whether that ought to be more accurately reflected with what I understand is custom.

I think the fact that this has turned into the sort of disastrous discussion that it has today—and I know Ms MacDonald is very frustrated about the level to which it has descended—means you have to ask yourself why has this happened. I have indicated one reason, and that is the disarray that not only has existed but continues, as we can see with these multiple amendments today, in the opposition ranks. That is all unfortunate for the democratic process, but I think that also there is another fundamental reason: I do not think the members collectively have been engaged in this process as well as they ought to. Dr Foskey made the point that she had not been

at some things but she had taken an interest; she recognised that a lot of work had been done.

So my first comment would be that I think that this has been a failed effort in terms of engaging all members of the Assembly. On something as serious as this, I do agree with Mrs Dunne: these are very, very critical matters and it should have been achieved. It has not been achieved, and that is a cause for some reflection on the approach taken. When you have been around politics for a long time, as I have had the fortune or misfortune, you realise that the best way to get something through is to throw it through as an entire package and that way it makes it a lot harder to change it. If that cynical motive was in the mind of whoever drove this, then I think that it has been badly handled.

I would have liked this to have been dealt with clause by clause, or grouped clauses by clauses, as you would with a bill. If people were concerned about a particular clause, you would stop at that point. But the process that has been adopted this time of relying on a committee system where the committee membership for part of this chamber has been in a constant state of disarray and flux I think meant that the input was not there, that the entire membership of the Assembly was not engaged.

The problem is that under a party system one tends to rely on either a shadow minister on policy areas or a committee representative on matters of administration. When you have a permanent, constant turnover of people in that committee position, you lose continuity of discussion and the end effect is what we are seeing today.

I think this is a very disappointing day for democracy in the ACT. I think it has been handled badly. There are a range of issues in here that I could take issue with but I have a very limited opportunity to speak today. I do not think it has been well handled. I would give it a D-minus in terms of the way this whole exercise has been conducted, but I also accept that there are factors that were beyond the control of the administration committee.

**MR BERRY** (Ginninderra) (12.05): This process was set up in the vain hope that it might result in a smooth passage for a change in the standing orders of this Assembly. Let us understand, though, that changes to the standing orders in this Assembly are not going to be a particular feather in the cap of people who want to get elected to this Assembly. I am somewhat surprised at the political agitation which has accompanied today's debate in relation to these matters.

But the process which I insisted upon was to engage with everybody who wished to be engaged in the course of the proceedings conducted by the committee. It followed on from a review of the standing orders conducted in the Fifth Assembly. It was pretty clear then that it was difficult to engage members to be involved in the process; that is, until we get to debate the recommendations before the Assembly. I am never surprised at the heat of debates which occur in this Assembly, though sometimes it would seem to me that there are probably other more politically interesting things that might be pursued than this matter, notwithstanding the importance of finely tuned standing orders to this Assembly.

My plan from the beginning was to have an honourable process in place to engage with all members and come forward with a set of recommendations which were broadly accepted by the Assembly. I note there are only a small number of amendments that have been proposed, when considered against the entirety of the report. My view about it is that I was part of a process, which was an honourable one, to ensure that we had a full and adequate examination of all the issues and I would dishonour the process were I now to support amendments to the report which has been developed with the best intent by members, various, on the administration and procedure committee.

I will oppose the amendment. I think it is the wrong time to be proposing one. There are a couple of reasons. The first is that it is important to get these standing orders in place before the end of this Assembly, otherwise examination of the matter will suffer the same fate as it has suffered in two assemblies. So it is important to get the matter resolved. I think the next Assembly will develop some new ideas about how it wants to proceed, as has always been the case.

I note, in one part of the amendment, Mrs Dunne talks about new arrangements for the Assembly—and I have been here since 1989—so far as committees are concerned. Each Assembly, rightly so, settles itself around a uniquely constructed assembly committee process. I think, rather than go to the merits of all of these things that have been proposed, that sort of process ought to be followed, especially when we are so close to an election.

Whilst one could expect amendments in this place—they are the fare of this legislature—I think at this point we need to get on with the job and get these recommendations adopted so that we can proceed to the next election and the new Assembly and the members that will participate in this democracy from that point on.

**MS MacDONALD** (Brindabella) (12.09): I would like to start by saying that I endorse the comments just made by the Speaker. Although some of this has already been laid out, I would actually like to remind members in this place about these points.

This inquiry was started in June 2005, which is over 2½ years ago, and it follows on from the review of the standing orders by the Fifth Assembly's admin and procedure committee. The Fifth Assembly did not have time to conclude its inquiry and presented a discussion paper which was then, as Dr Foskey has alluded to, placed in the hands of members of the Sixth Assembly. I understand from conversations with the Clerk that a comprehensive review has long been mooted but, until the Fifth Assembly started looking into it, there was just tinkering around the edges.

Mr Speaker, I make the point that if we keep putting it off to the next Assembly—and I think this would be your point as well—a comprehensive review of the standing orders will never occur. Standing orders and their review will never, ever grab the imagination of members. I do not dispute that.

I know that there were comments being slung my way about my not actually putting in a whole host of suggested changes to the standing orders. But I participated in that

process as the representative of the government side and, when I was not able to do it—it is actually mentioned in the report—Ms Porter sat in on my behalf and Mr Gentleman went to one of those meetings as well.

As you said, Mr Speaker, you have done this with the most honourable of intentions—to actually get the standing orders reviewed—because you saw that there was a job that needed to be done. So I think it is unfortunate there has been this little slanging that is going on around the chamber about what people have actually put into the review. This was done in good faith.

It is not necessarily the quantity of suggested changes but rather the quality of the end result of the standing orders that we are looking at today. The only way we can know whether these are going to work is to put them into practice. There will no doubt be issues in here which will need to be ironed out. But we can only know that if we try it. That is why this needs to be done now.

I also wanted to finally mention and remind members of the Assembly that, on 18 February, a letter was circulated by Janice Rafferty, the assistant secretary of the Standing Committee on Administration and Procedure, to all members of this place, letting them know that the report had been tabled on Thursday, 6 December, and that the committee, at its meeting on 12 February, agreed that consideration of the motion that that report be adopted be listed for debate under Assembly business on 6 March 2008; that is, today. Members were notified about that on 18 February. Yet the first thing we hear about these proposed changes is today when they are circulated.

In raising that, I go back to the point that standing orders and the review of standing orders will never be something which grabs the imagination of people in this place, but it is up to each individual member, along the way, to have glanced at things that come through their office and, if you have an issue with it, deal with it at the time, instead of letting the thing go till the last moment. I endorse the report and reject the amendment.

**Mrs Dunne:** In accordance with standing order 133, can these three amendments be divided and voted on separately? Standing order 133 says that a complicated matter can be divided.

**MR SPEAKER:** So you have got to convince me that it is complicated.

**Mrs Dunne:** Thank you. It is complicated.

**MR SPEAKER:** You have convinced me that it is complicated.

*Ordered that the amendment be divided.*

Part (1) negatived.

Part (2) negatived.

Part (3) negatived.

**MR SMYTH** (Brindabella) (12.16): I seek leave to move my amendment.

Leave granted.

**MR SMYTH:** I move:

Add the following words “with the following changes to the proposed amendments and a new amendment:

(1) Proposed amendment 18: After ‘substitute’, omit ‘Assistant’, substitute ‘Deputy’.

(2) Add new proposed amendment 93A:

Standing order 140, after ‘amend’, insert ‘and an amendment which omits a substantial part of a motion or offers an alternative proposition will not be accepted.’.

The matters in these amendments are matters that discussion occurred on in the committee and, indeed, the committee minutes will record that my proposed amendment to amendment 18 was moved and negated, but I still think it is important to move it, particularly as, in the form of address that we have here, we will now end up with Speaker, Deputy Speaker and Assistant Speakers. Most other parliaments, to the best of my knowledge, use just Speaker and deputy and I think it is a worthwhile amendment.

The second amendment was also subject to some discussion about what a member can do to amend another member’s motion. We had this issue again yesterday, when the Chief Minister removed entirely the words that Mr Seselja had moved and replaced it with an alternative proposition. The notion of alternative proposition is well understood in parliamentary practice but I think there is a case that says, “If you have an alternative proposition, vote the existing motion down and put your own proposition up.” That is why I am moving this amendment.

I would like to say that, in terms of process, I think the process has been fine. I think casting slurs that it has taken 3½ years is inappropriate. I do not believe that Mr Mulcahy ever attended a single meeting, including the roundtable when he was free to. That shows his lack of interest in the whole process. Indeed, if he wanted this done clause by clause, if he wanted it done by line by line, he could have so moved. He has chosen not to. Again, it shows his ignorance of the standing orders. And that is unfortunate. I would just like to make a few—

### **Standing orders—suspension**

*The extended time allotted for the discussion of Assembly business having expired—*

Motion (by **Mr Corbell**) agreed to, with the concurrence of an absolute majority:

That so much of the standing orders be suspended as would prevent the Assembly completing its discussion on order of the day No 1, Assembly business, by 12.30 pm today.

**MR SMYTH:** Thank you, Mr Speaker, and I thank Mr Corbell for moving that extension.

I would actually like to thank a few people. My input to this committee would not have happened without my staff. In the course of the committee I moved amendments to something like 50 of the standing orders as they were presented. We had lots of suggestions and input on others of the amendments. I particularly thank Tim McGhie from my office, who is very good on this sort of procedure, who was in the original House of Assembly and who has watched the standing orders probably for longer than anybody in this place. I thank Tim for his input and I thank Amy in my office for her assistance.

To the Clerk and the staff: these are the guiding orders that help the Assembly run. I would like to compliment the Clerk and his staff on the enormous amount of effort and assistance they put into this process to ensure that the process went as smoothly as possible. As you pointed out, Mr Speaker, nobody will thank anybody for having done this. The fact that it has crossed two assemblies, I think, proves that. It is a shame that perhaps there was not more input but that is the way that it operates. But I think, for the outstanding administrative support and guidance given to all of us who sat on the committee on what standing orders do, how they operate and how they operate effectively, the Clerk and all his staff are to be congratulated. They did an outstanding job. I think the standing orders as presented today, even though I have not got everything that I wanted, are a big step forward from where we were.

To you, Mr Speaker, I would like to say congratulations on conducting this review, the way in which you drove it, the way in which you have conducted it and the way that it will culminate today. I think any criticism that it has taken too long may probably be a reflection on the input from members rather than on the Speaker and his office.

These things go out. We get revised editions. The committee opened and sent drafts of the standing orders to members. I am very pleased at the input that I got back. Some of the changes that I put forward are directly the work of Mrs Dunne, particularly the chapter on privilege. Mrs Burke had input. Others had input because they understood. I would like to thank my other colleagues for the input that they had.

But particularly to you, Mr Speaker, thank you for driving the notion. You are right: it is a thankless task. But I think the product that we have got, even though I would still like to change a few things, is a good product and should serve us well in the rest of this Assembly and will serve further assemblies which I intend to participate in very well. So, Mr Speaker, congratulations on what you have achieved today.

Amendment negatived.

Motion agreed to.

## **Health and Disability—Standing Committee Statement by Chair**

**MS MacDONALD** (Brindabella): I seek leave to make a short statement regarding a new inquiry.

*Leave granted.*

**MS MacDONALD:** Thank you, members. At a recent meeting of the Standing Committee on Health and Disability, the Standing Committee on Health and Disability resolved to conduct an inquiry entitled *Nobody's children—inquiry into the early intervention and care of vulnerable infants in the ACT*. The terms of reference of the inquiry are to inquire into and report on the early intervention and care of vulnerable children in the ACT, focusing on the unborn child and infants aged nought to 2, with particular reference to:

- children of drug-affected parents;
- antenatal and postnatal care and support services available for vulnerable parents and their children;
- early identification of a child at risk;
- specific issues related to Indigenous parents and children;
- and any other relevant matter.

**Sitting suspended from 12.22 to 2.30 pm.**

### **Visitors**

**MR SPEAKER:** Before I go to you, Mr Seselja, can I welcome to the gallery a group from the University of the Third Age who are in the Assembly with us today.

**Members:** Hear, hear!

### **Questions without notice Economy—performance**

**MR SESELJA:** My question is to the Treasurer. Chief Minister, yesterday the Australian Bureau of Statistics released the latest national accounts data. This data showed that the ACT was the worst performing jurisdiction in both the December quarter and in the year to December 2007. In addition, a graph on your own Treasury website shows that the growth in state final demand in the ACT has been declining since the June quarter 2006. Treasurer, how do you explain this continuing decline in state final demand growth in the ACT over the past 18 months?

**MR STANHOPE:** I thank the Leader of the Opposition for the question. The ACT economy has been one of the strongest performing economies in Australia over the last few years. Indeed, as members are aware, in the last financial year, the ACT achieved its highest ever level of private sector investment—at just over \$5 million.

This was a record in investment, which was previously in, I think 1986, at the height of the construction of the new Parliament House.

It took 20 years for the territory to exceed the level of investment in the territory that had represented the previous high. We came off such a height. We had an exceptional year in terms of investment and economic activity—a year that at one level was an aberration, and it is an aberration. It took from 1986 to 2006 to again achieve the sorts of levels of expenditure and state final demand that had been achieved in 1986. It took from 1986 to 2006 to achieve a similar or comparative level of state final demand as had been achieved in 1986. Through that entire period, there had been a decline in that particular statistic or indicator.

The ACT economy is enormously strong. One of the regrets is the way in which this issue has been portrayed or reported as to convey a suggestion that the ACT economy is staggering, that it has hit the wall or is a basket case—some of the emotive language used by others in relation to the state of our economy.

Our economy is strong. You can go to any other indicator of all the economic indicators available. One would have thought that, if one wanted a balanced view of the precise state of an economy—whether it be the ACT economy or any other economy—one would look at the full range of economic indicators available, compare them all across the board and then draw conclusions about the state of the economy.

In terms of economies over the last year, some of them represent—to the extent that they represent growth—growth from a negative; others—as in the case of the ACT—illustrate a change from a record position to a lesser position. That is the case for the ACT. Some other jurisdictions such as Tasmania have gone from a negative a year ago and are now showing four per cent. But they are coming from a long way behind. That is the case with most economies in Australia compared to the ACT's economy.

Over the last two to three years, the three strongest economies in Australia have been Western Australia, Queensland and the ACT. That remains the case. The boom states of Western Australia and Queensland have been driven by the rapacious China market commodities. In fact, state final demand in Western Australia was just under 10 per cent. State final demand in Queensland was just over seven per cent.

But—accepting that in the December quarter the ACT had the lowest level of increase in growth—the statistic reveals that, even in the December quarter, state final demand continued to grow. The economy was continuing to grow. Year on year, it grew by 3.5 per cent. That is against a national average of five per cent state final demand, affected significantly by the 9.9 per cent achieved by Western Australia and the 7.4 per cent achieved by Queensland.

When you look at what other jurisdictions achieved as against the ACT over the year, you see that the ACT achieved 3.5, the Northern Territory achieved 1.1, Tasmania achieved 4.2, South Australia achieved 2.3, Victoria—the *Canberra Times* and Access Economics analysis of the state of a stalled ACT budget would have to apply equally to any other jurisdiction that achieved exactly the same result as us—(*Time expired.*)

**MR SPEAKER:** Mr Seselja, with a supplementary question.

**MR SESELJA:** Treasurer, given this decline over the past 18 months, what are you now doing to turn this situation around?

**MR STANHOPE:** The situation remains incredibly strong. I was just making the point, and I will continue making the point, that the level of state final demand achieved in the ACT over the last year, January to December, was 3.5 per cent. This has attracted the suggestion today by Access Economics and the economics writer for the *Canberra Times* that the economy in the ACT is stagnant and that it has stalled. That was the language used by Access Economics last November and parroted by the *Canberra Times*: it had hit the wall and it was a basket case. This was the language of Access Economics and the *Canberra Times*: the ACT economy has hit the wall, it is a basket case and, today, it is stagnant.

We achieved exactly the same level of state final demand as Victoria, 3.5 per cent. We cannot match Western Australia because we have no minerals. We cannot match Queensland because we have no minerals. But we have exactly the same level of state final demand over the year as Victoria, essentially the new powerhouse, in a non-mineral sense but in a manufacturing and industrial sense, of Australia. We achieved that in the context of state final demand.

But you have to understand, of course, that state final demand in one quarter, the December quarter, is a little snapshot against one indicator for a short period of time. In 2006, state final demand was over 5 per cent. This last year it has been 3.5 per cent. These are extremely good levels of growth—amazingly strong. That is that indicator.

But look at all the other indicators of economic growth. In relation to almost all of those, of course, the ACT continues to lead the nation. What is the No 1 indicator of the strength of an economy? It is the performance of your labour market. It is the No 1 indicator of the strength of your economy—the labour market, the number of people in work, the level of unemployment and the activity that is generated by that.

What is the unemployment record of the Australian Capital Territory? It is 2.3 per cent, almost exactly half that of the national average of 4.3 per cent and far lower than some other jurisdictions in Australia. The fact that here, within the ACT, of a population of 340,000, almost 200,000 are employed. We have 140,000 households, 200,000 people, in work in a population of 340,000, with an unemployment rate of 2.3 per cent—full employment. There are more jobs available to be filled than there are people able and capable of filling them.

**Mr Seselja:** On a point of order, Mr Speaker: we have now had more than 3 minutes of this. The question was very specific. It was: given the decline in the last 18 months, what was Mr Stanhope going to do to turn these figures around?

**MR SPEAKER:** Mr Stanhope has got a minute and 30 seconds to answer that.

**MR STANHOPE:** Thank you, Mr Speaker. You need to understand this and you need to put it into context. You need to understand the significance of the full range of economic indicators and what is happening and has happened here within the territory.

In relation to state final demand, it has come off as a result of a record year of construction activity. About a third of state final demand in the territory is driven by private sector investment. In the last year, we hit a height in relation to private sector investment never before achieved in the history of the Australian Capital Territory. That is unsustainable, particularly with a full labour force.

When you have more vacancies than you have people to fill them, you cannot keep going faster than top speed. You cannot when your economy is travelling as fast as it can travel. You cannot keep accelerating off the front. You cannot do it. You cannot do it, particularly in an Australian labour market where there are more vacancies. It is the major inhibitor. There is no doubt about it. The most significant inhibitor to further economic growth in the territory, over and above the remarkable levels we have achieved, is labour force issues: the number of vacancies, the skills and labour.

The fact is that you can only go so fast. We hit top speed; we achieved record outcomes in the year before last; and of course you cannot keep doing that. (*Time expired.*)

### **Economy—performance**

**MS MacDONALD:** My question is also to the Treasurer. An article in today's *Canberra Times* claims that the ACT has the worst performing economy in the country. Can you, as Treasurer and Chief Minister, advise the Assembly whether this is correct, and what the state of the territory's economy is.

**MR STANHOPE:** Thank you. Mr Speaker—

**Mrs Dunne:** On a point of order, Mr Speaker: is this question not fully answered, because he has already answered Mr Seselja's question on this?

**MR STANHOPE:** And I have barely started to answer it.

**MR SPEAKER:** Mrs Dunne, Ms MacDonald didn't ask the earlier question.

**MR STANHOPE:** The claim that we see reported today, and readily grasped by a desperate opposition, is, of course, false. It is quite clearly not the case. It is incorrect. It actually defies common sense. You have only to think about it for one second. You have only to look at what is going on outside these four walls. You have only to look at the level of unemployment. You have only to acknowledge the fact that there are more vacancies within the territory than there are people to fill those vacancies. You have only to look at the full range of indicators to understand that this is an economy performing as strongly, essentially, as any like economy in Australia—in other words, one that is not driven by the fact that it contains world-leading supplies of coal, iron ore, aluminium and a range of other commodities.

As I was indicating earlier, the number one indicator or driver of an economy is the labour market. It is the labour market that is the engine of any economy. It is the key driver of economic and social wellbeing. We can look, as I indicated earlier, at the

territory's labour market. We have the second highest labour force participation rate in Australia, behind only the Northern Territory, and we have the lowest unemployment rate ever recorded by an Australian state or territory since the Australian Bureau of Statistics began to collect statistics. The current level of unemployment in the ACT is the lowest recorded in Australia since the Australian Bureau of Statistics began to keep statistics around the labour force.

The unemployment rate in January, as I said, was 2.3 per cent against a national average of 4.3 per cent. The participation rate, which is just as important in the ACT, is 72 per cent—six percentage points higher than the national position of just over 65 per cent. The latest employment data shows that 188,700 ACT residents were employed in January 2008, an increase since January 2007—and it would be much higher, if only there were people to employ.

The latest data relating to the earnings of people is significant. This goes to the strength of an economy, and gives an indication of how an economy is performing: how are those people that are employed being paid? Average weekly earnings in the ACT to November were 5.4 per cent above the national average. Just ask people working in the ACT how they think the ACT economy is performing. Just ask them whether they think the economy is stagnant. Virtually almost everybody in the ACT who wants a paid job has a paid job, with average weekly earnings having increased by 5.4 per cent over the last year—average weekly earnings that are significantly higher than in the rest of Australia.

Let us look at investment—the major indicator of confidence in an economy. Let us look at what has happened in the ACT over the last couple of years. Yes, the volume of private investment in the ACT did fall in the December quarter, and that was essentially the major contributor to the change in state final demand. But the volume of investment in the December quarter was still extremely high, still matching or exceeding long-term averages at \$861 million. That is only relatively down on the record of just under \$1.2 billion that was achieved in that record year. We have dropped a couple of hundred million dollars, but we are still seeing a level of investment that is high, and that we expect to continue for a number of years.

Let us look at the performance of the housing market in the ACT for the last year. Let us see whether there are indicators of a stagnant economy or one that has hit the wall. The number of new housing finance commitments in the year to December 2007 was up by 15.7 per cent. The national increase was 2.4 per cent. Just tell me whether that is a sign of a stagnant economy—a 15.7 per cent increase in housing starts as against a national average of 2.4 per cent. Residential building approvals are up by 10 per cent as against a two per cent national increase. (*Time expired.*)

**MR SPEAKER:** Supplementary question, Ms MacDonald?

**MS MacDONALD:** Yes, thank you, Mr Speaker. Treasurer, based on this, can you please advise what the prospects and outlook for business are from the ACT economy?

**MR STANHOPE:** I thank Ms MacDonald for her interest in the truth. The prospects for business and for the ACT economy are extremely good. The confidence that

business has in the ACT economy confirms that. Business is confident, the people of Canberra are confident. One has to say with some regret that it is the *Canberra Times*, to a lesser degree Access Economics, and the Liberal Party of the ACT who do not share that confidence in Canberra or the Canberra economy or its future.

Just by way of example when you apply the commonsense test to how the ACT economy is performing, in that same quarter we are talking about, the December quarter, we sold section 63 in November last year, in the December quarter. We put to market a piece of commercial land, just a few metres from here, and in November, the December quarter, the quarter which reflects a stagnant economy in the view of the *Canberra Times*, the very quarter the subject of this bleak outlook by Access Economics and the *Canberra Times*, a piece of commercial land in the ACT achieved \$92 million at auction, the highest ever auction price for a piece of urban commercial land.

Here in the ACT, in the little old stagnant, hit-the-wall, basket-case ACT, we achieved in November last year, in the December quarter, the highest recorded auction price for a piece of commercial land. I wonder what Mirvac and Leighton, the successful bidders for that \$92 million piece of commercial land, think of the ACT economy. Would Mirvac and Leighton come to Canberra, bid to \$92 million for a piece of commercial land in an economy that had hit the wall, that was stagnant, that was a basket case?

**Mr Corbell:** Think about it, fellas.

**MR STANHOPE:** Just think about it. Just apply the commonsense test. Two of the biggest development construction companies in Australia in November last year, three months ago, in the December quarter, invested here. Interestingly and in one of those amazing coincidences—one of the great ironies—it was two days before that auction, I think, that Peter Martin and Access Economics got together and described the ACT economy as a basket case. It was two days before the auction that the last little foray into the state of the ACT economy by the *Canberra Times*'s Peter Martin and by Access Economics was put together, and the descriptions utilised on that occasion, before that Australian record auction, were essentially the same as were repeated today. That does raise some questions.

Investment has been strong. Confidence is strong. It is reflected in that auction price. But it is also reflected in the fact that the Treasury, on advice from the property sector, have identified somewhere in the order of \$4 billion worth of work currently under construction, in the pipeline or anticipated over the next four years. They go to the \$600 million worth of work which the ANU will proceed with in the university exchange; \$460 million that has been provided for the construction of ASIO and the Office of National Assessments; a new Department of Defence building costed at somewhere between \$300 million and \$600 million; construction and redevelopment along Constitution Avenue at a cost of \$250 million; \$350 million anticipated at York Park; and a \$200 million development on section 63. ActewAGL and Actew have foreshadowed \$500 million of water and sewerage infrastructure work over the next three to four years. The ACT government has appropriated or committed \$400 million to public education. The Minister for Health has given the broad outline of a new

major investment in health infrastructure that will lead to the investment over the next five to 10 years of between \$500 million and a billion dollars in recurrent capital in health within the ACT.

These are the sorts of investments that will be made, are under way, are in the pipeline or anticipated and they are the signs of a strong, buoyant economy.

### **Environment—climate change**

**DR FOSKEY:** My question is to the Chief Minister in his capacity as minister for climate change. Chief Minister, the Garnaut report into the impact of climate change on Australia was originally commissioned by the states and territories. Then the process was joined and seemingly somewhat swamped by the then opposition leader, now Prime Minister, Mr Rudd. I am interested in knowing how much finance the states and territories put into the process and whether you, as one of the instigators, are satisfied with the direction that the interim report indicates the professor is heading in.

**Mrs Dunne:** I raise a point of order, Mr Speaker. Is Dr Foskey's question asking for an expression of opinion? She said, "Are you satisfied?"

**MR SPEAKER:** No. I think she is asking if the Chief Minister is satisfied. I do not think that is an expression of opinion.

**Mrs Dunne:** I am asking for your ruling. Is that asking for an expression of opinion?

**MR SPEAKER:** I will just take some advice on that. Yes, I think it is seeking an expression of opinion. You might rephrase that.

**DR FOSKEY:** Thank you, Mr Speaker. I am so glad there are such vigilant members in the Assembly. I am interested to know how much finance the states and territories put into the process and whether you, Chief Minister, as one of the instigators, believe that the process is heading in the direction that you originally commissioned.

**Mrs Dunne:** I am sorry, Mr Speaker. That is even worse.

**MR SPEAKER:** I think you run into the same problem again.

**Mr Stanhope:** I will take that part of the question which does not seek an opinion.

**DR FOSKEY:** Excuse me.

**MR SPEAKER:** The problem is that the question is not entitled to ask for an expression of opinion. It might ask what the government's position is, if you can rephrase the question. Asking about the minister's belief—

**DR FOSKEY:** Thank you, Mr Speaker. They say third time lucky. Would you like me to repeat the first part again?

**MR SPEAKER:** Let us stop the clock until you—

**Mr Stanhope:** No. I have got that bit.

**DR FOSKEY:** What is the government's position on the direction that the professor's report appears to be taking?

**MR STANHOPE:** Thank you very much, Mr Speaker. I thank Dr Foskey for the question. Dr Foskey, it is the case that the Garnaut inquiry was commissioned by the states and territories through the Council for the Australian Federation. That was taken in the light of the obdurate refusal of the previous government to work with the states and territories on the development of a national emissions trading scheme. It was taken on the basis of the previous government's refusal to implement the Kyoto Protocol which would take Australia forward or to show any leadership.

There was, and has been for a decade, a vacuum in leadership on climate change, reflected most specifically through the refusal of the previous government to countenance engaging with the international community through Kyoto and a refusal by the previous Prime Minister, until he saw the polling at the beginning of last year, to actually move from his position of scepticism around the reality of climate change. In that environment, given some particular or extra tension around repeated attempts by the states and territories to have climate change as a regular item on COAG agendas and a refusal by the Prime Minister to even actually pursue climate change through the Council of Australian Governments with prime ministerial leadership, the states and territories had no option but to seek, in the interests of the nation, to advance issues around emissions trading, engagement with Kyoto and the international community and a genuine desire to come to terms with the implications and the measures which we as a people and this nation must take.

So we did commission it. I do not know the dollar amount, but I am more than happy to provide it to Dr Foskey. There is an accepted formula in relation to almost all nationally commissioned work, whether it is for the commissioning of reports or the undertaking of programs and even in the dispensing of funds centrally to the states and territories. It is, more often than not, a pro rata-based agreement. There is one for all agreements that involve the commonwealth and a separate one where the commonwealth is not a party. The ACT committed to paying its standard pro rata proportion of the cost of the commissioning, and I just do not know the dollar amount. To that extent we pay, on a pro rata basis, the same as all other jurisdictions.

As to the direction, I think it needs to be understood that Professor Garnaut was an excellent choice for the pursuit of this particular task. His reputation is enormous. I am satisfied to date, Dr Foskey. I think that what we need to bring to the debate around climate change is complete rigour and a full understanding of the issues. It is rigour, objectivity and science that must inform the decisions which we as communities, as a jurisdiction and a nation take into the future. I believe the decisions we take must be based on that level of rigour.

**MR SPEAKER:** A supplementary question, Dr Foskey.

**DR FOSKEY:** What is the government's position on Professor Garnaut's statement that climate change policy must begin with a science, and where does the ACT's

climate change target of a 60 per cent reduction of 2000 levels of greenhouse gas emissions by 2050 come from?

**MR STANHOPE:** It comes, essentially, Dr Foskey, from the same place as the sorts of targets I have seen you and the Greens propound as appropriate. Dr Foskey, that is called leading with your chin. The ACT government, along with every other government in Australia and most of the Western world, has agreed on a first target of a 60 per cent reduction by 2050. It is consistent with what almost all of the European Union has done; it is consistent with what every other jurisdiction in Australia has done.

The point is well made, Dr Foskey, that Professor Garnaut is already suggesting in an interim report, on the basis of his preliminary investigations, that 60 per cent by 2050 at 2000 levels will not be sufficient. He also suggests that, on the basis of science and investigations, decisions will have to be made about where we are now so that we can make those decisions about what the appropriate target is. But have I seen, Dr Foskey, immediate responses to the Garnaut report from all around Australia from different interest groups and different individuals. I welcome the interest; I welcome the response; it is part of a debate that we must have.

Many organisations have different views. Some go for a particular interim target by 2020; others go for a target by 2025; some say we need a target by 2030, while others say we need a target by 2015. Everybody has a different target. Some say, "We think the target should be this." What Professor Garnaut will do for us as a community and as a nation is bring it together and allow us to go forward with confidence on the basis of the rigour of his investigation so we can agree as a nation on the timing and the quantum of the targets and of the task which we face.

Dr Foskey, I will be the first to say—I will say it here now—that the position we have propounded through the weathering the change strategy is an excellent starting position, but it will change. We will change our responses; we will change the actions we seek to pursue; we will change the amount of resourcing we need to apply; we will change the targets we need to meet. I would not mind betting that it happens every few years.

In terms of the message that Professor Garnaut delivered to the Council of Federation in Adelaide two weeks ago, the level of our response, the amount of resourcing, the quantum of the targets will all increase, and the level of our anxiety will increase proportionately, I fear and feel. We are faced with a grave situation. It is interesting that already, through his preliminary work and the modelling that he and his team are doing, Professor Garnaut suggests that Sir Nicholas Stern was far too conservative, that his modelling was not appropriate and that the targets and the nature of the problem that we accepted from Stern—to that point the most rigorous assessment that the world had seen of the issues we face—are not, in fact, reflective of the situation we face. The preliminary work suggests the situation is far graver than Stern revealed in his modelling and in his report. That is anxiety-inducing, to say the least. We will respond, and we will stand open to the latest advice, as long as the science is good, the inquiry is rigorous, the reports are objective and we can go forward with confidence.

I will just conclude on this point: the other aspect of the presentation by Professor Garnaut was that, whilst we accept the enormity of the challenge we face, because of the costs, expense and the resourcing which we as individuals, communities and governments are going to have to apply to this, we cannot afford at the outset as we anxiously move to deal with the situation we face to invest heavily in responses that are not going to produce optimal outcomes in terms of greenhouse gas reduction with the limited resources that are available, having regard to how extensive those resources are going to have to be.

Before we have progressed through this century we in this jurisdiction will spend billions of dollars in seeking to ameliorate and abate the impacts of climate change. We have, as a government, committed over the last two budgets more than \$100 million to climate change. We have done it in the last two years, and we will do it again in this budget and in budget after budget after budget. Through this century we will spend billions of dollars on this issue. (*Time expired.*)

### **Economy—performance**

**MR SMYTH:** My question is also to the Treasurer. Chief Minister, yesterday the Australian Bureau of Statistics released the latest national accounts data. In your answer to the Leader of the Opposition, you said to “look at any other indicator”. Let us look at another economic indicator. The data also showed that the ACT had the weakest performance in terms of private gross fixed capital formation of any jurisdiction. Private capital investment is essential to diversify and strengthen the ACT’s economy. Treasurer, how do you explain the fact that gross private fixed capital formation has declined in each quarter for the past four quarters?

**MR STANHOPE:** In the ACT in recent years we have had absolutely unparalleled levels of growth. As I indicated just yesterday, the Australian Bureau of Statistics confirmed in its most recent series of reports on indicators and activity that in the last calendar year, I think, there was \$5.3 billion of private investment in the ACT—the record year for investment within the Australian Capital Territory. In a whole range of areas of investment, there has been an unparalleled level of investment—record levels of investment. I have just responded to this, but the shadow Treasurer obviously was not listening.

**Mr Smyth:** So the bureau is wrong.

**MR STANHOPE:** He was not actually listening when I commented on just some of the private sector investment in housing—household investment. Over the last year, new housing finance commitments to December 2007 in the ACT increased by 15.7 per cent against a national average of 2.4 per cent. That is the level of private sector investment in the ACT economy. Residential building approvals increased by 10.8 per cent in the ACT compared to 2.8 per cent nationally. Building commencements are up by 8.2 per cent in the ACT compared to a national rate of 0.3 per cent. These are some of the indicators of the level of investment.

**Mr Smyth:** So why is gross private fixed capital declining?

**MR STANHOPE:** Over and above that, there were record levels of investment in the ACT last year, of \$5.3 billion—

**Mr Smyth:** So the bureau is wrong.

**MR SPEAKER:** Order! Cease interjecting, Mr Smyth.

**MR STANHOPE:** the highest level of investment in the ACT in its history—as I have said before, surpassing the previous record of 20 years ago with the construction of the new Parliament House. We have a very strong economy performing extremely well. Against all of the indicators, the ACT is doing extremely well. Our economy is strong.

One of the risks we have—one of the risks that is always factored in—is the talking down of an economy, the frightening of the horses. There is nervousness within the ACT business community at the moment. There is nervousness within the Treasury. I am nervous about some of the implications for the territory of the coming federal budget and the efficiencies which the commonwealth is making as a result of 10 years of Liberal Party mismanagement, with eight consecutive interest rate rises since August 2005, an additional \$4,400 on the—

**Mr Smyth:** Mr Speaker, I raise a point of order. The question was: “How do you explain the fact that gross private fixed capital formation has declined each quarter for the past four quarters?” I think the Chief Minister should come to the question.

**MR SPEAKER:** I think the Chief Minister was on the subject matter.

**MR STANHOPE:** I was, and I will go to that issue and some of the implications of why there has been less investment. It goes to the appalling financial management of the Liberal Party federally, the fact that there have been 20 consecutive interest rate increases. Over the last four quarters, the people of Canberra—a knowing, aware community at the heart of government administration—have been aware of the implications of the Liberal Party induced eight consecutive interest rate rises since August 2005.

**Mr Smyth:** That is not what the Reserve Bank said.

**MR SPEAKER:** Order! Mr Smyth, stop interjecting.

**MR STANHOPE:** I can tell Mr Smyth quite specifically and directly why some Canberrans have reduced their level of investment in the way that he asks about, in the context of the question he asks. That is because the Liberal Party spent furiously, did nothing about inflation and allowed the economy to get out of control, leading to eight consecutive interest rate rises since August 2005. People have had to redirect their discretionary funding into the fundamentals of life—essentially their mortgage. If in two years you have suffered, as the people of Canberra and Australia have, eight consecutive interest rate rises, adding \$4,400 a year to an average mortgage, then of course your capacity to invest otherwise is seriously thwarted.

People are drawing in the barriers. They are looking to their mortgage. They are looking to their family security. They are not investing because of your party and its economic mismanagement—its fiscal desecration: eight interest rate rises since August 2005, an additional \$4,400 on a mortgage for young Canberra families, people you care nothing about.

*Opposition members interjecting—*

**MR STANHOPE:** You care nothing about young Canberra families. You are a young Canberra family previously investing outside your home and your mortgage and you have a government that allows your mortgage to grow by \$4,400 a year! There is your answer, Mr Smyth. Look to yourself. There is your answer, Mr Smyth. The answer is: you and your party not caring about the implications of economic mismanagement on young families. There is your answer. *(Time expired.)*

**MR SMYTH:** Chief Minister, why have you failed to encourage private sector investment and diversify the economic base of the ACT?

**MR STANHOPE:** There has been an enormous expansion of the private sector in the ACT over the last six years—in fact, in that time, an enormous expansion and diversification. That is why we have invested \$26 million in NICTA. What is the single most significant diversification measure or support measure pursued for business in the past 10 years in the ACT? There was an investment of over \$26 million in NICTA by this government, something the previous government would not do. There was a \$30 million investment in the Convention Centre, something which the other government before we came to power was gunna do.

But of course they were gunna do a lot of things, which they never got around to. They were the gunnas. They were gunna invest in a convention centre, but they never quite managed to get the budget into surplus to allow them to do it. They were gunna support ICT, but they never ever got around to doing it.

In fact, they were gunna build a prison, until they decided, perhaps, on their polling, that prisons were something that only good, strong confident governments did and something that actually weak oppositions failed to produce. They were gunna. They were gunna build a prison. In fact, the new Leader of the Opposition had prisoners within his class of people that he will nurture and support—people at the edge and disadvantaged—until he looked at some polling and decided that there are a whole group of people that you can disparage and put down, actually at very little so-called people risk, but we will see the response to that.

## **Taxation**

**MR MULCAHY:** My question is directed to the Treasurer. Treasurer, on 28 August 2007 you said during question time—and I quote:

To redress that glaring gap between expenditure and revenue, this government has taken the decisions that no other government since self-government is prepared to take to bring the two into balance.

Your statement was in response to a question about the raft of new and increased taxes that you had introduced. The 2007-08 budget midyear review shows another dramatic revision to the budget position—the fifth consecutive quarter that the forecast position has improved. Treasurer, if there is a glaring gap between expenditure and revenue it is in favour of the amount of revenue that is received. Have you taken measures to address the gap and provide tax relief to bring the two into balance?

**MR STANHOPE:** I thank Mr Mulcahy for the question. I still cannot believe, Mr Mulcahy—with great respect and deference—how it is that the Liberal Party got rid of its only intelligent member! But don't get carried away. It continues to stun and amaze me that the lemmings within the Liberal Party—in one fell swoop—banished its most competent member and demoted its most popular member. You must still be shaking your head Bill.

**MR SPEAKER:** Order! Mr Stanhope, come back to the subject matter of the question.

*Opposition members interjecting—*

**MR SPEAKER:** Order! Order! Come back to the subject matter of the question.

**MR STANHOPE:** I will, and I am pleased to receive the question. The Australian Bureau of Statistics—in relation to a whole raft of economic information it has released in recent times—has also, along with the Commonwealth Grants Commission, released the latest information in relation to relativities, and the issues around expenditure effort and revenue effort.

I made a claim in terms of the government's determination to close the gap. The level of average expenditure was significantly above the national average. It had to be addressed. At the time of the functional review—the budget you refer to—the average level of expenditure across the board was about 35 per cent above the national average, whilst our revenue effort was essentially at the national average.

The Australian Bureau of Statistics and the Commonwealth Grants Commission have confirmed, over the last couple of weeks, that the level of expenditure above the national average in the last two years has declined from 135—or 35 per cent—to 122. This is a very significant achievement in the space of two years as a result of the measures we took.

It was a combination—I am sure you would acknowledge this Mr Mulcahy—of significant efficiencies. As I have said before—but I do not think it has yet been once reported—there are embedded in our budget just under \$400 million worth of efficiencies and savings. Those \$400 million of efficiencies and savings embedded in the ACT budget, along with revenue measures and adjustments we made, have led to the very healthy balance sheet and budget situation we currently have.

There is inconsistency in the Liberal Party position. They grasp this one *Canberra Times* Peter Martin Access Economics measure—“Oh, we are all rooned”. Don't then

rush out immediately and say, “Thank goodness the government had the foresight and the strength to get our balance sheet in order, to adjust our budget, to get our expenditures and our revenues more in alignment and to actually provide us a buffer against the circumstances we face: with a slight decline in investment and a reduction in commonwealth activity in the territory”! Who out there now, having said, “Oh well—

**Mr Barr:** Having opposed all of them.

**MR STANHOPE:** Having opposed them all—now seeing a shift in the cycle; a softening—are they happy now that we have a strong balance sheet? Are you happy now that the government has provided some protection for this community against the buffers—

**Mr Smyth:** Ah, so we’re protected.

**MR STANHOPE:** We are. We are protected to a far greater extent than we have ever been protected before, with the strongest balance sheet; sustainable, solid surpluses across the cycle. We have never before had the luxury and the protections that we now have as a result of both the revenue and the expenditure decisions that we took two years ago.

The grants commission now confirm that we have reduced our above national average expenditure levels by 13 per cent over the last two years. That is a fantastic achievement. It was achieved through both those \$400 million of embedded expenditure cuts and a restructuring of our revenue.

The grants commission reports—in this same report in terms of expenditure effort—that we as a taxing regime remain in the middle of the ruck. We are not—it was confirmed as recently as last week or so by the Commonwealth Grants Commission—a high taxing regime. We tax at the same level as other Australian jurisdictions. The Commonwealth Grants Commission, in its latest report, states that, on a pro rata or comparative basis, we tax less today than we taxed in 2001.

**MR SPEAKER:** Is there a supplementary question?

**MR MULCAHY:** Thank you, Mr Speaker. I thank the Treasurer for the response. Treasurer, do you have any indication of advice that the ACT economy is slowing down or that the booming property market is likely to grind to a halt any time soon, and that your revenue forecasts could be at risk?

**MR STANHOPE:** There is a softening in retail expenditure; there is a softening in some aspects of Canberra. And you would expect that, in the face of rising interest rates, in the face of an average increase on a standard loan of over \$4,000 in mortgage repayments per month, with the level of discretionary expenditure available previously for household consumption, for sport and recreation and for meals having been reduced by \$4,000 a month, there would be a significant softening.

I have not received formal advice but I have had discussions with Treasury about the implications of a significant reduction in commonwealth employment or programs,

and there is potentially a significant impact on ACT government revenues, most particularly if the housing market similarly softens. We do not see that in the immediate term; we believe there is still significant demand. But there is a real risk to our revenue. We depend so heavily on property-based conveyance and stamp duty, and any softening will potentially have an impact. But, as I say, our budget and our balance sheet are better placed than at any time in the history of the ACT to meet those risks.

I am advised by my colleague that earlier I referred to a figure of \$4,000. I am sure everybody knows this figure by heart: the average standard mortgage has increased by \$4,400 a year, or \$367 a month. I think I reversed those figures. I am sure everybody would know by now, by heart, what the numbers are. I will keep mentioning them just to remind people.

### **Health—public services**

**MR GENTLEMAN:** My question is to the Minister for Health. Minister, could you update the Assembly on the new and enhanced surgical services at the Canberra Hospital?

**MS GALLAGHER:** I thank Mr Gentleman for the question. The government is committed to increasing the services available to the ACT community within our public health system. As well as the planning work underway for the long term that I have already spoken of, we have put in place short and medium-term investments to increase and improve services. Initiatives like the access improvement program, increased investment in elective surgery, 147 additional beds that this government has put in place to replace the 114 beds that were removed under the previous government—

*Opposition members interjecting—*

**MS GALLAGHER:** I note from the tabling of that document yesterday that it has been very quiet over there about the 200 beds supposedly cut by Labor under the previous administration. It has been very quiet. There have been no interjections around 200 bed cuts, because they cannot prove it and there is no evidence. What there is evidence of in that report is the 114 beds that were cut under the Carnell years, under the Carnell-Smith-Stefaniak years in government—114 beds lost to the system—and 147 replaced by this government. We have more nurses and doctors than ever before. We have opened new units which other jurisdictions are following, such as the MAPU unit and the subacute facilities at Calvary. We have opened additional theatres and all of these have seen improved performance and led to record levels of throughput, neither of which those opposite can deny—improved performance and record levels of throughput.

*Opposition members interjecting—*

**MS GALLAGHER:** I can hear from the interjections from those opposite that this is stuff that they do not want to hear. They are not interested in improvements in the health system. They are not interested in listening about where services are

improving. They just want to talk the health system down, talk the public health system down, like they do on a daily basis.

The Canberra Hospital has established a department of ophthalmology which expands on the range of ophthalmology services provided in the territory's public health system and increases access to this type of elective surgery. Ophthalmology activity in the ACT for both the public and private sectors grew by approximately 5.5 per cent between 2004-05 and 2005-06. This new initiative, which will cost \$1.9 million over four years, will provide a public ophthalmology outpatient service and will provide a retinal surgery service for adults and neonates.

Currently, and in the past, patients requiring retinal surgery travel to Sydney. This enhanced service will enable retinal surgery to be provided in Canberra. In addition to this service, we will establish an ophthalmology registrar program to sustain the overall ophthalmology service coverage in the ACT and create a structure for attracting and developing locally trained ophthalmologists. In this way, the ACT is continuing to do all it can to address the skills shortage problems nationally and internationally in regard to health and allied health professionals. Registrar programs, coupled with investment and partnerships with local universities, the ANU Medical School and scholarship and professional development initiatives, provide safeguards for the future skill needs of the ACT health system.

The ophthalmology service will provide a robust after-hours emergency ophthalmology service, cover the current gaps in the service by establishing a public ophthalmology outpatient service, and will provide, as I said, a retinal surgery service for adults and neonates. TCH commenced theatre lists of ophthalmology on 26 February 2008. Outpatient departments have been running since 7 January 2008. Services will be further expanded with the appointment of a second registrar, who is currently in the process of recruitment.

This is a great outcome for the ACT. It should be welcomed by those opposite but the constant interjections over there are talking down the health system—on an announcement that is so positive.

*Opposition members interjecting—*

**MS GALLAGHER:** If you put the politics aside, it is positive for the people of the ACT, for the community that need this type of service. Instead of going to Sydney, we can provide this service here. It should be welcomed by this Assembly. Every Assembly member should put their politics aside and say: "Well done, government. Well done for getting this service here. Well done for funding this service, and isn't it good for the rest of the ACT?" But they cannot see beyond their short-term political gain. They have to snipe at and talk down the public health system—at a time when our public health system is moving ahead and achieving more than it has ever achieved in the past.

### **Emergency Services Agency—management**

**MR PRATT:** My question is to the minister for emergency services, Mr Corbell. Minister, at the last volunteer brigade captains meeting the captains passed a motion

of full confidence in all officers in the headquarters of the Rural Fire Service. I have been advised that this motion was prompted by scathing criticism of the RFS headquarters officers by the leadership of the ESA and the Department of Justice and Community Safety at a meeting three weeks ago between you, minister, senior bureaucrats and volunteers. Minister, do you and your commissioner share the full confidence of the brigade captains in all RFS officers?

**MR CORBELL:** Thank you, Mr Speaker. I thank Mr Pratt for the question. The answer is yes.

**MR SPEAKER:** A supplementary question, Mr Pratt.

**MR PRATT:** Thank you, Mr Speaker. Minister, if you have full confidence in the officers of the RFS headquarters, as you have now professed, why did you, supported by the commissioner, in the words of those present—I seek your indulgence, Mr Speaker—“bag the shit out of the RFS officers”, in other words, scathingly criticise them?

**MR SPEAKER:** Mr Pratt, withdraw that. That is unparliamentary.

**MR PRATT:** Mr Speaker, I will withdraw the word, which was a quote. I will insert “bag the stuffing”, if that is better. As a paraphrase of the actual words used, I will insert “bag the stuffing out of the RFS officers”.

**MR CORBELL:** I did not, Mr Speaker, and the suggestion that I did is wrong.

**Mr Seselja:** They are lying?

**MR CORBELL:** I beg your pardon.

**Mr Seselja:** They are lying, you are saying?

**MR CORBELL:** No, I am not saying that. I am just saying that is not what I said. It is important to remember that this is a forum that I put in place as minister to encourage regular and ongoing dialogue between me, the commissioner and other senior officers of the ESA and the RFS and all the volunteer services. That meeting involved representatives of the CFU consultative committee, representatives of volunteers from the RFS, representatives from volunteers of the SES and the relevant staff from my department and the ESA.

It is a very useful forum. I make an explicit effort to ensure that I am there nine times out of 10, and that is certainly what occurs. I think I have missed one meeting, Mr Smyth. I am sorry about that, but nine times out of 10 I am there. That is the important thing.

I think it is important to clarify for the Assembly the comments I was making. The point I was making in that meeting was my frustration that of all the services—and there are four services within the ESA—only one service is yet to have in place and implemented, indeed, even agreed to, its business plan. That service is the RFS. The

SES, the ACT Fire Brigade and the ACT Ambulance Service have all worked through and are now implementing their business plans.

**Mr Pratt:** That was not the context of the discussion, and you know it.

**MR CORBELL:** You were not there, Mr Pratt, so you do not know. I am frustrated that the RFS has not yet implemented its business plan because I think that until that is done the RFS is not able to provide the full level of support it should, and needs to, provide to volunteers in the RFS, to the voluntary brigades and to everyone else who has a role in the RFS. I indicated at that meeting that I want to see it done as soon as possible because I think that only then will we be in the position to provide the support that is needed to the RFS volunteers and their brigades. I indicated further that the RFS has been provided with additional assistance by the ESA in the form of a consultant to assist in the finalisation of that business plan and that that business plan is also being aided by the chair of the ACT Bushfire Council, who has indicated to me his support for that process.

So I think it would be very fair to say that I did express concerns that, of all of the four emergency services, only one is yet to complete its business plan. That is the RFS, and that is a fact. I said, "That needs to be fixed and I want it fixed." The reason I want it fixed is that I want to make sure the RFS knows clearly what its business operations are to be this financial year and next financial year and that it is able to get on and deliver the projects that the government has funded it to deliver for volunteers in the field and for the service as a whole. I indicated that the ESA had provided additional resources to the RFS to allow for a consultant to be engaged to assist the RFS with that work and I said, "I look forward to seeing the outcomes of that because I want it done. I want it done." Now, that is pretty clear and unambiguous, I would have thought. That is what I said in the meeting. I did not say anything else.

### **Hospitals—performance**

**MRS BURKE:** Mr Speaker, my question, through you, is to the Minister for Health. Minister, yesterday you referred to the AMA publication *Public hospital report card 2007* as an election campaign stunt. This report was based on data compiled from the Australian Institute of Health and Welfare and commonwealth Department of Health and Ageing. Minister, why did you suggest that data from the Australian Institute of Health and Welfare and the commonwealth Department of Health and Ageing was a stunt?

**MS GALLAGHER:** I did not. I said the AMA report card was part of a political stunt.

**MRS BURKE:** Why would you criticise the AMA report for highlighting the very poor performance of the Stanhope government in managing elective surgery and access to emergency departments?

**MS GALLAGHER:** I merely outlined my view of where the motivations behind the federal AMA's report card rested. It was part of a federal election campaign. They did not speak to the jurisdictions.

For example, they did not report that we had increased beds by the number we have increased them, based on the cuts we have seen. They did not look at the reform work that we have got under way. They did not look at the patients that we were seeking to remove from the waiting list. They did not ask the jurisdictions to provide them with information for a report card where they were judging the jurisdictions. That was the point I made. That was the flaw I saw.

The fact that it came out during the federal election campaign by an extremely powerful lobbying union should have been seen for the way it was. That was the point I was making. We stand by the data from the AIHW, the data we provide to the commonwealth department. That is fine.

My comments yesterday related to a report card. I stand by those comments. I think there could have been a fairer picture of the ACT health system had the federal AMA bothered to speak to us.

### **Balloon Aloft**

**MR STEFANIAK:** My question is to the Minister for Tourism, Sport and Recreation. Minister, you have sought to make much of the apparent value for money for ACT taxpayers from your decision to make Balloon Aloft the operator for the annual balloon event. In particular, you have sought to disparage the former operator by suggesting that their bid for the 2008 balloon event did not represent value for money. In the Assembly this week, you said—

**Mr Corbell:** On a point of order, Mr Speaker: it would be fair to say that the government is getting pretty fed up with questions that use arguments in their introduction. “You sought to disparage”: that is an argument, Mr Speaker. It is not necessary for the purpose of the question. Questions shall not contain arguments; standing order 117 (b) (ii) applies. I ask you to ask members of the opposition to cease this practice of trying to make political arguments or points as part of asking questions.

**MR SPEAKER:** The member was referring to comments that were made in this place.

**Mr Corbell:** The minister did not seek to disparage anyone. It is an argument.

**MR SPEAKER:** Order! It is fair enough to ask that arguments not be included. If you want to ask a question about what the minister said in this place, you should rephrase the question so that it reflects that form.

**MR STEFANIAK:** In particular, minister, you suggested that their bid for the 2008 balloon event did not represent value for money, and in the Assembly this week you said that Balloon Aloft’s fee for service would be \$10,000 out of the \$70,000, and that this was in contrast to the previous operator’s bid for the \$90,000 event management fee from an overall budget request of \$493,000. In fact, minister, the organisation’s budget included funding under the ACT government’s events assistance program of \$85,000. The figure of \$493,000, which you say the organisation was requesting from the ACT government, was that organisation’s total budget expenditure for the event,

funded from various sources. It was not the amount of cash it was seeking from the ACT government. Minister, why have you misrepresented the previous operator? I have a document here which I am happy to table which shows what I have just read out. I seek leave to table that document.

Leave granted.

**MR BARR:** The short answer to Mr Stefaniak's question is that at no point did I make that imputation. I simply stated that the fee for service for Balloon Aloft would be \$10,000 from an overall budget of \$70,000, and that the fee for service and the event management fee for CBF Inc. was \$90,000 from a budget of \$493,000. They are the simple points that I made yesterday. I reiterate, for the benefit of Mr Stefaniak, who I am sure has been put up to this question—

**Mr Corbell:** Yes, by Mr Smyth.

**MR BARR:** Yes, that is right—that we will have an outstanding balloon event in the ACT and it will represent value for money for taxpayers. But what is at the heart of this issue is that CBF submitted a budget bid to the territory for something in the order of \$1.25 million over five years. They were unsuccessful in that bid, and they sought that funding from a range of sources. They were successful in some parts, to the tune of \$70,000, and they have then come back to us and said they could not run the event that we wanted for \$70,000. We have found someone else who can, and we are going with that local company. It is as simple as that.

**MR SPEAKER:** Is there a supplementary question?

**MR STEFANIAK:** Thanks, Mr Speaker. Minister, will you now table the business plan and budget for this event, including the budget submitted by Balloon Aloft?

**MR BARR:** No, Mr Speaker.

### **Schools—closures**

**MRS DUNNE:** My question is to the Chief Minister. On 12 and 13 February this year, the opposition asked you, Chief Minister, about statements made by your government prior to the 2004 election that there would be no school closures “in the next term of government”. You tried to play with the language to refute the statement, but you have not provided evidence that your government laid before the people of Canberra a plan not to close schools. The people of Canberra knew what your statements meant—they knew they meant that you would not close schools. The pain suffered by the people of Canberra as a result of school closures is now well evidenced.

**MR SPEAKER:** Come to the question, Mrs Burke.

**MRS DUNNE:** Chief Minister—

**Mr Corbell:** On a point of order, Mr Speaker: again, the opposition's question contains an argument—“the pain suffered” and “the people of Canberra knew what

you meant". These are political arguments. They do not aid in the asking of the question. A question is to elicit facts and should also be brief. None of these apply to Mrs Dunne's question, and I ask you to call her to order.

**MR SPEAKER:** I have already asked the member to come to the question.

**MRS DUNNE:** I was there, Mr Speaker.

**MR SPEAKER:** I think you were trying to stretch the envelope a little. Let us come to the question now.

**MRS DUNNE:** Chief Minister, for the information of the community and those personally affected by school closures, will you now table in the Assembly relevant documents that explicitly lay out your government's plans made and announced prior to the 2004 election to close schools?

**MR STANHOPE:** Mr Speaker, I have answered this question on a number of occasions. On each of those occasions I have pointed very explicitly to the exact comment which the then minister for education, Ms Gallagher, made, which is recorded in the *Canberra Times* of 11 August 2004. In fact, that is less than two months before the election—six weeks out. Six weeks out from the last election, Ms Gallagher said, and she is reported in the *Canberra Times* of 11 August 2004 as saying:

... at some stage in the future ... the community will have to have a conversation about this ... old schools, new schools and about what they want from the future.

I cannot imagine a clearer signal than that in an election campaign, six weeks out from an election, by a minister for education on behalf of the government seeking election. It is very clear. People are not stupid. People know when a minister stands up and says, "This is an issue which we will have to discuss," that the minister is saying, "This is an issue which requires attention, and we will discuss it." The record is clear.

**MR SPEAKER:** A supplementary question—

**Mr Smyth:** Will you table that?

**Mr Stanhope:** It is in the *Canberra Times*. We know you are asleep most of the time, but you could at least struggle to the library and get it yourself.

**MR SPEAKER:** Order! Chief Minister and Mr Smyth, discontinue this conversation. Mrs Dunne, a supplementary question.

**MR SPEAKER:** A supplementary question, Mrs Dunne?

**MRS DUNNE:** Chief Minister, will you table in the Assembly the relevant documents that demonstrate where your government's promise not to close schools in the next term of government was repudiated?

**MR STANHOPE:** I will not do it, Mr Speaker. I have just referred to the *Canberra Times*. It is quite explicit. What I will do is table a press release from Mr Steve Pratt on behalf of the Liberal Party in which he said that the Liberal Party would close schools.

### **Tourism—autumn events**

**MS PORTER:** Mr Speaker, my question, through you, is to the Minister for Tourism, Sport and Recreation. Can the minister outline the events which will occur during autumn to attract tourists to the ACT and which add to the cultural life of Canberra?

**MR BARR:** I thank Ms Porter for her question. Can I say at the outset that we on this side of the chamber recognise the value of events to Canberra, not just in economic terms but also in adding to the vibrant cultural life of our city.

Tourism operators in the ACT and the many thousands of Canberrans that they employ are world class and are innovative. They are excellent at combining their own offering with the beauty of Canberra's natural and built surrounds to provide a fantastic tourism events offering for each of Canberra's four seasons. The Stanhope government is very pleased to continue to support the diverse range of events that occur as part of Canberra's tourism and events calendar.

The question is about events coming in the next few months. I am very pleased to say that, again, we have a huge line-up of events for Canberra in autumn. Beginning this weekend, the people of Canberra and many visitors will start to celebrate the city's 95th birthday. The Celebrate Canberra Festival runs from 8 to 16 March and will feature over 30 events. The festival is also an important opportunity to build on momentum as we move towards the city's centenary in 2013.

As part of the festival, Stage 88 in Commonwealth Park will again be the scene of the flagship event, Celebrate in the Park. This is made possible by the ongoing support of ACTTAB. The schedule delivers a seven-hour concert, featuring a range of acts which, Mr Speaker, I am sure you and all Assembly members will enjoy. For those who are interested in a bit of motown, Human Nature's motown show will be coming to town. Canberra favourite Ricki-Lee will also perform. For those of us who are into great 70s and 80s Australian rock, rock legends Mental as Anything will also be performing, together with a range of great local bands. The big top will provide entertainment for kids, with a cast of many from *Playschool*. I did have the great pleasure of meeting Fifi from Fifi and Bumble fame at the launch of the Celebrate Canberra event earlier this week.

The festival kicks off on Saturday with Indyfest 08, the ACT's independent music festival. A range of family activities will also be occurring, including a free screening of *Harry Potter and the Order of the Phoenix* in Garema Place. For Harry Potter fans, there is something there for you.

Canberra Day activities include Australian Defence Force displays and marches through the city, up to 1,000 riders pedalling past Canberra's most iconic spaces and the Albert Hall's 80th birthday celebrations.

The festival continues through until 16 March, with lunchtime music; the national sheepdog trials; Lights, Canberra, Action!; a south Asian festival; a classic car show for motor enthusiasts; and a fishing competition. On 15 March, Skyfire will mark its 20th year above Lake Burley Griffin. I am sure it will be amongst the festival's most popular attractions.

Also, on the Ides of March—a time, I am sure, the Liberal Party hopes passes without incident this year—I will have the very great honour of presenting trophies at the Canberra Festival Dragon Boat Regatta, an event that highlights the healthy and active lifestyles in this city.

Autumn will also see an event that is a particular favourite of mine and, I know, many in this place: the Canberra District Wine Harvest Festival. This three-day festival showcases local produce, wine, food and music. I think the key problem is finding enough time over the weekend to visit all the great wineries and cellar doors within half an hour of our CBD.

Also, 20 March will see Australia's premier folk event, the National Folk Festival, kick off at Exhibition Park. This event draws thousands of visitors from all over Australia and features some of the nation and the territory's best talents.

Despite all the doom and gloom we hear about national attractions, they continue to make a great contribution to Canberra's tourism offering this autumn and do so in cooperative partnership with the ACT government in terms of marketing. Some of the events that are on offer this autumn include: From Turner to Monet: the triumph of landscape painting, at the National Gallery; 100 years of rugby league, at the National Museum of Australia; Lawrence of Arabia and the Light Horse, at the War Memorial; and Up, up and away, at the National Library of Australia.

Undoubtedly, the biggest event this autumn will be the Beijing Olympic Torch Relay on 23 April which will feature a mass balloon ascension as part of the nine-day national autumn balloon spectacular. I am sure that, by the time we get to this magnificent event, all members of the Assembly will be able to join together and celebrate our fantastic city and the wonderful array of attractions and events that are on offer in Canberra in autumn. I look forward to even the shadow tourism minister being big enough to come and celebrate the autumn balloon spectacular.

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

### **Financial Management Act—instrument Paper and statement by minister**

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts): For the information of members I present, pursuant to section 14 of the Financial Management Act 1996, the following paper:

Pursuant to section 14—Instrument directing a transfer of funds from the Department of Territory and Municipal Services to Chief Minister’s Department, including a statement of reasons, dated 5 March 2008—

I seek leave to make a statement in relation to the instrument.

Leave granted.

**MR STANHOPE:** Section 14 of the Financial Management Act relates to the transfer of funds between appropriations. The instrument I table today transfers appropriation for the International Arboretum from the Department of Territory and Municipal Services to the Chief Minister’s Department. The appropriation transferred comprises \$4.448 million in capital injection and \$800,000 in government payments.

## Papers

**Mr Speaker** presented the following paper:

Committee reports—Schedule of Government responses—March 2008.

**Mr Corbell** presented the following papers:

ACT Property Crime Reduction Strategy 2004-2007—*Building a safer community*—Third progress report.

Administration of Justice—ACT Criminal Justice—Statistical Profile—December quarter 2007—Revised.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Building Act—Building (General) Regulation 2008—Subordinate Law SL2008-3, including a regulatory impact statement (LR, 3 March 2008).

Canberra Institute of Technology Act—Canberra Institute of Technology (Advisory Council—Chair) Appointment 2008 (No 1)—Disallowable Instrument DI2008-15 (LR, 7 February 2008).

Domestic Violence Agencies Act—Domestic Violence Agencies (Project Coordinator) Appointment 2008 (No 1)—Disallowable Instrument DI2008-19 (LR, 7 February 2008).

Independent Competition and Regulatory Commission Act—Independent Competition and Regulatory Commission (Price Direction for the Supply of Electricity to Franchise Customers) Terms of Reference Determination 2008 (No 1)—Disallowable Instrument DI2008-13 (LR, 11 February 2008).

Planning and Development Act—Planning and Development Regulation 2008—Subordinate Law SL2008-2, including a regulatory impact statement (LR, 3 March 2008).

Public Place Names Act—Public Place Names (Franklin) Determination 2008 (No 2)—Disallowable Instrument DI2008-17 (LR, 7 February 2008).  
Road Transport (General) Act—Road Transport (General) (Application of Road Transport Legislation) Declaration 2008 (No 2)—Disallowable Instrument DI2008-12 (LR, 7 February 2008).

University of Canberra Act—University of Canberra (Honorary Degree) Statute 2008—Disallowable Instrument DI2008-18 (LR, 7 February 2008).

Petitions—Out of order

Petitions which do not conform with the standing orders (4)—

ACT Housing—Disturbing behaviour of specific tenants—Mrs Burke (25, 14, 11 and 19 signatures).

### **Supplementary answer to question without notice Environment—green waste programs**

**MR HARGREAVES:** Mr Speaker, on 5 March 2008 Dr Foskey asked for an estimate of the proportion of green waste going to landfill and whether I considered this a concern. For the information of members I provide the following advice. The ACT is achieving resource recovery levels for garden waste above most jurisdictions across Australia and at very affordable rates. In the ACT over 220,000 tonnes of garden waste are being recycled into a range of mulches, composts and soil products that are on sold into sustainable markets. The ACT operates two free garden waste drop-off facilities where all residents and businesses can drop off garden waste for recycling. While no up-to-date data on actual green waste quantities being land filled is available, it is estimated that fewer than 20,000 tonnes of garden waste are being disposed of to landfill.

Recent audits on the household kerbside bin system show that approximately three per cent of household rubbish presented to the kerbside contains garden waste. The ACT community has historically had low levels of garden waste presented in kerbside bins as a result of practices that developed in the community when 55-litre hand bins were used with a truck and runners to collect bins. The smaller bin meant that garden waste was not able to be placed in that receptacle, so residents got used to self-hauling garden waste to waste facilities. With the introduction of free garden waste recycling centres, garden waste diversion escalated to around a 90 per cent resource recovery level.

The trash pack industry also sprung up at this time to provide residents who were unable to self-haul their garden waste with a cheap and accessible service for garden waste collection. Having the trash pack industry providing green waste collection services to only those that want them means that the bulk of residents who self-haul their garden waste are not unnecessarily funding kerbside collection bins that are not utilised.

The introduction of a third garden-waste-only collection bin has not been pursued for a range of reasons, including the already high rate of garden waste recycling being

achieved without a third bin system, the additional cost imposed to ratepayers for a new system and the fact that large quantities of garden waste would not be suitable for collection in a kerbside bin and are better suited to self-transport in trailers and utes. Other jurisdictions that are introducing a third bin solely for garden waste collections are doing so in an attempt to recover garden waste at levels already being achieved in the ACT. The ACT performance on garden waste recovery is, therefore, not of concern.

## Personal explanation

**MR SMYTH** (Brindabella): Mr Speaker, I seek leave to make a personal explanation under standing order 46.

**MR SPEAKER:** Have you been misrepresented, Mr Smyth?

**MR SMYTH:** I have, Mr Speaker.

**MR SPEAKER:** Please go ahead, Mr Smyth.

**MR SMYTH:** Yesterday in question time the minister for tourism finished his answer to a question with the words:

What would be a great pity would be if the shadow minister continued to denigrate the event and continued to peddle around the David Marshalls and Joseph Griffiths of this town looking for support, noting, of course, that they reject his position.

The Chief Minister received, as did I, a response to that from Mr David Marshall this morning and I will just read the relevant paragraph:

Brendan Smyth was—

**MR SPEAKER:** Order! How does this link to a personal explanation? Explain.

**MR SMYTH:** Mr Barr has accused me of doing something, and here is the proof, from the people that supposedly said it to him, that I was not.

**MR SPEAKER:** Proceed.

**MR SMYTH:** The email from Mr Marshall reads:

Brendan Smyth wasn't soliciting the Tourism Taskforce nor TIC's support for his stance on the change to the running of the event—

**Mr Barr:** Keep on reading it.

**MR SMYTH:** I will. I intend to read the whole lot. But that is the important part:

Brendan Smyth wasn't soliciting the Tourism Taskforce nor TIC's support for his stance on the change to the running of the event, rather we both disagreed

with his media release and supported the Government's decision to appoint Balloon Aloft.

Quite clearly, I knew—

**Mr Barr:** And read the rest.

**MR SMYTH:** You want me to read the whole lot? I am quite happy to read the whole lot.

**MR SPEAKER:** As long as it relates to a personal explanation.

**Mr Barr:** It does.

**MR SMYTH:** I can read the whole lot for the minister. It continues:

Both Joseph and I expressed these views separately to Brendan and the fact that there had been a history of discontent with the Fiesta's operation. We both felt the change of the event management would be beneficial to its ongoing success.

That is irrelevant to the first part, which is—

**Mr Barr:** Yes, say that more clearly. Say it again.

**Mr Stanhope:** I raise a point of order, Mr Speaker.

**MR SMYTH:** that the minister was saying—

**MR SPEAKER:** Order!

**MR SMYTH:** I was soliciting the support of two gentlemen around the ACT, and they refute his claim.

**MR SPEAKER:** Thank you. Now what is your point of order, Mr Stanhope?

**Mr Stanhope:** I must say that Mr Smyth mumbled the last sentence. I wonder if he might reread it. I did not hear—

**MR SPEAKER:** That's not a point of order.

**Mr Stanhope:** just the last sentence.

**MR SMYTH:** I will reread the lot. Let me read the paragraph again, Mr Speaker:

Brendan Smyth wasn't soliciting the Tourism Taskforce nor TIC's support for his stance on the change to the running of the event, rather we both disagreed with his media release and supported the Government's decision to appoint Balloon Aloft. Both Joseph and I expressed these views separately to Brendan and the fact that there had been a history of discontent with the Fiesta's operation. We both felt the change of the event management would be beneficial to its ongoing success.

The first line is the relevant one—

**MR SPEAKER:** Thank you.

**MR SMYTH:** and the accusation of the minister is false and he should stand and apologise and withdraw the statement.

**MR SPEAKER:** Order! Enough said.

**Mr Barr:** Mr Speaker, I will withdraw the statement around soliciting, but it is clear the conversations took place and I am very pleased that they have been aired publicly.

### **Government policy—impact on young families** **Discussion of matter of public importance**

**MR SPEAKER:** I have received letters from Mrs Burke, Mrs Dunne, Dr Foskey, Mr Gentleman, Ms MacDonald, Ms Porter, Mr Pratt, Mr Seselja, Mr Smyth and Mr Stefaniak proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Mr Stefaniak be submitted to the Assembly, namely:

The impact of ACT Government policy on young families.

**MR STEFANIAK** (Ginninderra) (3.55): Mr Speaker, I do not often draw one of these, so I think I might go and get a Powerball ticket tonight.

In considering this matter of public importance, the impact of ACT government policies on young families, I thought about the issues of concern to young families in Canberra. There are a number of issues, but I have picked on four issues which are very important to young families and it is those I wish to address today. I rate them in no particular order of importance because they are all important. Some might be considered more important than others but they are all certainly issues of concern.

The first issue of concern for young families—and this must be right up there near the top of the list, if not the top of the list—is housing affordability; that great Australian dream of young Australian families to own their own home, albeit often with long-term loan financing, which is getting more and more expensive, thanks to Mr Rudd and co. The great Australian dream for young Australian families is to bring up their kids in the family home and do simple things like play cricket with their children in their own backyard, hang the washing out on their own Hills hoist, grow vegies, if they like growing vegies, in their own little vegie patch, and even things like perpetuating their kids' handprints in the newly laid concrete path leading down to that vegie patch.

But what have we seen happening in Canberra? Is that great Australian dream now just that—a dream? Indeed, Madam Temporary Deputy Speaker—

**MADAM ASSISTANT SPEAKER** (Mrs Dunne): Just to assist you, Mr Stefaniak, it is now Assistant Speaker.

**MR STEFANIAK:** We have already passed that? Well, that is much easier. Madam Assistant Speaker, thank you. That is good. I did not actually have any problem with Madam Temporary Deputy Speaker, but Madam Assistant Speaker sounds good, so there you go; that is now in the new standing orders.

Is that dream now an impossible dream? We have seen housing stock squeezed. We have seen house prices increase and we have seen land availability stagnate. On top of that, we read in today's *Canberra Times* that Canberrans are spending less and are more highly mortgaged than most. And then for people who cannot afford to buy their own home, to achieve that great Australian dream, the rental market has tightened to the point where rental bidding has become almost the norm in Canberra.

What has the government done about this? It has been incredibly slow to respond to these challenges. It has only recently announced a strategy to address some of these challenges. In about April last year the Chief Minister finally deigned to introduce some sort of strategy, probably about six years or so after this government came to power. It was all a bit too little and way too late. It is not rocket science. It is not like we do not have land in the ACT. We do, and we will have land to be developed into the decades to come.

Things as simple as a land bank seem to have not crossed the government's mind until very, very recently indeed. It is not like we do not have land. Why on earth couldn't they have a land bank? Why on earth couldn't they plan? They are meant to be a Labor government. Labor governments supposedly should be able to plan, but they could not, and we have seen very, very little and it is very late. A lot of people have missed out and we are seeing the result of government inactivity in this crucially important area.

Let us not leave out our lower income groups—those people that can afford neither the great Australian dream nor even a rental property. These are the people who should have access to public housing. And how does the Stanhope Labor government respond to these people? It does so with the stroke of a pen. In 2006 this socially minded Labor government proudly announced it had halved its public housing waiting lists. How was that achieved? It was achieved by cutting the household eligibility criterion from \$1,000 a week to \$700 per week.

**Mr Smyth:** All those rich people on \$800 a week.

**MR STEFANIAK:** Exactly. So today a household earning \$1,000 per week—and I put it to you that they are struggling—is facing competing for a private sector rental property, facing bidding wars potentially and facing rents of about \$400 or more per week on a rental property—40 per cent or more of their income. So our young families face an uphill battle on housing affordability, and the ones at the lower end of the scale face an uphill battle in terms of just affording the rent. We constantly hear horrendous stories of people being evicted, who have trouble getting into public housing and of waiting lists that are still a very great problem, despite the way the government tries to dress things up.

Everyone wants a good education for their children and education is an issue confronting Canberra's young families. All of us, especially young families, want the best education system we can get for our children. Some people opt for private education; others opt for public education; some opt for a bit of both. For generations public education has been the mainstay, the certain future, the constant, for our nation's children.

But what has the Stanhope Labor government done to the public education system in the ACT? Instead of providing certainty in our public system, the government has introduced uncertainty. How would a young family respond to an atmosphere of uncertainty? Some of them respond by sending their children to private schools. There is an exodus, and a continuing exodus, from the ACT's public schools to the ACT's private schools. Some of that is from choice, but some of that is out of absolute desperation and some of it is very much out of uncertainty. Why is this so? It is because the government has done a number of things, but first and foremost what comes to mind is that this government has closed schools against promises not to.

We have had a few questions over the last few weeks about this. This issue will never go away. What really rankles with a lot of people is that the government have closed schools in a most covert manner, with no public consultation, against promises to consult. Despite what the government might like to say, everyone, I think, in Canberra had the impression before the last election that this government were not going to close schools this term. That was made quite clear, despite how the government might squirm about it. Even after the election, there were not any signs that they were going to. In fact, even as late as, I think, 10 April 2006 the then minister Katy Gallagher put out a fairly bland thing about improvements for the school system. Nothing was said about closures.

Then, of course, we had the Costello report, which, naturally, this government will not release. On 6 June, on D-day 2006, it was announced that 39 schools, I think it was, were to be closed. There was no consultation as to which ones. That was wound back to 23 schools. But what an incredibly arrogant way of doing things. If the government were really concerned, they could have flagged that we had a problem, taken the community into their confidence, sat down with the community and worked out, "Okay, we have to close some schools; which ones will they be?" Instead, they put the cart before the horse in a most covert and arrogant way, and now we have had some 23 schools closed.

Yet when this government were in opposition, when previous governments might have attempted to close a handful of schools or preschools, they said things such as: "You can't do that because how are the kids going to walk school? They've got to cross a main public street." They could not give a stuff about that now. We have had a large number of schools close and there are a large number of streets that children will certainly have to cross—and that means absolutely nothing now to this government. So there is a great element in this government of hypocrisy, of double standards and of saying things completely different from what they would have said only a short number of years ago.

Of course, there are other problems in relation to our schools. We hear issues about the safety and security of our children. It is disturbing to hear the stories of violence, drug dealings, assaults and all manner of affronts to personal safety and security for our children in schools, and that seems to be all a little bit too hard for this government, unlike the opposition which are at least prepared to talk with and listen to the views and suggestions of the community, the educational professionals and community safety agencies.

The government really has dropped the ball for young families in relation to schools. It has done so against everything it has sprouted for about a decade and I do not think it has been particularly efficient either. People are still scratching their heads as to why certain schools were closed and some were not. Of course, Madam Assistant Speaker, the government has been very loath to release any documentation to you and to other concerned parties about this to justify their decision. The fact remains that it is very hard to justify a decision which was fundamentally flawed from the word go.

Another issue of concern to young families is a basic one—I talked about playing cricket in the backyard—and that is recreation. It was not too long ago, probably only about six or seven years ago, that we were able to boast the best and the most diverse recreation facilities in Canberra. However, today it grieves me to see letters in the paper saying that facilities like the Chisholm district playing fields, once an incredibly vibrant heart of sporting and recreation activities in southern Tuggeranong, are now just an overgrown weed paddock—and this is despite the fact that this government have known for many years that we faced a drought. It had been pointed out to them that they could take measures such as simply adopting couch grass, which they now seem to be prepared to do, which could have saved about 70 per cent of watering of a lot of our facilities. Why didn't they do it when the signs were first there, when it was first brought to their attention? Again, they are only starting to do very little, very, very late, and that seriously impacts on amenities for families—playing on ovals, be it organised sport, simply walking the dog or playing a bit a cricket there with the kids, throwing frisbees—whatever.

Speaking of overgrown weed paddocks, we have seen this government do a little to attack the unabated spread of noxious weeds like Paterson's curse through some of our recreational parks, again an amenity families that like. We have seen the government deny the Gungahlin community the facilities that they clearly need, such as a swimming pool. The government seems quite happy to design one into the Bimberi youth detention centre, which will have a maximum capacity of about 40 detainees, but in terms of the Gungahlin community it is very, very tardy with essential recreational facilities, and a swimming pool is just one.

In terms of other recreation activities, we have seen the government utterly fail to deliver on things like its promise for a dragway for the ACT community. We have seen it neglect and allow an eyesore to develop at Phillip oval, a facility so well located and with so much potential that it could be made into a great community asset. There is even the general look of the city which is a concern to our young families. What sort of impression does ghastly graffiti have on our young children? Why should they run through long grass in some of our recreational areas and why should

they have to be on the constant lookout for things like drug syringes in the playgrounds they play on?

The final area I want to cover is health. Our health system, according to our health minister, is the best in Australia. She says it is a health system that would make anyone, were they get to sick, want to get sick in Canberra rather than anywhere else in the world. But that is not quite what we hear. Are Canberra's young families likely to want to face a health system that consistently is criticised for its poor service delivery, where emergency department waiting times are the worst in the country, where elective surgery waiting times are still the worst in the country and where we see things like staffing levels and morale at such a low ebb that we hear that notes have to be left on nursing station desks asking if anyone is available to work extra shifts, because there are not enough staff? We see nurses who want to retire but do not, because they feel they have a duty because of the lack of nurses. Nurses well into their 60s in many instances keep coming in, often doing double shifts, because they have that dedication. Is that right? There are some big problems here in health that affect young families, and young families especially are the ones where the kids do get sick and have to go to hospital.

I could go on; there are other things I could mention—simple things like the fiasco over the Tharwa bridge, the prison, and things like that—but I will leave it with those four particular areas. This is a government that has failed Canberra's young families on many, many fronts. It has failed to deliver the kind of Canberra that our young families can be proud of and want to raise their kids in. Canberra has had a reputation over the years as a great place to raise kids, because it is safe, because it is easy to get around, because there were neighbourhood schools, because there was a good health system, because there were lots of things for young families to do, lots of recreational facilities. We have seen those run down.

The Chief Minister today spouted on about being fiscally responsible. We are Liberals; we like to see fiscal responsibility. But there are ways you can do that. By your own figures, you saved only about \$4 million a year when you aimed to close 39 schools. There is very little money in school closures—but there is a hell of a big kick in the guts to a local community if its school goes, especially if there is no good reason for that to occur. That has a real effect on just the amenity of families in that particular suburb and it has a flow-on effect in terms of things like local shops. For example, following the Hall primary school closure, there has been a one-third drop in custom for the little general store there. Those are the sort of impacts you have on Canberrans and especially young families when you make the wrong decision.

The government has failed to deliver the kind of Canberra that keeps our young families healthy, well educated and safe. It has failed to deliver the kind of Canberra that makes that great Australian dream a reality for our young families and it has failed to deliver the kind of Canberra our young families deserve.

**MR STANHOPE** (Ginninderra—Chief Minister, Treasurer, Minister for Business and Economic Development, Minister for Indigenous Affairs, Minister for the Environment, Water and Climate Change, Minister for the Arts) (4.10): It is a great pleasure to have the opportunity to discuss this matter of public importance. I suspect

that it was rushed into the mix by the Liberals in some haste after their leader's failure to make a single mention of young families or inflation or interest rates in his motion yesterday.

**Mr Seselja:** We liked your own goal, Jon.

**MR STANHOPE:** Well, better late than never, I expect—better late than never. I am happy to have Labor's record in this area stacked up against the Liberal Party's any day of the week. You want to talk about the impact of government policy on young families. Let us talk about what the Vardon report uncovered about the state of child protection under the Liberals. Let us talk about the improvements that have been made in the literacy and numeracy levels of Indigenous children since the Labor Party took office.

ACT Labor have a cherished and very proud record of supporting Canberrans at every stage of their lives. Ours is a government that consciously responds to change in demographics and change in community needs. We know that a community is not a static thing; a suburb is not something that should be fixed in time. Facilities such as schools and health centres are not museums but places that serve the community and that adapt to the needs and demands of the community. Young families have always made up a solid proportion of our community, though with the ageing of our population they perhaps comprise a less overwhelming proportion than they did in the fifties, sixties and seventies.

Nevertheless, the family, in all its shapes and sizes and with all its varieties, is still the place where each of us gets our start in life, and Labor does everything in its power to see that that is a good start for every child. This means providing the mainstream services and infrastructure that support young families and improve the quality of their lives. It also means providing the services and infrastructure that support children and their parents when things go wrong, when for a multitude of reasons the journey gets a bit rough.

Supporting families also means putting in place the fundamental policy settings that enable Canberrans to simply get on with things: a strong economy and plentiful employment opportunities. And, of course, the same settings that deliver the security also deliver the prosperity that allows the government to implement policies to support those who need extra support. As I shared with this Assembly in my ministerial statement last year on the Canberra plan, on virtually all measures our standard of living has improved under Labor. We are earning more, we are learning more, and we are gaining in health and wellbeing. So let us look at some of the details.

Over the life of this government to date, 20,000 jobs have been created. The strength of the employment market is such that skills are now one of the major constraints on faster growth by our private sector. We must always look to the future and anticipate what is coming. We have to be proactive, not reactive. That is why just yesterday I announced that the government was working with the private sector and the commonwealth to respond to any employment implications contained in the forthcoming federal budget.

We have been through such cycles in the size of the commonwealth public sector before. The difference this time, under this Labor government, is that we are not sitting back moaning, wringing our hands and engaging in histrionics—actions the opposition count as standing up for Canberra, whining and gnashing their teeth. Indeed, these are the very things they admit they tried last time and which did not work. On 21 February this year, just a couple of weeks ago, on radio Liberal deputy leader Brendan Smyth 'fessed up, of course. He admitted that, while the then Chief Minister Kate Carnell had complained about the Howard government's massive and crippling cuts to Canberra in 1996, it had not actually done anything; it had not worked.

But we are not moaning and we are not wringing our hands. We are doing something proactive; we are on the front foot. As I said yesterday, the good news is that the ACT has record low levels of unemployment at 2.3 per cent, with job vacancies outnumbering the number of people seeking work. This is yet another indicator of a strong economy, which ultimately enables young families to achieve their aspirations.

Another policy area where the government has led the nation has been in our response to housing affordability. Again in our response we have sought to respond to the needs not just of one sector but of all Canberrans for safe, affordable and appropriate housing. That includes young families, but it is not of course confined to young families.

The ACT government acted decisively last year to address this issue by releasing its affordable housing action plan. Let me provide the Assembly with some of the initiatives that the affordable housing action plan contains and which by their very nature support young families in the ACT. We have implemented an acceleration of the supply of affordable land to the market, with the residential release program increased by 1,000 blocks to a total of 3,200 dwelling sites, land sales at Dunlop and Franklin, the release of the Forde and Crace joint ventures, the release of en globo sites at Macgregor west and Casey, with future planning for Molonglo and north Weston underway.

The action plan also expands the eligibility criteria for the home buyer concession scheme from 1 July 2007. We have implemented the Revenue Legislation (Housing Affordability Initiatives) Amendment Act 2007. This amending legislation has a direct and positive impact on young families entering the housing market. It allows for a number of supporting initiatives, including conveyance duty deferral for first home buyers for up to five years; deferral until a certificate of occupancy has been issued and an exemption by Community Housing Canberra from the pain of duty and land tax.

In the chamber yesterday the Leader of the Opposition spoke of the implications of the efficiency cuts to national institutions. What he failed to acknowledge was why those efficiency cuts were necessary. Those efficiencies are being imposed to combat the Howard-Costello inflation legacy and the interest rate rises that are now deemed necessary in response to that legacy. Make no mistake: these interest rate rises are having a direct impact on young families—perhaps the greatest impact of anything

that they are likely to experience. Young Canberra families with mortgages are paying up to \$4,000 a year extra in mortgage repayments—a legacy of the federal Liberals. That is a direct hit to their capacity to put food on the table, a direct drain on their discretionary budgets and a blow to morale that many are struggling to cope with.

Listen to the commentary in recent days by the charities and consumer financial advisory services. Listen to what they say is the root cause of the upsurge in demand for their support—interest rates. They are the Liberal Party's interest rates, the interest rates that Mr Seselja, the Leader of the Opposition, did not mention. In a 15-minute speech yesterday he did not refer to the implications of the cuts, interest rates, inflation, mortgages or families and young families. We see their response today. They have realised their error. This is what the Liberal Party has done to young families.

The efficiencies that we are now being forced to endure are part of the response by a new commonwealth government with a conscience, with a concern for young families, with a concern for working families—indeed, with a concern for all families. The new government is trying as desperately as it can to address the issue which the Liberal Party has let loose on the Australian community, most particularly young families, and that is the implications of these interest rate rises for families, individuals and children.

Just reflect on it. Just stop, pause and consider. Since August 2005 there have been eight Liberal Party interest rate rises. On a standard mortgage that has resulted in an additional \$4,400 a year, with the threat of an additional interest rate rise next month. It is not over. It takes time and an awful effort to slay the inflation beast. It takes an incredible effort just to slow it, and despite those eight interest rates rises there is still the possibility of a further one within the next month.

We are already at \$4,400 on a standard young family mortgage—\$110,000 over the life of a mortgage, and climbing. Just think about the implications of that for young families. Just think about that burden which the Liberal Party has imposed on young families in the ACT. The Leader of the Opposition did not think that it was worth commenting on. He was more concerned about the two per cent efficiency dividend imposed on the Australian archives to reduce the level of its growth—not even a cut to services, just a reduction in its growth.

The Liberal Party in this place thinks it is more important to express concern about a reduction in the level of growth of the Australian archives than it is to actually do something about an additional \$4,400 on a young Canberra family's mortgage payment. Think about how that \$4,400 might have been spent by that family, say, on their children. That is \$4,400 of discretionary expenditure that can no longer be spent on enhancing that child's educational opportunities or life opportunities. That is \$4,400 the Liberal Party has taken off the table or out of the bank balances of those young Canberra families. That is grim. It is hard. It will have a serious impact on the quality of life and the living standards of those families as they put all their discretionary extra expenditure onto their mortgage. It is another \$367 a month, and growing.

As I said yesterday, in the context of \$4,400 a year in extra mortgage payments, the imperative for which we are working desperately is to prevent \$4,400 in extra mortgage payments growing to, say, \$5,000 or more a year. It is already at \$367 a month. Another 0.25 per cent next month, as is anticipated and foreshadowed, will push the monthly extra payment up to over \$400 a month. That is what we face. That is what young Canberra families face. One would have thought that it was worth at least one mention by the Leader of the Opposition when he moved yesterday that the Assembly note the effect and implications of commonwealth budget cuts. One would have thought that it was worth a single mention, that, yes, it is a pity and it is to be regretted that government programs and facilities and government employees are facing stringent times.

Yes, it is to be regretted. It is a pity, and we have to ensure that the commonwealth government, in the steps that it takes to combat rampaging inflation, takes account of the potential for a disproportionate impact on the ACT and the people of the ACT. It is vital that we do that. It is vital that we do everything we can. But let us not get away from what it is that we are seeking to prevent, and that is the economic impact. We see it here already in the territory as a result of inflation. We see it today in the latest figures on state final demand. Inflation is biting in this community. It is a direct result of interest rate rises and insecurity that has been created or driven by those interest rate rises and the threat of inflation. There is nervousness within the business community and a pulling back on investments that might otherwise have been made. Make no mistake. The state final demand figures we see are a direct result of Liberal Party financial mismanagement.

You can boot the cause straight home to the Liberal Party, geed up, of course, by their ACT Liberal Party colleagues. There was no suggestion of a pause or halt in the flagrant undisciplined spending that we have seen over the last few years by the previous government. Of course, you reap what you sow, and we are reaping the whirlwind. But who is reaping the whirlwind at a level that perhaps is more painful than the rest? It is young families and young people, the people that the Leader of the Opposition and the Liberal Party, in an entire debate initiated by them on the implications of cuts being produced by the commonwealth government, did not once feel the necessity to refer to. The implications for the economy, the knock-on implications for investment, the implications thereby for retail expenditure and the economy overall, the implications for employment and, most pertinently, the implications for the affordability of mortgages, the commitments that people make to housing and the housing stress faced by Canberra families paying that extra \$4,400 a year in mortgage payments were not mentioned.

That is at the heart of the issue. That is the issue you would have raised for debate yesterday if you were genuinely concerned. You would not have launched an entire debate led by a 15-minute speech by your leader without once mentioning the implications of interest rate rises for young families. Today, to cover your embarrassment you come in here with a matter of public importance around young families. You come in here today to cover your embarrassment. You said to yourselves, "Goodness me, we really did show yesterday what we stand for—essentially nothing." You generated a whole debate—it took half the day—and your

leader did not think to mention young families. So you scurry in here today and try and cover up your embarrassment and pretend that you care about young people. Your record in government, let alone your record yesterday, shows the extent to which you have abandoned not just younger people but indeed the community.

We are proud of our record. We are proud of the extent to which we have focused on things like education. We have undertaken a massive investment in and complete reorganisation of education, and my colleague the minister for education will go into that in this debate. We have a proud and enviable record which we stand by and which we are happy to put to this community. You should be embarrassed.

**MR SESELJA** (Molonglo—Leader of the Opposition) (4.25): Once again we have seen the height of hypocrisy from the Chief Minister and really another extremely embarrassing event. It follows on from his own goal yesterday where he sought to claim the high moral ground on commitment to young families. The Chief Minister took credit on the one hand for the employment growth that has occurred through the expansion of the commonwealth government but blamed the commonwealth for the resultant inflation and, of course, the interest rates that have flowed from that. But nowhere in his performance, Madam Assistant Speaker, did he refer to the hardship that he and his government have caused to young families in the ACT through their policies.

Jon Stanhope sits there, fat on his commonwealth public service pension and tells us that we do not care about young families. As he eyes retirement he tells me that I do not care about or understand the needs of young families.

**Mr Stanhope:** The old silver spoon merchants from the conservatives.

**MR SESELJA:** We can compare silver spoons. The man on his commonwealth public service pension on top of his Chief Minister's salary, eyeing retirement, tells me that we do not care about young families.

**Mr Stanhope:** I would not mind betting I am here longer than you.

**MR SESELJA:** We will now get into what his government has done for the families of Canberra.

**Mr Stanhope:** Cannot afford to join the Canberra Business Club.

**MADAM ASSISTANT SPEAKER** (Mrs Dunne): Order, Mr Stanhope! You have had your turn. You were heard in silence. Be quiet.

**Mr Stanhope:** Was I?

**MR SESELJA:** You were. Thank you, Madam Assistant Speaker. We have seen their attitude to policies that affect young families in the ACT. Some of these policies were deliberate. When we look particularly at housing affordability, there was a deliberate policy by this government to slow down land supply. That is what forced the prices up. It was a deliberate policy to force up prices. The Chief Minister scurries away in

embarrassment at his performance. We saw it yesterday. He comes in here and he rants and raves and fails to hang around to actually listen to the response. He must be embarrassed by that performance. But he must be even more embarrassed by how his government's policies have affected young people and young families in the ACT.

Let us look through the legacy. Twenty-three schools closed after we were promised that none would close. They lied to the people of the ACT before the election. Then they turned around and closed 23 schools. How do you think that affects young families—young families who have to purchase a second car in order to take their kids to school, young families who have been forced into the non-government sector because they no longer have an accessible government school? How do paying school fees that they otherwise would not have been paying and buying an extra car that they otherwise would not have had to buy affect their bottom line?

This is at the heart of his argument. This will be the narrative all year. He will blame everyone else for the problems. In the good times that he has experienced he takes credit for the low unemployment. He takes credit for what the commonwealth did in expanding the public service, with all the flow-on effects. But as things get tough he fails to acknowledge that his government, far from using this billion dollar boom to secure Canberra's future, has actually overseen a reduction in services in so many areas.

He talks about interest rates, which are a concern to all of us. But he did not blink before imposing an ongoing and permanent increase in rates and charges of around \$450 per household, and that will go up with wage price inflation. That is not going to go up and down depending on how interest rates go. That will be here to stay. Young families will be paying that to prop up Jon Stanhope's bottom line. He did not blink before imposing that. He did not blink before imposing the fire and emergency services levy and the utilities tax. He did not blink before imposing these extra charges on the people of Canberra, and young families are bearing the burden of that.

We have seen the reduction in our bus services. That, of course, affects many in the community. It affects the disabled and it also affects young families, particularly those on lower and middle incomes who cannot afford two vehicles who do rely on our bus services to get around. We have seen the impact of the cuts, particularly in the outer suburbs of Tuggeranong, Gungahlin and Belconnen.

Infrastructure investment has not been made in the areas where young families desperately need it. There is perhaps no greater example of the impact of ACT government policy on young families than the Gungahlin experience. We have seen the Gungahlin community now being forced to beg to use the pool at the Youth Detention Centre. This is the government's attitude—

**Mr Gentleman:** What is wrong with Gold Creek pool?

**MR SESELJA:** We hear the interjection from Mr Gentleman. Labor Party policy now is that Gold Creek will do. The Gold Creek Country Club is enough. The new Labor policy on the pool in Gungahlin is: you have got enough. You have got a 25-metre pool at the Gold Creek Country Club. Isn't it a bit extravagant to be asking

for a pool? This is the fastest growing area in Canberra with the youngest population and the attitude of this government, as expressed by Mr Gentleman, is to be satisfied with what you have got. How dare you ask for a pool! How dare you ask for some decent facilities! It is outrageous that the Gungahlin community has to beg to use the pool at the youth detention facility because this government does not care enough to actually release the land to provide the kind of assistance that is needed to actually get this pool going.

I believe that it was an election promise that we are still waiting for—another one. Look at the experience of Gungahlin. There has been a complete failure to invest in some of the sporting facilities that have been requested. The attitude, expressed by Mr Gentleman, is that you should be satisfied with what you have got. “Go to the country club; you should be happy.” Come on! We are doing enough. This is outrageous! We see the same attitude to Gungahlin in the Gungahlin Drive extension: “Be satisfied with a one-lane road. What are you asking for, a two-lane road? You are the fastest growing area in Canberra. Soon there will be 50,000 or 60,000 or 70,000 people living in Gungahlin and you want a two lane-road to be provided. That is outrageous. What do you want? What do you expect from us?”

This attitude was summed up by the Chief Minister when he said that we as a community are living beyond our means. It had nothing to do with this government’s wasted expenditure. It had nothing to do with this government’s failure to manage the massive revenue that it has had and its failure to deliver these services. I would like to share one of the personal stories of friends and family who are suffering as a result of the housing affordability crisis caused by this government. One of them works at the airport. It is a one-income family. He works as a baggage handler. He has three young children, is in his late twenties and is probably on a middle income of about \$50,000 or \$60,000 a year when he gets extra shifts.

**Mr Gentleman:** Thanks to the union.

**MR SESELJA:** Mr Gentleman says, “Thanks to the union.” We say that, thanks to the ACT government, this family on one income of around about \$55,000 to \$60,000 a year simply cannot afford to buy a home. They are some of the lucky ones because they are able to live with the parents of one of them so that they can actually save some money and not have to be forced to pay \$350 or \$400 a week in rent. Maybe over two or three or four years they will have some prospect of saving sufficient money for a deposit for a home. These are some of the families.

Friends of mine have now purchased in Yass for \$100,000. It was not because they wanted to live in Yass. They grew up in Belconnen and their extended family is here, but they have been forced to go to Yass. They do not want to be removed from their family and friends and loved ones, but they have to. They cannot afford to buy in the new areas in Gungahlin. They cannot afford to buy in some of the older areas such as Flynn or Gilmore where for \$350,000, if you are lucky, you can get a small three-bedroom home.

This is the personal face of this government’s policies. It is hypocritical for Jon Stanhope to come in here and pretend that he has done anything to assist young

families when his policies have forced them out of home ownership, have seen their schools close, have seen their services cut back and have seen their taxes and charges increase. This is the story. This is the impact that this government's policies have had on the young families of the ACT.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (4.36): I thank the opposition for raising this matter. I am very pleased to be able to indicate that I do not think there is anything more important that a government can do for young families than to ensure that their children have access to world-class public education. That is why the Stanhope government have increased expenditure in education by more than 30 per cent since being elected in 2001. That is why we are investing \$350 million in critical infrastructure that this community needs. That is \$350 million, I might add, that the opposition continue to believe is throwing good money after bad.

We continue to produce forward-thinking policies in areas of early childhood education, information and communication technology in schools, standards in education, healthy fund raising and canteen policies, revitalising physical education and school sport, initiatives in Indigenous education and pastoral care in the arts and languages. We are backing those policies with investment. We will invest \$20 million to ensure that our public education system has state-of-the-art information and communication technology, over \$14 million to provide a pastoral care and student welfare coordinator at an executive level in every ACT public high school, \$3.3 million to improve outcomes for Indigenous students in our education system, and more than \$1.2 million to revitalise physical education in our schools.

It is an investment that has come off the back of a difficult reform process, but we are investing in the quality of our education system. What young families in Canberra need is access to quality public education. What they do not need is inferior education. They need quality education, and that is what we need to invest in in our education system. There is no doubt that this government is committed to providing families with education choices. This commitment is exemplified in our policies on early childhood education.

International and national research highlights the importance of early childhood education. The early years are critical in setting the foundation for future learning, behaviour and health throughout the school years and on into adult life. Studies have demonstrated time and again the positive effects of good early childhood education. This includes higher school completion rates, further education participation, better employment outcomes, better earnings and better general social wellbeing. One US study showed that each dollar invested in early childhood education can save up to \$7 in later public expenditure. Research on the value of early childhood programs, particularly for children who are disadvantaged, is undisputed and well substantiated. The Stanhope government is responding to this research and focusing on and promoting early childhood education through a range of sound policies.

This year all preschools have been amalgamated with a primary school in order to streamline education pathways for children. These amalgamations will improve the

continuity of learning and ensure that children can access an integrated education curriculum. This also means that preschool teachers are given more opportunities for professional development and more professional support through their principal and fellow teachers.

The government has been supported in this policy and works in partnership with the Canberra Preschool Society, an organisation that welcomed the change and recognised the great benefits that can come from streamlining educational pathways. Society president Carolyn Harkness, said at the time that students “need to be able to have continuity of education” and that the “Canberra Preschool Society is quite in favour of bringing preschool into primary”.

We also announced that from 2009 the government will establish four new early childhood schools at Southern Cross, Lyons, Isabella Plains and Narrabundah. These new schools will join the very successful and popular O’Connor Cooperative School, which already offers a dedicated focus on early childhood education. These new schools ensure that we can offer this focus across all areas of Canberra. The focus will be on quality learning, student wellbeing and family participation in a purpose-built environment. Services will vary from site to site and will be available from a number of government and community agencies, including education, childcare, health, parenting, early intervention and preschool programs. The schools will also have links to the University of Canberra and the CIT early childhood courses.

These new initiatives are supported by the new curriculum framework which is being implemented in all schools across Canberra this year. The framework has a strong focus on teaching and learning in the early years through a band of development covering students from preschool to year 2. This framework supports the academic, social and personal development of our students.

These are just the latest in a series of initiatives shown by the Stanhope government to support young students and their families, and there are many others. Since 2001 we have reduced class sizes in the early years of schooling to ensure that no class from kindergarten to year 3 has more than 21 students. The government has also invested nearly \$8 million in 2005 to increase preschool hours from 10.5 hours a week to 12 hours a week. This extension of preschool hours supports choice for families. The government recognised research showing not only the importance of education in the early years but also that family structures and support needs have changed significantly with increased workforce participation and single parent families.

The increase in workforce participation also impacts on the demand for full-day childcare places. Longer preschool hours will assist young families by providing more accessible and affordable early childhood programs for a longer duration. This policy means that ACT families with young children have access to increased service provision, increased early intervention options, greater choice and more affordable options for prior to school programs, longer day preschool programs which will assist them to use government preschools and release spaces at childcare centres to other families and a more attractive option for those parents and carers of young children with special needs.

As I said earlier, the government is in the process of investing \$350 million in important education infrastructure for our city. We are building new schools in areas where they are needed and we are improving the infrastructure in all public schools. Every public school in the ACT will be upgraded. These upgrades have already seen more than 226 separate projects across 73 different schools just in the first year of the four-year program. They include new classrooms, new dedicated teaching areas, science labs and art rooms, for example, as well as upgrades to staff rooms and other amenities around schools.

The new state-of-the-art Harrison school opened this year, and we look forward to adding west Belconnen, Gungahlin college and the new Tuggeranong P-10 school over the years 2009, 2010 and 2011. This investment in our facilities ensures state-of-the-art environments for our teachers and students into the future. It was a great pleasure to attend the opening of the world-class Harrison primary school. On that day I had the opportunity to meet with hundreds of young Canberra families who were very pleased to be able to send their children to what is the most modern and best equipped school in Australia. It is an outstanding facility. It sets a new benchmark in terms of the quality public education infrastructure that we see in the ACT and will continue to see as a result of this government's investment.

Those opposite did nothing for public education throughout their entire time in office. In fact, in his speech the former Leader of the Opposition had the hide to criticise the closure of schools. He has a particularly good record there. When he closed Charnwood high school, his consultation process was about four weeks. It is a farce for those opposite to seek to claim any moral high ground with their "purer than driven snow" attitude to school closures. They should be treated by the community as the joke that they are. It is no wonder that they are polling less than 30 per cent.

When they do deign to enter the education policy debate, it is only to steal a policy that the government announced a year ago. Mr Seselja's first and only policy announcement in education so far, other than keeping open the two schools that are moving to a brand new building 500 metres away, was to copy the government's position on a safe schools task force. We undertook last year to review all policies in relation to safety in schools. That task force was established last year and has been meeting monthly and it contains representatives from all of the key stakeholders. It has been meeting with ACT Policing and has been making a difference in terms of safety and student safety in our public schools. The data that we have received over the final two terms of 2007 clearly shows that these policies are working. I hope that we—

**Mrs Dunne:** Show it. Put it on the table. Show us.

**MR BARR:** I did during the annual report hearings, thank you very much. I look forward to the day when we can eliminate all bad behaviour in schools, but I fear that that day will only be achieved when we eliminate all bad behaviour in our society. Meanwhile, schools have an appropriate role to play, and they continue to do so with strong support from this government.

**DR FOSKEY** (Molonglo) (4.45): It being the week which includes International Women's Day, I thought I would look at this topic from a gender perspective. What often happens is that we talk about households and families as though each member of the family has the same problems, the same roles and the same concerns. Of course, we know this is not the case, and that families are extremely diverse, both here in the ACT and elsewhere. In families that are of the so-called traditional variety—I believe there are probably less than 25 per cent now; it was 25 per cent when I looked at the figures a few years ago—the division of labour is such that women are usually, but not always, unless they are in the ACT and developed countries, responsible for the care and wellbeing of children and also for looking after the house, doing the housework and so on.

That puts women in a particular position in families. I am talking here about the average family which has an income coming in every week, the children have access to schools and they have somewhere to live. We know that the majority of people in the ACT are in this situation, and that most families in the ACT, as we can see from per capita average incomes, are doing reasonably well.

I would like to talk about those people who stand outside those categories, because they are often forgotten in these conversations. We hear Mr Rudd talking all the time about working families. It concerns me a bit that he is not thinking about those families, for instance, that are not working, and he is not thinking about those people who are not in families. We know that families are not always great places to be in, but when they are good they are an incredibly good buffer against the vicissitudes of our societies.

I have been assisted in the task I have set myself today by a report that was released this week by the Women's Centre for Health Matters. People will know that it is located in the community centre in Pearce, and it does excellent work. This report is titled *Marginalised and isolated women in the Australian Capital Territory: risk prevalence and service provision*. I was talking to the coordinator of the Women's Centre for Health Matters last Friday. I asked, "Can I talk about this in the Assembly?" and she said, "Yes, please do, but the most important thing you can say that the government can do is to provide more gender disaggregated statistics."

I attend annual report hearings and ask for the gender aspect of statistics. I ask the Minister for Women and her officers how the women's plan is being measured, and the truth is that it is not, really. The Women's Centre for Health Matters, in preparing this report, had to go back to NATSEM data. Some of it was very old—almost 10 years old. In order for them to do the work that needs to be done, given what they found out from collating and analysing all the data they had, they recommend that more research needs to be done. If they are going to go forward, they will need to buy data from the Australian Bureau of Statistics.

I think it is shameful that we are limiting our ability to provide services to the most vulnerable people in the community through a lack of gender disaggregated data. I certainly encourage the government to support the Women's Centre for Health Matters so that it can go forward and do this work which they are doing on behalf of

women in the ACT. It should be remembered that women are the people who primarily care for children.

I will go through some of the factors that the centre defines as being the risk factors for marginalisation and isolation of women in the ACT. The first one is homelessness. I guess nothing is more marginalising than being homeless. In the ACT, as we know—and at that stage they only had the 2001 census data—1,094 people experienced secondary homelessness, accounting for 89 per cent of total ACT homelessness. Fifty-three per cent of the people who accessed SAAP services were women, and 47 per cent of the people who stayed with friends or relatives were women. Taking this into account, it is estimated that 532, or 48.6 per cent, of the total homeless population in the ACT are women experiencing secondary homelessness. I expect that that figure has gone up, because we know anecdotally that there are a lot of families who cannot afford to rent, or certainly to buy, a home in the ACT.

The second major risk factor is poverty. There is no surprise here, and the United Nations figure of 70 per cent of the world's poor being women could perhaps be applied to the ACT. We do not know, as we do not have the data, but we do know that ACT women are more likely to head the low-income households that we have than men, and that women are significantly less likely to head a household in any other quintile. So if it is a woman-headed household, it is likely to be in the lowest socioeconomic group in regard to income.

This is important. One of the main reasons that they experience poverty is because of their employment status, it is often because of their parental status and it also has a lot to do with their educational status. That is why we need to consider the needs of those who are the most socioeconomically disadvantaged when we make decisions that affect public education. It is my belief, and I have stated it many times, that these considerations were not taken into account in the decision about closing schools.

We know that people with alcohol and other drug dependencies are at risk of marginalisation and isolation. We know that often, because of the illegality of their activities, there is a double isolation. Mental health issues are, by their very nature, isolating. With respect to the work that Sarah Maslen has had to do in order to compile this report, it is quite shameful that the data and the statistics that she had to find were all over the place.

Around 50 per cent of services provided by ACT Mental Health users are women, and 80 per cent are aged between 18 and 65 years. We know that disability is another risk factor. We know that, believe it or not, being a parent is a risk factor for isolation, loneliness and marginalisation in the community, especially as more and more parents who do not go out to work are at home on their own, in practically empty streets, because they are going against the norm.

We need far more community development programs in our suburbs to take in these people. Often, they are not the most educated people and they are not people who know where to go and look for services. We have to go looking for them. There are issues of age. I have been told by COTA that the incidence of couch surfing amongst our elderly has increased exponentially. How shameful is that! A lot of those people are women because women live longer than men.

We know that domestic violence and sexual assault are not things that people talk about. If they suffer that in their families, they usually suffer it in silence. Culturally and linguistically diverse background is another factor. I refer to factors such as Aboriginal and Torres Strait Islander background, women with gambling problems and women who have been institutionalised. By this I mean women who have been in jail, women who have been in drug services—people who have been dislocated from their communities.

I will conclude by saying that, although ACT women are generally better educated, have higher incomes and higher housing standards than women nationally, there are a significant number of ACT women who are marginalised and isolated from their community and its standard of living, at a great cost to their health and wellbeing. Due to the lack of accurate gender disaggregated data on marginalised and isolated groups, it is almost impossible to quantify the number of women in the ACT that are experiencing marginalisation and isolation.

**MR SPEAKER:** The time for this discussion has expired.

## **Territory plan**

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (4.55):  
I move:

That this Assembly, in accordance with subsection 432 (2) of the Planning and Development Act 2007, approves the Territory Plan as notified under the Legislation Act 2001.

I seek the Assembly's approval of the territory plan 2008 and I table the following paper:

Planning and Development Act—Territory Plan (3 volumes), dated March 2008.

In 2001, the Labor government gave a commitment to the people of the ACT that it would undertake significant reforms of the territory's planning legislation. I am proud to say that the current Labor government has delivered on this commitment through the new legislation, the Planning and Development Act 2007 and this new territory plan. This has paved the way for us to deliver the planning goals as identified in the statement of planning intent and articulates the strategic directions in planning.

At this point I would like to acknowledge the significant contributions made by my predecessor Simon Corbell towards the planning system reform. The first draft of the restructured territory plan was released for consultation with the public and industry on 4 April 2007. As a result, 112 public comments were received which raised various issues, mainly on the usability of the restructured territory plan and the desire for policy-neutral content.

In considering all the issues raised, in August 2007 I appointed Ms Sue Holliday, the former Director-General of the New South Wales Department of Planning, as an independent assessor to work with a reference group. The reference group, consisting of industry, community councils and professionals, assisted in the review of the first draft of the territory plan. The role of the independent assessor was, in consultation with the reference group, to identify the extent to which ACTPLA had considered the issues raised in public submissions, particularly with respect to the translation of the existing controls. The contribution of Ms Holliday and the reference group helped to make significant improvements to the structure, usability and content of the plan. I take this opportunity to acknowledge the industry and community groups who participated in this process, which I believe is a good model for any future reviews.

Following this work, I released a new draft of the restructured territory plan for public consultation in November and December 2007. The independent assessor's report was made publicly available during this consultation period. The second consultation attracted 57 comments, many of which were complimentary of the process by which the new draft had addressed issues raised in the initial consultation. All of the actions that followed the first draft are testament to this government's commitment to a transparent and accountable process. Not only have we heard what the industry and community have told us, but we have acted on the feedback.

The new territory plan 2008 has been divided into three volumes for logical separation of specific and general provisions and for ease of cross-referencing. Volume 1 contains the governance provisions for the plan that outline how the plan will be administered under the new legislation. Volume 1 also contains the strategic directions, development tables, and precinct and development codes that are relevant for each zone. Volume 2 consists of general codes that may be applicable to any zone, "overlay" provisions that are referred to in the territory plan map for specific areas or the areas that are being reviewed. Volume 2 also includes a set of definition of terms that are used widely in the territory plan. Volume 3 contains documents relating to future urban areas, comprised of structure plans, concepts plans and the future urban areas residential subdivision development code.

The logic behind the structure of the plan is to give ease of reference for users, depending on their purpose for accessing the plan. For example, if someone is only interested in future urban areas, they can refer to volume 3 in the first instance. If the purpose is to check the types of developments that are permitted in a particular zone, one needs to access the relevant development tables in volume 1, and if it is to identify the applicable controls, these are detailed in the relevant development codes of volume 1.

As a first step of the many measures that need to be in place to protect and enhance the built and natural environment, the restructured territory plan includes sustainability principles. At a broader level, the sustainability principles are part of the statement of strategic directions and, at a more detailed level, these are included in the codes. Of particular relevance is the inclusion of water-sensitive urban design in the general code and the provision for solar access and bushfire mitigation requirements in other codes. It is worth noting that it is easier and more cost-effective to implement

sustainability principles through initial planning of greenfield areas at the estate development plan stage rather than retrofitting the developments in existing areas. However, every code includes controls that are intended to achieve improved design outcomes in redevelopment and urban infill areas.

As part of these reforms the territory plan has been restructured to meet the requirements of the new legislation. The new territory plan is also in line with the national reform agenda in relation to development assessment. The new territory plan adopts the principles contained in the Development Assessment Forum's leading practice model in development assessment, known as the DAF model. The terminology and structure of the territory plan have been adjusted to suit its use in assessing developments under the assessment track process, and complements the terminology in the new Planning and Development Act.

The new territory plan provides greater clarity in respect of land uses and closer integration between leasing and statutory framework for development assessment. An important feature of the new "assessment tracks" in the territory plan is the allocation of a particular track or assessment method for each and every type of development. This gives certainty and clarity to proponents early in their planning and design process and a consistent application of controls for all proposals. Unlike the existing plan, the zone development tables provide much clearer information on the assessable developments for each zone. This reflects comments made during the consultation that the list of prohibited developments was too long and did not always support the objectives for the zone.

I believe this is an area for review as part of ongoing refinements of planning policies and controls. The development tables reflect existing policy, a principle that was strongly advocated by industry and the community. The assessment codes include development controls derived from the current territory plan, including planning guidelines and master plans. There are three types of assessment codes; namely, the precinct codes, which apply to a geographical area, development codes for specific development types or zones, and general codes containing other relevant matters such as parking, access and water-sensitive urban design.

Developments under the code track must comply with the quantifiable rules of a code. As public consultation occurs when codes are established, applications in this track will not require public notification and there will be no third party appeal rights. Agency referrals are also not required, as they are included in the codes. The statutory time frame for decisions in the code track will be 20 working days. The merit track is very similar to the existing system, in which proposals are assessed under the controls requiring the exercise of judgement. In the merit track, the application must meet all mandatory rules, but where a rule has matching criteria, the applicant can choose whether to comply with the rule or use the more flexible criteria.

Notification requirements will vary, depending on the nature of the proposal, and the third party appeal rights will be available only for those matters that are fully notified. Agency referrals are according to the planning and development regulation and the time frame for decisions will be 30 to 45 working days.

There is now an increased number of developments that do not need approval. For example, single residential dwellings in greenfield areas that meet the rules of the relevant codes, and minor structures, as defined in the regulation, are both exempt developments. Single residential dwellings in greenfield areas that comply with the relevant code now only require building approval. This has the potential to significantly reduce the number of development applications that go through ACTPLA's statutory processes. This also has the potential to reduce the time taken for meeting the market demand for land for single dwellings and affordable housing. In addition, this will reduce the up-front expenditure that first home buyers face.

The development tables of the territory plan will indicate what matters are prohibited in a particular zone. ACTPLA cannot accept applications for prohibited developments and it will not be possible for the applicants to make appeals to the AAT. Developments that fall into the category of impact track will need to be accompanied by appropriate environmental assessments. The environmental impact assessment process is targeted at reducing environmental impacts caused by certain developments.

As in every jurisdiction, planning outcomes cannot be achieved by one government agency alone. It is necessary to obtain expert advice from relevant agencies prior to decision-making processes. The new planning legislation has integrated referral requirements for other government agencies. At the pre-application stage, the proponents can secure agency endorsement for their proposals prior to lodgement with ACTPLA. This in turn will reduce further the time taken for the approval process, and further referral to agencies will not be required where a recent statement of endorsement accompanies the development application.

Another key reform is the new statutory process for future urban areas, which requires estate development plans to be assessed against precinct codes—these are currently referred to as concept plans—and other relevant codes in the territory plan. The estate development plans, when approved, will have detailed plans and conditions, block boundaries and zones within the estate. In addition, these plans have the ability to include building envelope plans and infrastructure requirements that will assist in designing the estate. This is the same type of information currently provided through the lease and development conditions. The benefit of this new process is that concept plans, when first developed, go through a full variation process before inclusion in the territory plan as precinct codes. This gives industry and the community the opportunity to contribute to the planning policies for new urban areas.

The new territory plan has eliminated much of the duplication of documentation and cut down on the expenses and time delays for the developers and resources for the territory. If the estate development plans need to have specific controls that would differ from those in any code under the territory plan then a variation to the precinct code would need to occur prior to the estate development plan being approved. This can be achieved by a new process called technical amendments to the territory plan.

Under the current system, the concept plans are adopted into the register of planning guidelines and thus have no statutory effect. If any iteration is required during the estate development planning process, ACTPLA has the capacity to amend the concept

plan, subject to being consistent with the structure plans. Giving statutory force to the precinct codes for concept plans in the new system will add consistency and transparency to the greenfield developments.

On 14 February this year, I introduced the Planning and Development Legislation Amendment Bill 2008 into the Assembly. The changes introduced in the bill aim to make the Planning and Development Act consistent with the ACT government's affordable housing action plan. The relevant changes to the act enable over-the-counter sales of leases for single dwellings. This reduces the necessity for lengthy land release processes and lease and development conditions being prepared before land sales.

Recognising the long lead time for estate planning, the bill introduced transitional arrangements for development applications made prior to the commencement of the act. ACTPLA may apply lease and development conditions to the development applications that were lodged before the commencement date, which relates to defined land and proposals including subdivision of such land. This transitional provision will expire after five years.

The policies and controls from the existing territory plan have been translated as much as possible without changing the policy intent. There are, however, areas where I have determined that a change to the existing planning controls is appropriate as a result of recent planning studies and consultation. The first of these changes relates to the Braddon commercial precinct. As part of an earlier neighbourhood planning process for Braddon, extensive community consultation was undertaken and a final neighbourhood plan was released in 2003, which identified the future direction for Braddon.

The Canberra spatial plan identified residential intensification within a 7½-kilometre radius of the city centre as a long-term planning strategy to manage urban growth. As Braddon falls within this radius, there is great potential for redevelopment of the Braddon commercial precinct. As part of the planning studies carried out for Braddon, the social impact assessment completed in 2005 identified significant safety and amenity issues, caused mainly by through traffic and lack of active frontages after hours.

The city area infrastructure capacity and catchment study for Braddon, completed in 2006, recognised that the stormwater network capacity is adequate to cater for existing and future redevelopments. Current high-density developments in the city, three-storey apartments along Torrens Street and the taller buildings along Northbourne Avenue have triggered interest amongst the industry and community.

As a result of several background studies and extensive consultation with the community during these studies, ACTPLA undertook a planning study on the Braddon commercial precinct. I released a draft planning study for public consultation in November 2007. The planning study recommended that allowing a general four to six-storey limit will provide the opportunity for commercial developments in the first two storeys and residential in the top two storeys. This also provides an opportunity for redevelopment of the Braddon rugby league club and a better transition from high-

density development of the city centre, Braddon commercial precinct and the residential precincts. The new territory plan gives an opportunity to enhance and retain the character of an area by increasing the height limit. (*Extension of time granted.*)

The second policy change is related to those locations currently identified as A10 residential core areas, referred to as the garden city provisions in the existing plan. The garden city provisions were introduced to provide opportunities for more housing close to the facilities and services contained in the commercial centres. At the same time, it aimed to better control ad hoc redevelopment in the suburban areas. A technical evaluation of the provisions commenced in late 2005 and a discussion paper was prepared. Various consultations with industry, community groups and professional bodies were undertaken on the discussion paper prior to it being released for public comment in March 2007. Seventeen submissions were received and taken into account in the preparation of the evaluation of the garden city provisions.

The evaluation process identified that the garden city provisions were achieving their intent to generally protect the suburbs from residential redevelopment and moderate intensification, by focusing such development on residential core areas. The garden city provisions have been translated into the RZ2—suburban core zone—in the new plan. Following the discussion paper, ACTPLA released a fact sheet detailing four proposed refinements to the new territory plan, and that was released for public comment in November last year.

To ensure appropriate residential amenity is maintained in the residential suburban core area RZ2, as well as limiting the number of dwellings on a standard block, the RZ2 development code includes requirements to ensure that development addresses the street and the existing neighbourhood characteristics in scale, form and site coverage.

There is another policy issue that has been raised over the years and was raised again during the territory plan consultation by community and industry, and this relates to height restrictions within the Gungahlin town centre. The current restrictions reflect the existing controls for the commercial zones, which are a minimum of two storeys and a maximum of four storeys for the CZ1 core zone and the CZ2 business zone. It is one of the primary functions of the business zones to provide for office developments in the town centre areas. Master plans have been carried out for town centres in Belconnen, Tuggeranong and Woden and identified no height restrictions in Belconnen, a four-storey maximum height in Tuggeranong and a variable height restriction for limited parts of the CZ2 zone in Woden.

The new plan has increased the amount of business zone provided for in the Gungahlin town centre area. This has been recommended by previous studies and was supported by the independent assessor. The current restriction on building height is seen as a barrier to securing government offices for the Gungahlin town centre area. While the height restrictions for the CZ2 business zone in Gungahlin town centre have been removed, the criteria relating to scale, function and compatibility with adjacent developments will remain. The proposed planning studies that are currently being undertaken for the Gungahlin town centre will inform the planning outcomes for

traffic, car parking and building interface at the time of sale of land in the CZ2 business zone.

The fourth change that has been accommodated through this final version of the territory plan comes from an assessment and audit of the area specific policy 4E—school grounds and ovals. The area specific policy 4E was added to the territory plan as a result of variation 165 for the open space network project. The primary purpose of the area specific policy was to protect identified open space value associated with the landscaped ground, school oval and/or playing field within the community facility land use policy at existing ACT government school sites. Following a review of how these surplus sites might be used in the future, a number of sites will be removed from the 4E overlay so that other appropriate uses under the community facility zone can be provided.

There was strong support from industry and the community for the new territory plan to be policy-neutral on commencement, but industry and the community have also expressed their desire for a further review of existing planning policies and controls. The success of this new plan will largely depend on the understanding of the new assessment system using the plan and application of it. To assist in this, a comprehensive training package has been developed as part of the implementation of the new planning system.

The territory plan, as a living document, needs to provide a long-term planning strategy and meet economic, social and environmental challenges. The planning policies that have worked for over 15 years may no longer be appropriate or adequate. The plan needs to be able to adapt to changes in accordance with future directions. If we are to excel in planning and creating “a city like no other” we need to have the vision and build on the outcomes that have already been achieved. The planning system will continue to evolve and be the subject of public scrutiny. We should be ready and willing to review and amend planning policy where it is in the best interests of the Canberra community.

Any future reviews will consider pressing policy issues such as climate change, sustainability and social equity in terms of housing affordability. This would include collaboration with the governments of the ACT and New South Wales on cross-border strategies such as provision of water, transport infrastructure and the sequence of future urban development.

The ACT Planning and Land Authority has worked very hard with the community and industry throughout the development of the new planning legislation and the new territory plan. I believe this has brought us a best practice development assessment process and a planning framework in the territory that can more easily accommodate the review and updating of planning policies for the ACT. If members approve the plan, it will, along with the remainder of the Planning and Development Act 2007, commence on 31 March this year.

I thank all those in ACTPLA who have been involved in this significant project over a number of years. I hope that their hard work comes to fruition later this evening. I commend the motion to approve the new territory plan 2008 to the Assembly.

**MR SESELJA** (Molonglo—Leader of the Opposition) (5.17): The opposition will be supporting the motion. From the outset, the opposition has supported moves to simplify the planning system in the ACT—indeed, the introduction of a new territory plan. The territory plan forms a critical part of our planning framework in the ACT. A comprehensive overhaul of the plan presented both opportunities and very real concerns as all stakeholders sought to ensure that the overhaul was complete and that there would be little need to retrospectively correct the plan.

Within the context of the housing affordability crisis and limited commercial land opportunities within the ACT, a reduction of process was obviously in the interests of both the commercial and residential markets. Whilst the government had the support of the opposition, there were very serious concerns raised regarding the initial draft of the plan. Generally, the attitude of the opposition to planning in these past few years has been much more constructive than what we saw from the former shadow planning minister, Simon Corbell, who seemed to take the attitude of opposing anything that was done by the government of the day. That is not the attitude we have taken in opposition.

Feedback from both the broad community and key industry stakeholders suggested that the initial reforms did not address all of the requirements of the overhaul and, further, created new problems that would need to be dealt with. The first draft was severely criticised by industry groups, which led to a delay in the implementation. With regard to both the industry and opposition's concerns, the issue of policy neutrality was raised. The true lack of policy neutrality in the drafted plan could potentially have led to the loss of development rights whilst concurrently offering a windfall in certain cases.

The opposition supported and respected the move of the government to establish the working group representing industry associations. The consultations have hopefully produced a plan that meets the needs of both the community and industry. Certainly my position on the delay was that, whilst it was unfortunate and I think it would have been better if we had not had to have the delay, given the draft that we had it was better that the time was taken to try and get it right. We hope that the version that is being approved today will stand the test of time.

I turn to some of the detail of the new territory plan. The minister noted—the opposition has noted it too—the stripping of the overlay protecting open spaces surrounding school sites. Obviously this is a precursor to eventual possible development of the closed school sites by the Stanhope Labor government. I wonder how it fits in with the ACT Labor Party's policy from the 2001 election, which was to "identify and classify Canberra's open space network in consultation with the community" and which said, "Following this, an ACT Labor Government will move to have these land use policies entrenched, by referendum, in the Territory Plan." I guess we will continue to wait with bated breath for this referendum.

At the same time, we are not opposed to the removal of this overlay. It clearly signals an intention on the part of the government, but we will look very closely at their plans for particular development at closed school sites and whether or not they fit in with

the overall needs of the community. I do not think that there should be a blanket ban. We need to find a balance between community facilities and the protection of urban open space. That is the way we will be approaching any plans to sell off former school sites.

The changes to the former A10 policy clearly represent a back flip by the minister and the government. They are in line with many of my public statements on this, particularly as the A10 has encroached into culs-de-sac. Years ago I made it very clear that the A10 policy had had negative impacts in particular areas, particularly in small culs-de-sac where traffic issues and other issues have arisen. The government has been slow but has finally realised the concerns—the serious concerns—of residents about this policy.

The government still has not got it right on core areas when we look at the encroachments in some of our suburbs, particularly the example of culs-de-sac, and then we look to what has happened in some of our town centres. We look at some of the recent developments in Tuggeranong, for instance. It is interesting that in a major town centre, on the edge of Tuggeranong, at the top of Anketell Street, we still see two-storey townhouses. It is an odd sort of planning system that leads to outcomes where we have what in some cases is inappropriate development in some of our garden suburbs, yet we keep development to two-storey townhouses in our town centres. That is an interesting outcome. We as a community need to have a broader debate as to where we want our infill to be occurring and what will be our approach to infill in the future.

The changes to Gungahlin are important. Gungahlin needs the opportunity to thrive as a town centre. In particular, the ability to attract a government department would be a very important step forward for the Gungahlin town centre. Whether that is an ACT government department or a commonwealth department, it will be important so that the Gungahlin town centre is able to grow. One of the dangers for the Gungahlin town centre is what will happen if this government rolls out pay parking there too early. That could potentially stifle the development of the town centre. But we certainly support changes that free up some development in Gungahlin.

Likewise, four to six-storey developments are quite appropriate in Braddon. In the next few years, I think Braddon will become an even more sought-after place to be, particularly as the industrial area there is redeveloped. That has some real potential. Braddon should be a place where we see a lot more people living. Hopefully, in the future we will see thousands more people living closer to the city; that would certainly be something that we would support.

Unfortunately, with some of the recent developments we have seen in the city, we sometimes still do not see the residential component from mixed use. We would like to see that more in the city centre as well as on the outskirts in places like Braddon. The minister might correct me if I am wrong, but I think that, with the redevelopment of the old cinema building, there will not be a residential component. That is disappointing because, if it is done well—where we see it done well—it has the potential to enhance the feel of our city. We would like to see that more in the future.

Let me go to the first draft versus what is being presented today. The feedback from industry has been that, whilst they have not necessarily got everything they wanted, it was not a policy neutral document. It is still not, but it is probably much more policy neutral than it was. There have been some things added, and I have touched on those. There is a broad feeling—from feedback that I have had from industry—that they want to see it go ahead now. Even if they do not agree with every single aspect of it, they are very keen to see it go forward so that we can see the changes bedded down.

There will now need to be a more detailed discussion and a more detailed look at some of the policies that underpin the changes. That is something we look forward to engaging in over the coming months and years—how we can get the policy balance right. Some of the areas that I have raised in terms of infill will be part of that—and how we will underpin a sustainable transport system. I am not convinced that the core areas are the best way to do that, but I believe that it will need some changes.

Like industry, we do not endorse every last detail of the territory plan, but we do support it going forward. We are hopeful that these changes will deliver on the promise—not just with the changes to the territory plan but with the changes to the legislation that was passed last year and the amendments that will be debated later. Some of the legislation is still flawed, in our opinion.

The uses development concept has the potential to cause problems. But we are hopeful that the changes to the territory plan will improve outcomes. We want to see a more efficient planning system. We want to see housing become more affordable for our young people. We want to see less red tape. We want to see a vibrant infilled community. And we want to see the ability to expand on the outskirts of Canberra. To the extent that this territory plan will assist in that and make that somewhat easier, we support it.

Another aspect of the changes will be in administration. That will continue to be something that governments need to be looking at. We need to be looking at how it is administered and what kinds of resources are thrown where. At another time we can have the debate about the allocation of resources within our planning authority and whether we can be putting them to better effect so that we avoid some of the bottlenecks. Sometimes a few more resources in key parts of the planning authority—perhaps at the expense of other parts or perhaps an increase in net terms—may have some significant economic benefits for the ACT. That is something that we will be having debates about in the coming months.

In conclusion, let me say that we believe that this is a much better territory plan than the one that was originally presented last year in draft form. I commend the staff, who I know have worked very hard, on working with industry and the community to improve what was in the original draft, which clearly had some serious flaws and in relation to which there were some serious concerns from stakeholders. We will now wait and see. We will continue to have the policy debate about where our planning system needs to be improved and where our policy settings need to be changed so that Canberra can continue to grow—and grow in a sustainable way.

**DR FOSKEY** (Molonglo) (5.29): I thank the government very much for allowing me to have an extension of time because my contribution will take a little over 10 minutes.

While the consultative process that has accompanied this reform has been extensive, I am concerned that it is so extensive and so complicated that most people and groups in the community have had neither the will nor the resources to get on top of the material and gain a clear view of the implications inherent in the proposed planning system. It has certainly stretched the resources of my office to keep track of this project. I am grateful for the contributions made by a small number of non-government organisations and individuals and for the briefings I have received from various community groups who have relayed their concerns to me.

I would like to put on the record that I have been impressed by the willingness of ACTPLA, the LDA and the government to provide briefings for me and my staff. I have also been impressed by the standard of those briefings; I congratulate everyone involved. I heard a great number of very welcome social, environmental, water and energy efficiency intentions expressed at those briefings. Nonetheless, I have serious doubts that these legislative instruments are adequate for the task of transforming these good intentions into realities.

The Greens are highly dubious about the desirability of removing various regulatory checks and balances which have developed in response to actual problems which have emerged in the past with regard to inappropriate development proposals. While I welcome the removal of some constraints and expenses that attach to such things as single-storey residential developments and various minor structures like pergolas and verandas, I think that the removal of consultative processes and appeal mechanisms has gone too far. I have serious concerns that other agendas may be being pushed here.

When we submit these reforms to the test of whose interests these proposals appear to serve, we see that the principal beneficiaries seem to be the relevant lobby, and the biggest losers appear to be concerned members of the community and community groups, who will now be reliant on the responsiveness, expertise and goodwill of the planning authorities and the government to take their concerns on board. I have heard of so many cases where ACTPLA officials got it wrong—where they failed to apply their own rules—and this was picked up by community organisations and empowered individuals, that I fear that that trust would be misplaced. Power has been concentrated in the hands of ACTPLA by removing various consultative bodies and independent merit review tribunals. Whether ACTPLA and the LDA have the competence and the political will to oversee the planning system in the interests of making Canberra a place where people will want to live in 2050 remains to be seen.

I was not reassured by the LDA's rejection of the necessity to bring in specialist community, environmental and energy efficiency planning expertise—instead relying on existing staff, who lack the expertise, which they admitted, to educate themselves, and presumably to re-evaluate their professional and personal perspectives, so that environmental and energy efficiency considerations inform and sometimes take priority over more traditional planning priorities. While this is a laudable aim, I do not think it is realistic. And, from what I have seen, I do not think that the LDA as

currently constituted in its current role really wants them to. Its persistence in advocating a new dam on the Molonglo River is evidence of that.

ACTPLA and the LDA need to recruit suitably experienced staff and create institutional mechanisms whereby social and environmental considerations can infuse throughout the organisation—backed up by the authority necessary to carry the change in attitudes and thinking that is required if the LDA is to deliver the urban development outcomes necessary to meet the challenges of climate change, an ageing population and various other contemporary considerations that did not need to be part of the training of the planners of yesteryear and that have not been significantly apparent in the outcomes we see on the ground in various developments and new suburbs around Canberra. For example, houses are still oriented towards roads, and roads are oriented towards nothing in particular. I have been speaking about the LDA but, given the en globo development that we are going to see a lot more of, the ACTPLA regulations, the territory plan and legislation are even more important.

Considerations such as solar access, groundwater flows, pedestrian access, prevailing winds, and wildlife connectivity do not seem to have exerted much influence on the urban planning outcomes to this point in time. Good intentions do not of themselves deliver outcomes. Molonglo Valley affords a perfect opportunity to demonstrate that ACTPLA and the LDA can be trusted with the additional powers the planning reform process will deliver to them. I wish them well. This government and its planning authorities will be judged not on what they say but on what actually transpires on the ground. Derek Wrigley has pointed out a number of absurdities in the star rating system that is relied upon in the ACT to deliver energy efficiency outcomes, and shortcomings at the crucial stage of design of roads and blocks.

The new planning system strives to be hands-off and self-regulating, but I suspect that the government will come to learn once again that the free market cannot be relied upon to deliver optimal social outcomes if decision-making processes are not heavily constrained by regulatory guidance.

In this town there is a belief, and an influence from the property and development lobby, that is against more regulation around energy efficiency and other design principles, on the grounds that consumers find it too expensive and do not want it. But on *Insight* a week or two ago I was interested to see an AV Jennings representative begging for regulation—begging governments to regulate to mandate energy and water efficiency so that clients are obliged to demand it and builders can deliver it. Within the territory plan there is reference to those things, but I do not believe it goes far enough to provide that regulation that the more enlightened developers are calling for because then they will not have to build the energy-inefficient houses that some clients still want.

Of course, many developments rely on externalising and shifting costs onto others in order to reap maximum financial benefit at one point in time for the developer—the point of sale. If the government does not keep a close watch over future so-called affordable housing developments, it will end up creating nasty, crowded, energy-guzzling boxes on the fringes of the city which will impose greater costs on inhabitants and make a mockery of claims that they will be affordable over time. Derek Wrigley describes these as the slums of the future.

I hope that ACTPLA will be able to monitor planning applications and prevent inappropriate developments. I just wonder whether what ACTPLA considers is inappropriate will be the same as what the Canberra community most personally affected will think is inappropriate and whether it will have the resources to deliver. It is a matter of values and priority. The whole process indicates that the interests of residents and developers are not being treated as being of equal value—but of course the residents have more votes.

While I do not suggest that developers have corrupted the system to anywhere near the extent that we are witnessing in New South Wales—by a very long shot—I do have concerns that political funding and organised and consistent lobbying, of both major political parties, by developers has shifted the focus of governments towards being more interested in serving the interests of developers and solving the problems that developers have raised, making them less responsive to or concerned with preserving and improving the amenity of the city for the rest of the inhabitants and with pursuing environmentally responsible urban planning outcomes.

The interference of the previous commonwealth government by doing such things as approving unconstrained development at the airport precinct has not helped the cause of efficient urban planning. I welcome the lifting of the height restriction in Gungahlin town centre; I know that was one of the things that the community council asked for, because they are very keen to attract development. (*Extension of time granted.*) Hopefully, lifting the height restrictions on the Gungahlin town centre will lead to more offices being erected there. But there is still the concern that this whole process means that the community will not have a say in those individual buildings; that is what is being lost through this process. So I welcome the lifting of the height restrictions, but I hope that the people of Gungahlin get the buildings that they want.

I turn to changes to the Braddon plan. It is understood that Civic is heading out that way, but there are a couple of losses there. One is that at the moment Braddon does have cheap retail space, so we are seeing there some of the niche businesses that can no longer afford to be located in Civic. I note in particular some designer dress shops—locally produced things. I am very concerned that we may end up with a retail precinct that is pretty much the Canberra Centre writ large. We have a real lack of places where people who are just starting up in business, who are doing something different from the chains, can afford to rent. And Braddon has provided that. I am also concerned that we do not lose the heritage quality of the residential areas of Braddon, because it is good to have such places near the city.

The government has a stated intention of not incorporating any policy changes into the new territory plan. I am not quite sure—I hope Mr Barr can tell me when he closes the debate—when being policy neutral entered the equation. I am told by a lot of community organisations that they embarked on the consultation process without that understanding that the changes were to be policy neutral and they found that a lot of the work they did was rejected because it suddenly did not fit the time frame. I will not speculate on that; I will wait and hear the answer.

**Mr Barr:** It was 1 May, I am told.

**DR FOSKEY:** I do not agree that what we have here has totally achieved this intention, but pursuing this aim has been able to neuter a lot of the potential pre-election criticism of the reform process.

One consequence of this policy-free approach has been to frustrate the community groups and individuals who lodged submissions on the proposed changes, who were then told that their submissions were not relevant because they addressed changes which had not been finalised. A lot of the changes that have been introduced in the past year or so are now being characterised as policy neutral.

I have other issues but I am concerned I am now going to run out of time. In the process of moving from the draft to the final plan, a lot of feedback came in on the draft plan. Changes were made, but the final plan—while it was circulated to members today, and it is no doubt available on the web—was not made specifically available to people who commented on the draft. And it is a hefty document. One of the basic courtesies of consultation is to report back to people, giving them feedback.

Time will tell whether the changes are so significant that a new round of consultation is needed, but at the very least advice to contributors as to where they can see the final plan prior to its consideration here in the Assembly and its adoption here in the Assembly should be built into the process. It is just one of the steps in proper consultations: you take it back and tell people what has happened to their suggestions; otherwise, they lose faith in the process. And I can tell you that there is faith lost in the process.

I go to the changes to zoning of school properties. Again, people were consulted on the school closures, but they were not consulted on the zoning changes.

**Mr Barr:** Nonsense.

**DR FOSKEY:** That is not policy neutral. In his reply, Mr Barr can argue against everything that he has been interjecting about. I look forward to hearing my concerns allayed.

**MR CORBELL** (Molonglo—Attorney-General, Minister for Police and Emergency Services) (5.44): I am very pleased to speak on this motion this evening, and I want to start by placing on the record my acknowledgement of and thanks for the work of all of the staff of the ACT Planning and Land Authority who have been intimately involved in this process for a very considerable period of time.

This is without a doubt the most significant reform and rewrite of the territory plan since self-government, and it is the end step of a reform process that commenced back in 2001. The Labor government can proudly say that from 2001 we have fundamentally reworked planning and development in the territory, both in terms of its governance and in terms of the outcomes we are seeking to put in place.

From the establishment of the Planning and Land Authority and the Land Development Agency, the creation of the position of Chief Planner through to the new

Planning and Development Act and now today—the new territory plan—there has been a fundamental reform of the way planning and development occurs here in the ACT. It is very much one of this administration's most significant reform projects. For that reason, the work of those in the planning authority is particularly notable. I want to pass on my thanks to them for the dedicated and professional work that they have done. This has been no easy task.

I want to also talk today about the new territory plan and, essentially, the steps that we are taking today in endorsing this new plan. First of all, we are endorsing a new strategic planning framework for the territory. For the first time since self-government, the plan now formally recognises a strategic planning framework and a future urban development context for the territory. It does not simply accept that what exists exists and that it is the be-all and end-all of development approaches and new development fronts for the territory.

The inclusion of a new spatial planning framework for the territory initiated through the Canberra spatial plan process is now embedded in the new territory plan in the same way that it is embedded and recognised in the Planning and Development Act. That reform is a significant one, because, as a government and as a territory, when we endorse this plan we are now saying that this is where future urban development will be accommodated within the territory.

We are not just relying on the metropolitan plan that was in place from the 1950s until the mid-1990s. We are putting in place a new metropolitan planning framework, and that will stand the territory in good stead well into the future. It gives our community clear indications and options for future urban development. It gives those people who are looking for new homes and opportunities to build new homes and to create new places for their families places to go in Molonglo, Eastlake and Kowen. Those things are now embedded in this new territory plan, and those are very fundamental reforms.

The other fundamental reform, of course, is that it seeks to constrain development growth in the city. It seeks to have some regard to the physical footprint of the city in the broader region. The urban containment boundaries are recognised through the territory plan framework and the spatial planning policy that surrounds it.

There has been some discussion in comments today about issues such as maintaining and creating a more sustainable city and how we accommodate growth and redevelopment in the city. Mr Seselja, in particular, was critical of the approach adopted. I would say that what we have now in this place is a relative consensus on how urban redevelopment will be managed. I remember when I first came into this place there was significant debate about how urban redevelopment should be managed in our city. There were those who supported a free-for-all approach throughout our suburbs that basically encouraged redevelopment as and when it was needed, wherever it was needed. That was certainly the approach adopted by the previous Liberal administration, and that is why Labor was so critical of it. It was ad hoc and it was a free-for-all.

There are those, of course, who have always argued that we should not see any significant redevelopment occurring, even along public transport corridors. I

remember the very strong opposition to high-density developments along transport corridors in areas such as Northbourne Avenue. These were live and contested issues less than seven or eight years ago.

I believe we now have a broad consensus. We do not agree, perhaps, on all the detail, but there is an acceptance in two areas. First of all there is an acceptance that high density must occur in our centres—Civic and our town centres—and along public transport corridors. The nature and the scale of that density is perhaps sometimes disputed, but it is accepted that that is what will occur.

Equally, it is accepted that some level of change within our suburbs is inevitable. How do we best accommodate and moderate that? I believe the policies put in place around the A10 area specific policy provide for the accommodation and moderation of that. They respect overwhelmingly the low-density character of those suburbs, that which makes them so attractive to families and to the broader community, but they also recognise that people want to age in place and want to stay in place and will want to have a range of housing types available to them in their local neighbourhoods. The A10 policy provides for that.

I welcome the changes proposed in one of the non-policy-neutral provisions of the plan dealing with changes to A10. That is very much a refining of the A10 policy, to keep it out of the culs-de-sac, to keep it out of those narrow-frontage blocks and to really moderate the scale of redevelopment that can occur where there are those particular constraints. That is a natural policy progression; it is one that I welcome and one that will further strengthen the A10 policy.

Mr Assistant Speaker, the other changes in relation to Gungahlin are equally welcome. There is a need to further strengthen Gungahlin as a centre to give it greater capacity to meet the needs of commercial and retail uses as well as residential uses. The announcement by the minister today of a change to the height limits is very welcome in that regard.

Equally, the changes around the 4E overlay are proof of the government's policies working in action. The government went to the 2001 election saying we would protect Canberra's urban open spaces, and we have a strong record to show that we have done so. Indeed, prior to the changes in portfolios, as the planning minister I was proud to see an additional 240-odd spaces formally added to Canberra's urban open space network as a result of the urban open space network project. Although we have not, for a range of reasons, proceeded with the entrenchment as outlined in the original 2001 policy, we have given those spaces protection as formal areas of urban open space requiring a change to the territory plan, and we have put in place 4E overlay provisions for those areas of open space around schools.

I am pleased to say that the whole intent of that policy was that if there was to be a change in the use of that land, rather than it being able to be done without any reference to the Assembly, it would have to come back to the Assembly for a variation to the territory plan and have it explicitly argued as to why that space should be used for other purposes. That is what we are doing, and that is a positive and transparent process. The minister is here today saying, "We do need to remove that

overlay, and this is why.” That was the intent of the policy, and I believe the policy is working. I believe the justification in relation to those sites is entirely there.

Mr Speaker, this is a significant change and a significant reform. There are, of course, more challenges ahead for the planning and development of the city. We need to work more on providing for a more sustainable intertown public transport provision. We need to work more on building the sustainability of our urban development, both in high-density and low-density locations. But the territory plan as reformed by Labor is the platform for achieving that and for driving that forward. I congratulate the minister and his department for the work that has been done, and I commend the motion to the Assembly.

**MRS DUNNE** (Ginninderra) (5.54): Mr Speaker, this is an important vote. This is an important development and one which is long overdue. We need to put on the record again that this is a matter that the Liberal opposition has been calling for since mid-2002. When the previous Minister for Planning was off busily creating the ACT Planning and Land Authority, the really important issues—the ones about the approval processes, about how you streamline planning and about amendments to the territory plan—were the issues on which we were calling for action. Do that first, because that is the high priority area.

The question that was asked with the enactment of the Planning and Land Act and the establishment of ACTPLA was whether changing the legislation and the structure of the planning authority in the ACT would actually make things better, and the answer was that there was virtually no change. The really seminal changes that needed to be made are the changes to the approval process and the approval to the territory plan, which are probably now about five years overdue. It is better late than never, and the government needs to be congratulated on the fact that these plans and changes have arrived. That said, however, it is unfortunate that they have taken so long to get here.

There are some issues that need to be addressed, some of which Mr Seselja has touched on. It needs to be acknowledged that there was a desire that the territory plan, for the most part, be policy neutral. But there are some things which are extraordinarily disappointing in this, and I suppose it shows a lack of foresight from this government. We have the previous Minister for Planning making one last valiant attempt at justifying the existence of A10 areas scattered throughout the suburbs. It is instructive to look at the territory plan map at the beginning of volume 1 in relation to Belconnen in the electorate that you, Mr Speaker, and I represent. There is little scope for medium and high-density dwellings in our electorate in and around the town centre, but there is a huge amount of what used to be called A10, which are now RZ2 suburban core areas, spread throughout the suburbs.

I know that the government does not like to hear this, but the Liberal Party has been consistent in its opposition to this policy, because it actually does not provide for density in the areas that we need it. There is little or no scope in the territory plan for medium or high-density development in the Belconnen town centre. As Mr Seselja has just said, in the Tuggeranong town centre, we are building two-storey townhouses in places where we should be building at a much higher density so as to make our public transport more viable and to create corridors of density.

The previous minister is kidding himself if he thinks that the changes to the territory plan, the developments in the territory plan in Belconnen, will create economies of scale that would make public transport of the sort that he proposed with his busway ever work in Belconnen. Until you actually increase the density significantly in the Belconnen town centre and the Jamison group centre, you will never make the public transport system work really well for the people of the ACT.

There is no point in having 200 or 300 blocks set aside in Evatt for RZ2 residential core development, because that will not create the economies of scale that will make public transport work, and it is completely and utterly unacceptable to the residents of Evatt, just as it is completely and utterly unacceptable to the residents of Flynn and Melba that there should be developments in their suburbs without any real care given to how that will change the face of their suburbs.

Both Mr Corbell and Mr Barr say that the garden city provisions have worked well. The mere fact that changes are being brought about by the discussion papers and the implementation of the territory plan here today show that the garden city provisions have not worked. They have not been widely accepted or understood, and they have not even been widely known in the suburbs. Even today, people do not know about the impact that this may have on their suburbs. It is misplaced planning. That density should be around town centres and long transport corridors. No-one disagrees with that, but this government does not have the policies to actually implement that.

*At 6.00 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.*

**MRS DUNNE:** In conclusion, this is an important legislative instrument, and its arrival is long overdue. There is still much to do to make planning in the ACT really work for the future of the ACT and its citizens. This is definitely a work in progress, and the Liberal opposition will be watching it very carefully and critiquing its progress.

**MR GENTLEMAN (Brindabella) (6.01):** I am pleased that we have reached today another milestone in the legislative reform for planning and development in the ACT. As the second stage of this progress, the ACT government has delivered a restructured territory plan. While the legislative framework for planning and development is set in the Planning and Development Act 2007, the territory plan enforces the principles and policies to achieve a long-term planning strategy for the ACT. The Minister for Planning, Andrew Barr, released his first statement of planning intent in 2007. That statement clearly identifies affordable housing and climate change as major priorities for this government, consistent with the government's affordable housing action plan, the weathering the change strategy 2007-25 and the weathering the change action plan 2007-11, which was released last year.

The Canberra spatial plan is the key strategic planning document for directing and managing urban growth and changes. While the spatial plan outlines strategic directions to achieve social, economic and environmental sustainability, the

sustainable transport plan provides direction and actions to achieve a more sustainable transport system. Both plans together set the overarching strategy for the ACT and play a major role in achieving government policy.

As a detailed planning document, the territory plan has the fundamental purpose in management of planning and development within the ACT in a manner consistent with the planning strategy. The spatial plan has identified a range of areas within the territory plan that requires review to achieve the government's commitment. The restructured territory plan includes a statement of strategic directions, which contains principles and policies related to national, regional and territory interest. Of specific importance are the principles for sustainable development, which follow a triple bottom line approach in relation to environmental, social and economical sustainability.

I am pleased to see that the government has picked up on quite a few of the planning and environment committee's recommendations in regard to sustainable development. Paragraph 1.6 at page 2 of the statement of strategic directions of the new territory plan, under the heading "Environmental sustainability", states:

Particular attention will be given to the need to conserve soil, water and vegetation; maintain biological diversity; safeguard important ecosystems and ecological processes; and provide and protect wildlife corridors.

Mr Speaker, to realise this vision at a whole-of-government level, the restructured territory plan and the Planning and Development Act 2007 are important tools in the implementation of government policy. The ACT government has previously made a commitment towards sustainability through "People, place and prosperity", a policy paper for sustainability in the ACT. Of major significance is the compact city, with residential intensification in order to use resources more efficiently.

Climate change, as we have said, is another area that poses a challenge for our time. The Council of Australian Governments met in December 2007 and recognised there was a unique opportunity for commonwealth-state cooperation on seven key areas in 2008, including climate change and water. The working group on climate change and water is charged with ensuring sustainable water use across Australia and developing an effective national response to climate change. This encompasses a single national emissions trading scheme incorporating state schemes, a nationally consistent set of climate change measures to support the emissions trading scheme, and a national cooperative approach to long-term adaptation to climate change.

The climate change strategy that was released by the ACT government provides an overview of climate change science, the predicted impacts on the ACT and the government's vision and direction for responding to climate change. The climate change strategy also complements the people, place prosperity and think water, act water strategies that address long-term water needs of the territory.

In addition to the climate change strategy and in line with the COAG agreement, the new territory plan includes strategies to improve the environmental performance of subdivision design and achieve targets for urban water use reduction and stormwater

quality and run-off rates. Monitoring of the outcomes from the relevant controls will indicate whether further review of these standards will be necessary.

Mr Speaker, the restructured territory plan has identified initiatives to implement sustainability principles in the general code for water sensitive urban design. These measures will reduce the reliance on potable water and, at the same time, improve water quality. For over one year, these principles have been applied for developments in the new estates but will now be extended to all developments under the new territory plan.

Other sustainability measures include solar efficient subdivision. The subdivision design should demonstrate that all the blocks can achieve at least the minimum solar access requirements in winter. This has been a key measure and something of great interest in the forums that I have been having on the solar premium. There has been a lot of interest in solar design and in block design as well. It has also been the topic of many planning and environment inquiry areas before. In addition, a minimum of 75 per cent of blocks are to achieve a minimum of three-star rating, and all blocks are to achieve at least a one-star rating. The controls in the new territory plan reinforces this government's commitment to facilitate energy efficiency in our built environment.

In order to achieve a sustainable outcome in planning and design of new and existing urban areas, it is essential to work at the whole-of-government level. The new legislation gives statutory effect for agency referrals. This will ensure that planning policies in the new territory plan also support the objectives of waste minimisation, reuse and recycling, and sediment and erosion control.

The new territory plan also aims to achieve integrated transport and land use planning. By planning for medium to high-density residential development along major transport corridors—we have heard this discussed before—and focal points where other services and facilities can be easily accessed, it increases the incentives to use more environmentally friendly transport modes.

Providing affordable housing is another major priority for this government. Our affordable housing action plan stipulates that new estates in the greenfield areas are required to have 15 per cent of the blocks dedicated to less than 250 square metres in area and contribute to the provision of affordable housing. The new Planning and Development Act identifies concept plans for future urban areas as precinct codes in the restructured territory plan.

As detailed planning unfolds, concept plans will inform the development industry of planning controls applicable in the new estates and time frames required for the land supply. This provides a certainty that adequate planning-ready land would be available for development in future urban areas.

The ACT Planning and Land Authority is charged with the responsibility of preparing, administering and continually reviewing the territory plan. As part of the ongoing review process, the ACT government will endeavour to deliver those commitments we made for sustainable design through the planning process.

The extensive consultation undertaken in the development of the new planning system is a testament to this government's commitment to open and transparent consultative processes, particularly where significant reform is being considered. These processes have given the government an insight into the ACT community's priorities for planning policies. We need to consider these priorities to ensure that our planning system and controls deliver innovative, sustainable and appropriate development for the ACT in years to come.

Mr Speaker, the territory plan has now been restructured to focus on national leadership in the development assessment system, and the ACT continues to be the first jurisdiction implementing such a leading practice model. There is an opportunity for these planning controls, which are designed for development of territory land, to be introduced to similar areas within land that is currently controlled by the National Capital Authority. In closing, I support this motion to approve the territory plan 2008.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (6.10), in reply: I thank colleagues for their support, often offered begrudgingly and with qualifications. Nevertheless, in politics that is the best you can hope for at times, I suppose, so thank you all for your support.

I would like to again pay tribute to the team at ACTPLA for a magnificent effort in guiding this process through. A change of minister halfway through the process no doubt added levels of complexity to the briefing process. Nonetheless, I think we have arrived, after an extensive period of consultation, with a very good new territory plan for the people of the ACT.

In response to a couple of the issues that were raised during the debate, Dr Foskey asked a series of specific questions around the policy neutrality and when that became a feature of the reform process. It was from day one. I would like to reassure Dr Foskey that the range of policy suggestions that have been put forward by community groups, individual Canberrans, developers, and the whole range of people and stakeholders who contributed to this process have been recorded and will be part of future policy considerations. All of the ideas that have been brought forward will continue to be considered by the government and by the Planning and Land Authority.

There has been throughout the consultation process detailed government responses to each of the issues and ideas that have been put forward, and those have been made available on the Planning and Land Authority's website. I understand they will continue to be made available in terms of the most recent consultation so that people do receive feedback on the ideas they put forward. It is not always possible to adopt everyone's ideas as part of a final policy position. It is often the case, in fact, that you receive conflicting views on these matters. I need to stress, though, that these issues will continue to be the subject of considerable public debate, I am sure, and that the policy ideas that have been put forward will continue to be considered by government as part of any future policy reviews.

In terms of Mrs Dunne's comments, I think I need only draw the Assembly's attention to the arrangements that were in place prior to the introduction of the garden city

provisions that just saw ad hoc redevelopment occurring throughout the suburbs. In fact, we now have a much more controlled basis for residential intensification that is achieving important policy outcomes for the territory in a range of areas. The government completely rejects Mrs Dunne's analysis.

We look forward as part of the new territory plan to delivering on some key outcomes for the people of Gungahlin. That is a very high priority for me. Since I have been planning minister I have indicated that the needs of the people of Gungahlin are front and centre for me not only as the planning minister but also as education and sport and recreation minister. I will continue through those ministerial roles to work hard to deliver the services that the people of Gungahlin need. That is a very clear commitment from me. That commitment can be seen in the new Harrison school, the funding for the Gungahlin college and the range of associated planning works that are underway and were funded in the second appropriation.

This government remain committed to reform in the planning portfolio, along with all other areas of government. We will continue to deliver services efficiently and effectively. This is another example of that. I thank members for their support of the new territory plan.

Question resolved in the affirmative.

## **Planning and Development Legislation Amendment Bill 2008**

Debate resumed from 14 February 2008, on motion by **Mr Barr**:

That this bill be agreed to in principle.

**MR SESELJA** (Molonglo—Leader of the Opposition) (6.14): The minister will be relieved, after our last planning debate, to know that there will be no amendments today. I think in the last one there were some 100 or so that I moved, but I think we have staked our policy differences when it comes to the planning and development legislation.

The planning system reform package has been a complex and a detailed issue. The opposition, as stated earlier in my speech on the territory plan, has supported the process and sought to work productively with the government, industry, stakeholders and the broader community. The substance of the bill as presented to the Assembly deals largely with the implementation of the government's reactive measures to the housing affordability crisis and goes also to key compliance issues requiring resolution.

One of the key changes to government policy contained in the bill is the move to allow for over-the-counter land sales. A major criticism of the government from the opposition and indeed the community at large has been the inability of the government to provide land to the community in a timely and affordable fashion. The fact that the law needed to be changed to allow the government to move forward in this area reflects the very real breakdown and failure of policy.

The creation of the Land Development Agency was meant to provide solutions to affordable housing, as cited by the former planning minister. However, this aspiration fell completely short of its intended goal. Not only did government policy not achieve its goal but many would consider that this policy became a key factor in furthering the problem. The opposition supports the amendment to allow over-the-counter land sales but I take this opportunity to reiterate our concerns that it has only come after nearly two full terms of this government and after years of an identified housing affordability crisis.

The compliance issues within the bill are important, and I would like to touch on them for a moment. Whilst these amendments are largely process driven, they are clearly important. I have reviewed the minister's comments on the issue and also the details of the bill. The ability of ACTPLA to ensure compliance with the building codes relevant to the development in question, in particular the requirement to enforce rectification orders, is, I believe, in the interests of not only the Canberra community but the building industry as well.

I have received feedback from the industry and consumers on numerous occasions that rectification orders have caused some concerns, and it is important that ACTPLA take a leading role in making this happen. With regard to the notification periods in process, there is a genuine need to remove unnecessary and time-consuming red tape. I was pleased to see ACTPLA and the ACT government, at large, recently receive an increase in funding on the back of the efficiency gains in the area of development applications.

The opposition does have some concern in relation to the removal of a territory plan variation once an estate plan has been established. As it is understood currently, there is the ability to change where certain elements of an estate plan are located, without a variation which, I believe, could cause some concern to consumers who have already purchased land within the building envelope. I acknowledge, however, on the other hand, the problem with requiring a variation in these circumstances.

I would just bring to the attention of the minister and the Assembly the concern over the ability of estate plans to be amended after people have bought in good faith. If I have misunderstood that, maybe the minister can clarify it when he is giving his speech. But, if that is the case, I think, short of another variation, we may need to look at what other mechanisms there are to avoid people buying and thinking that they are near the shops or near a certain facility and then finding out that that has been moved and, therefore, they have perhaps paid more than they otherwise would have or bought something that is inappropriate.

I draw that matter to the attention of the Assembly. I think I have understood it correctly as it will work. Whilst I think it is reasonable to remove the variation process because that can be a time-consuming process, you might need to look at whether there are other mechanisms to ensure that we do not have those perverse circumstances where people have purchased and not got the full value of their investment due to later changes.

The compliance issues within the bill are important also, and I would like to touch on them for a moment. Land banking in the ACT is currently still possible to the extent that, despite the laws requiring development of raw land within a time frame, there have been instances where this has not been the case.

The exemption from the time lines as stated in the amendment bill does not articulate a test for financial hardship which would allow the exemption to be approved. I have raised the issue of this subjectivity with the minister's representatives previously and I am not convinced that the issue has been dealt with. There are very clear mechanisms that have already been established in law that will allow for either ACTPLA or a nominated department or agency to deal with this issue. I would hope the minister would take this suggestion on board and initiate some action to address the issue. I would welcome a further amendment to the act at a later stage if the minister was able to take further advice on the legalities involved to provide the Assembly with an alternative way forward.

The minister's tabling speech referenced changes to bring the plan in line to reflect the legal supremacy of the national capital plan. The opposition has voiced its concerns with the gutting of the National Capital Authority. I do not believe that we have seen the true impact of these cuts and, despite the attempts by the ACT government to produce a faster and more effective planning system, this could be seriously hampered by the ability of the NCA to service the ACT within a planning context; that is, with the cutbacks to the NCA, the legislative requirements have not changed—and perhaps they will after the federal government review—but the concern would be that, at a national capital plan level, things will be delayed more than they otherwise would be due to the cutbacks.

As I said earlier, we have chosen not to amend the bill. I have raised the concerns I have. I think the reason we have not moved amendments to the estate plan issue is that we need to have a broader debate about how this will operate in practice. I am hopeful that the government will put in place mechanisms so that we do not get the kinds of perverse outcomes that I have identified.

As I stated at the outset, we support this process because we believe that it is important that our planning system is improved and made more efficient. The constant feedback I have had from industry over the period since I was preselected and then elected to this place has shown real concerns about efficiency in our planning system, real concerns about overlap. This piece of legislation really is a small part of tidying up more than anything in relation to the more substantive change which came in the Planning and Development Bill.

We broadly supported that bill, but I would reiterate our concerns with the concept of use development. That is something that has still the potential, I think, to cause uncertainty in relation to land use rights, and that remains our concern. I have raised other concerns, which I have moved amendments to in the last debate. This bill will, hopefully, tidy things up a bit.

As I have outlined, some of the compliant stuff I think is positive but, now that the government has got broadly the legislation that it wanted, it will be up to the

government to make sure this works. It is well and good to have the right legislation; it is well and good to have the territory plan in place in broadly a way that will make it more efficient and help it to work.

The DAFF model being adopted, I think, is a good thing but it will now be incumbent upon this government to ensure that, in practice, things improve, that we do see faster approvals, that we do see less spurious appeals which slow things down, that we do see better outcomes. In the end, this will be for nought if we do not see the key issues of housing affordability tackled, if we do not see the ability to have infill in our key urban areas done in a sustainable way which does not damage our environment but which gives housing choice to Canberrans.

We look at this in this context. I believe that the amendment bill is a reasonable one. I believe that the main bill is not as good as it could be but is a step in the right direction. So we will wait and see; we will wait and see how the territory plan goes; and we will wait and see how this new legislation plays out in practice. We certainly reserve the right to come back and to be moving amendments in the future where there are problems identified. But, in short, the opposition will be supporting the amendment bill, as we have supported the entire process of planning system reform.

**DR FOSKEY** (Molonglo) (6.24): I do not at all quibble that this is a great occasion. I know that there has been a massive amount of work been done within ACTPLA and I know that it was based on real concerns. I am saying that to set a context for what comes out as being quite critical. One stands up in this place and does not mention all the good things; one does not get time; it is not politics. Therefore, I want to make that very clear.

My office was given a briefing on the amendment bill a couple of weeks ago. I was very pleased to see at that time that officers had sat down and actually drawn up a response to issues that I had raised. I put in a submission on the planning and development regulation. I just want to say, for everyone's information, that this disallowable instrument is now on the web; it was placed there on 4 March. Consequently I will be having a good look at this to see whether my concerns about it have been satisfied.

I wanted to say in regard to the policy neutral process et cetera that most of the issues that I raised were considered to be irrelevant or not to be dealt with in these regulations. I assume that was because they were not policy neutral. It is just one of those terms that sort of creep in and have a great convenience. Therefore, it is one of the reasons I am very sceptical about it as a term.

This bill has been tabled for a time and is before us in the context of the affordable housing issue. As the minister's presentation speech contained a sizeable section outlining the government's responses to affordable housing, I am going to give that some attention in this debate. I do welcome those provisions that are aimed at providing more affordable housing. Multiple incremental measures like these are necessary to alleviate the high and the rising cost of housing when measured as a percentage of household income.

The government's best efforts—and I think we saw some today—to spin bad news about housing affordability by using average income and average mortgage repayment figures cannot disguise the fact that for many Canberra households rent and mortgage repayments are crippling and growing. Average figures have their place but they do hide the real hurt being suffered by many Canberra households behind the gloss provided by Canberra's high average incomes.

This government does bear some responsibility for the housing affordability problem—and we cannot lay it all at the feet of the federal government—as its land release policy has been either unable or unwilling in the past to keep ahead of demand. It appears that the government has now recognised that it is more important to address the housing crisis than it is to maximise revenue by restraining supply. No doubt there will always be a tension between those two objectives.

The Chief Minister has on numerous occasions expressed his commitment to tackling the housing problem. I welcome his commitment and recognise that we have seen a number of legislative responses which seek to put those words into actions. Of course, words and intentions do not of themselves produce results. As with the government's climate change and ethical investment commitments, the Canberra community looks forward to seeing quantifiable evidence to prove that the government's commitment is genuine and its response has been effective.

The minister took the opportunity in his speech to talk up measures that the government has taken to address housing affordability. Of course, there are other measures that government could take, such as investing superannuation funds in local bricks and mortar, overseeing a massive increase in community housing projects, perhaps exploring the cooperative model which provides 50 per cent of Sweden's housing or perhaps by allowing renters to accrue tradable equity in some form of communal or cooperative housing stock as they pay their weekly rent to a government authority set up to manage a community housing investment portfolio. There are many ideas out there if we decide to look at the world, to look at those older cities and older countries that have dealt with this problem and that would offer us some solutions.

Sadly, governments which have adopted an ideological aversion to playing a proactive role and taking responsibility for social outcomes do have trouble in implementing effective policy in areas like housing affordability. They are left with tinkering around the edges, with minor changes to policy settings, which may or may not actually push up the price of housing. This was the main effect of the flawed first home buyers grant. I do not think that even the totality of the government's stated programs to address housing affordability will have any major or significant effect on the problem, but they all are welcome.

Of course, the flip side of the affordable housing problem is the windfall capital gains being enjoyed by those babyboomers who managed to buy their own house or investment property before the housing bubble really got going. Many of them will not look kindly on any attempt by the government to lower the cost of housing because that will impact adversely on their housing investments. Of course, many of

them got to buy their guvvie homes under different policy approaches, before the Treasury perhaps took control of the way housing ran and before the federal government instituted its public housing reforms.

Anyway, it is good that we have a national context for addressing the affordable housing problem as well, and it will be interesting to see how the Rudd government's mechanisms complement and assist the ACT government's mechanisms. I would be very interested to see us extend our idea of what is affordable housing so that we can consider such ideas as Dr Andrew Blakers' solarisation proposal because it lowers the ongoing cost of living in a house. We really need to see housing affordability include how much it actually costs to maintain a decent life within a house. However, I have not had any indications that the Chief Minister is enthusiastic about this proposal. I wonder actually whether he could check that out in order that he can expand his definition of housing affordability and look beyond the bricks and mortar and understand that the energy efficiency rating as it now stands actually includes an air-conditioner.

I do welcome clause 32, which rectifies the wording of section 288. I actually sought these amendments because I was concerned that, as it stood, people were being rewarded for undertaking destructive practices on rural land, such as clearing native vegetation, which should not any longer be automatically treated as something that improves the value of the land. Indeed, when we start valuing carbon offsets, it may have the opposite effect.

The measures in this bill which are aimed at discouraging speculation are welcome, and I congratulate the government for attempting to tackle this issue. I am satisfied with the safeguards in the bill against penalising people who, through no fault of their own, are unable to complete construction within the prescribed time limits. There are such people, and we are in a construction market where that is very, very possible. As always, I urge the government to keep a close eye on the implementation of these measures to ensure that their intentions translate into practice.

I do have some concerns with the provisions increasing the power of inspectors to enter private premises. I am aware of a number of instances where ACTPLA has become embroiled in disputes with private homeowners, where ACTPLA's patience has been exhausted and the dispute grinds on, becoming more personal. Many of the planning reforms afoot at the moment do have the effect of centralising power to ACTPLA, and it makes me uneasy to see so much power accruing to one agency.

However, while I fear the consequences of giving ACTPLA inspectors more power, I also acknowledge that someone must have the power to adequately investigate complaints, just as someone must have the power to oversee the private and contracted building certifiers. I hope that ACTPLA inspectors will receive adequate training in what constitutes reasonable force, which these provisions allow them to use in entering premises.

Perhaps the ACT needs a dedicated land and environment court to resolve planning disputes. I bet that one goes down like a lead balloon. In this regard, I do not think that new section 392B is appropriate. It could easily be used vindictively. If consent to

enter premises has been sought from an occupier and rejected, it is a bit rich to make it a strict liability offence for that same occupier not to actively assist an ACTPLA inspector to exercise their powers if they find the unwelcome inspector on their premises. Emotions are likely to be running high when these encounters take place, and it is easy to imagine that these powers could be used unreasonably or maliciously.

The necessity for a court order is a welcome safeguard against the arbitrary exercise of these powers, but I know that it can be easy to convince a magistrate of the necessity for issuing an order in an *ex parte* hearing where the other party does not have the opportunity to present their side of the argument. Perhaps the government could ask the Ombudsman to keep a watching brief over the manner in which ACTPLA exercises these powers.

I do have some concerns with the public notification provisions in this bill. In existing suburbs, merit track applications should always be required to comply with the notification requirement to deliver letters to neighbouring lessees. I am not sure whether the regulations are the appropriate place to describe what types of development application can be exempted from this requirement. At least a disallowable instrument allows the Assembly an opportunity to challenge any inappropriate prescriptions.

In relation to that, the territory plan was given to us today. It is rather large for we who have been sitting in the house all day to get around it and see what differences there are from the draft. The regulations are actually the third part of this triumvirate—the legislation, the plan and the regulations. We discovered it on the web today. Of course, we could have looked on Monday, the 4th. We sat on Tuesday. We would not have had time to have really read them. For a process that took so long and was so good at the consultation bit—and I commend the officers for that—to have this sort of sudden logjam at the end, I think, is unfortunate. Given that it took so long, it is a pity that we could not have either had this stuff out there a month before or waited till next month. Anyway, here we are today.

While I am on the issue of notification requirements, which I was about three minutes ago, I am sure there will be many places where even code track developments, which are exempt from effective notification requirements, will outrage surprised neighbours who will then complain bitterly and understandably about the lack of consultation. The one-size-fits-all approach adopted by the government is fraught with potential and foreseeable pitfalls.

Very early in my time at the Assembly, when I first met Mr Savery and this legislation reform was on the cards, we had that conversation about community involvement. It was made very clear that, after the legislation and the regulations are put into practice, after the general framework has been developed, that is it for the community. We do know that, while many of the community were engaged in the process, the individual people who will see the change in their suburb, maybe see the yellow poster which is usually very small and often gone after a few days, will say, “I was not consulted.” Even though the government say, “Yes, we did consult you on this major change,” they will not feel they have been consulted about their issue. I do not think you can avoid it by legislating it out.

The ambulatory provisions in clauses 46 and 49 are sensible. However, I urge the government to keep a close track of the standards on which our legislation relies because ambulatory clauses have a nasty habit of becoming obsolete or inappropriate as the organisation setting the standard changes or, alternatively, if the definition of the standard in the regulation becomes obsolete due to technical variations, standards and nomenclature.

I have been told in briefings that the new definition of single dwelling house in this bill will mean that a single dwelling can, in some circumstances, have two kitchens or food preparation areas. I have been assured that this will not be a means by which landlords can get around urban intensification regulations and squeeze two households into the one premises. Rather, it is for accommodating the very different families we have in our midst and is perhaps a solution, one part, to the affordable accommodation problem.

I had misgivings about building houses that, by their design, will result in greater energy demands, but I do not think that micro managing and regulatory interference to the extent of proscribing two kitchens is at all appropriate. Indeed, I can see it, if used wisely, being a very good thing. I will be supporting the bill.

**MRS DUNNE** (Ginninderra) (6.39): As Mr Seselja, the leader said, the Liberal opposition will be supporting this bill, but there are some elements that I do need to reinforce concerns about. They must be scrutinised over time to ensure that they do not have unintended consequences.

There are issues in relation to compliance in this legislation. I had a discussion with the officials the other day about concerns about compliance. Compliance has always been probably one of the most difficult parts of planning legislation in many ways because actually it does, for the most part, mean that people have to sort of make adjustments to existing buildings. This is often a problem.

I think that over time there have been a number of attempts to increase the powers to make compliance easier. Every time we see changes to the compliance legislation the minister at the table usually says that this has fixed the problem. So far we have not managed to fix the problem. I hope that the changes made on this occasion will address the issues satisfactorily, that there can be better and more just compliance when the need arises and that the enforcement of compliance orders will become more streamlined.

There are two other areas that are of particular concern to me in relation to the signing off of this bill. One was touched on by Mr Seselja, which is the removal in this arrangement of the final variation to the territory plan when you take an area that was, under old parlance, designated land and turn it into an estate plan et cetera.

For those of us who have been around for a while, I draw on the experience that we had in Amaroo. The building of the Amaroo school was a case in point. That was defined land under the territory plan. The people who built in Burdekin Street, across the road from it, were told that, yes, there would be a school there; the playing fields

would be on Burdekin Street; and the schools, both the Amaroo school and the non-government school which is beside it, would be further away.

These are the circumstances under which people bought land in that area. Then, for a variety of reasons, some of which were quite good and quite sound, the locations of the schools and the playing fields were essentially swapped, which caused a huge amount of anxiety in the suburbs. The then shadow minister for planning, Mr Corbell, created a huge amount of mileage out of this as a planning issue. I think it was a cautionary tale. There was not final sign-up on defined land and people did not have the certainty.

I raised this matter with the officials the other day and I have not yet had a satisfactory explanation as to how the situation that currently exists will be any better than the situation that the people experienced in Amaroo back in 2000-01. It is a matter that needs to be watched. As Mr Seselja said, if there are problems where people are suddenly finding facilities being moved around the suburbs when they expect them to be in a particular place, thereby affecting their choices for housing in particular areas, it will cause us problems and will have to be revisited.

The other area about which I am concerned—and I have been concerned ever since the Minister for Planning Mr Corbell moved amendments to section 180 of the land act back in about 2003—is the issue about completing on time and on-selling land if people do not complete on time or do not have the capacity to build on land that they have previously purchased. Mr Seselja raised this in the substantive debate on the main bill last year. It is still an issue.

I am concerned that, with the current arrangement with direct sale of land over the counter for single parcels of land, if someone buys the land and then for some reason cannot complete within the two years and seeks an extension, they now run the risk of paying quite substantial fees to address that. My recollection from the briefing is that it is five times the annual land rate, which could be a substantial amount of money.

There are provisions, I was told, or there is the capacity to waive that in the case of hardship but it is not actually in the legislation. It does not appear to be in the regulations what the criteria might be. There was a fair amount of value judgement in the previous debate about what was real hardship and what was self-imposed hardship, dare we say. If someone was in dire straits because they lost their job, that would be considered hardship. But if they had put some money on a horse and lost it, that would not be considered hardship. I think that there are some issues there that need to be addressed.

Overall, this is a change that is necessary and overdue. There is much in it that we will only know whether it works two or three years after it actually hits the ground. I think that, as an assembly and as successive assemblies, we need to watch this legislation very closely and be prepared to come back and revise it as necessary.

**MR BARR** (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation, Minister for Industrial Relations) (6.45), in reply: I thank members for their contribution to the debate and for their support for

the Planning and Development Legislation Amendment Bill. Before I make some very quick comments on the bill I do need to table a revised explanatory statement. This revised explanatory statement reflects issues raised in scrutiny of bills committee report No 51, including a justification for a new strict liability offence which the committee indicated is normally required. I will come back to that matter in a moment. I present a revised explanatory statement to the bill.

To summarise, the bill seeks to do three principal things. Firstly, it introduces more realistic and practical ways for inspectors to gain entry to private premises for compliance purposes. Secondly, it introduces a number of amendments to streamline public notification processes, inserts new transitional arrangements and corrects or clarifies some provisions. Finally, it seeks to provide the legislative underpinning for one of the most ambitious affordable housing initiatives in any jurisdiction, as announced by the Chief Minister last year.

Mr Seselja raised a couple of issues—Mrs Dunne highlighted them as well—in his contribution. I think it is worth reiterating the planning sequence. A structure plan is developed in the first instance. That requires notification. That then flows into a concept plan. That, again, requires a full variation to the territory plan. Then an estate development plan is put forward. That must be consistent with the concept plan. An estate development plan is a development application that in itself requires public notification and assessment in the impact track, and any changes to the EDP as a result of publication notification need to be consistent with the pre-existing concept plan.

I will respond very quickly to the scrutiny of bills committee report that was tabled this week. It did raise several issues which have been considered. Given the short period of time since receiving the report, I will respond to those issues today.

New section 272D affirms ACTPLA's power to decide an application for payout of land rent notwithstanding the prescribed time period for making this decision has expired. This scrutiny report questioned whether the discretion of ACTPLA to make a decision at this late stage was not limited by a requirement that it be exercised on reasonable grounds, as is the case in the new section 298B (3).

After examining this matter, it has been decided that an amendment in line with the scrutiny of bills report is not warranted. This is because section 272D is primarily about giving ACTPLA the actual power to make a late decision, notwithstanding that the prescribed time period has elapsed; it is not about exercising a discretion to decide an application for an extension of time, as is the case in the new section 298B.

The scrutiny committee also raised an issue about the unfettered exercise of discretionary power by ACTPLA to restrict the class of people that may be eligible for the grant of a lease in respect of a particular ballot, auction, tender or direct sale. I note that, apart from the inclusion of direct sales in this discretion, the provision is identical to that contained in the Planning and Development Act 2007, which in itself is the same as the provision contained in the current land act. This discretion has been exercised on a fairly regular basis, without much comment, so the government does not propose to amend the legislation at this time but will examine the need for such an amendment and other possible legislative answers to the matters raised.

In referring back to the scrutiny committee issue regarding justification of a new strict liability offence, new section 392B gives an inspector who has gained entry under a monitoring warrant or a search warrant the power to require reasonable assistance from an occupier or anyone else at the relevant premises. This power is necessary if the inspector is to be able to make an effective investigation. For example, the inspector needs to be able to ask a visitor at the premises to remove their car from the driveway or to leave an area prior to investigation.

For reasons indicated in the revised explanatory statement that I have just tabled, the strict liability offence is justified. Strict liability is necessary to ensure that this relatively minor or regulatory offence can be prosecuted in an effective and efficient manner. It is also important to note that this power and the offence provisions can only apply in the context of investigations authorised by a court order.

Finally, the scrutiny report pointed to a typographical error in the new section 391B which will be corrected when the bill, as enacted, is published on the legislation register.

I would like to close by thanking the scrutiny committee for its detailed consideration of the bill and say that the amendments contained in this bill, together with the new Planning and Development Act, the new territory plan and the regulations, do indeed complete the most far-reaching and significant planning system reform undertaken since self-government. I thank members for their support, however graciously or ungraciously offered during the debate. We now have a simpler, faster and more effective planning system. It will commence on Monday, 31 March this year. I commend the Planning and Development Legislation Amendment Bill 2008 to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Adjournment**

Motion by **Mr Barr** proposed:

That the Assembly do now adjourn.

## **Schools—closures**

**MRS DUNNE** (Ginninderra) (6.52): Last night in the adjournment debate, Ms Porter came in to extol the virtues of school closures and to say that I must be on a different planet from her and it is the case that we must work in parallel universes when we work in our electorates, around Flynn in particular. I did spend a considerable amount

of time in Flynn the other day. Ms Porter said that no-one has come to her and said anything adverse about the school closures at Flynn and, I think, by extension, in Cook. But I do not want to misrepresent her.

I think she must have blanked out any adverse comments. When I ran my catching up with the community stall in Flynn—not in a neighbouring suburb; actually in Flynn—the other day, I had residents come to me and say that they had raised with Ms Porter their concern that she had not stood up for the community sufficiently and their rights, and that they were unhappy with her support for school closures and were unhappy that she did not support the Flynn community sufficiently.

One of the people who raised this with me was quite unhappy with Ms Porter. He said to me that when he raised this matter with her she said, by way of response, that she had actually managed to get a lot of paths around Flynn fixed, broken footpaths fixed, and surely that was enough of a demonstration of her commitment to the community. I am afraid it did not actually wash with the residents that I was speaking to in Flynn the other day.

It was interesting to listen to Ms Porter last night because she finished with a rather extraordinary and full-blown endorsement of the school closures policy by saying that she was proud to be associated with the policy and was proud to be associated with the Stanhope government who had been so innovative. I challenge Ms Porter to take those words and circulate those words in Flynn and in Cook, to go into those suburbs and say the things that she said in here about how proud she was to be a part of this policy and say it amongst the people who are so adversely affected by school closures.

Question resolved in the affirmative.

**The Assembly adjourned at 6.55 pm until Tuesday, 1 April 2008, at 10.30 am.**



## Answers to questions

### Business—outdoor cafes (Question No 1818)

**Mr Smyth** asked the Minister for Territory and Municipal Services, upon notice, on 6 December 2007 (*redirected to the Attorney General*):

- (1) What is the total number of separate fee-paying entities that operated outdoor café facilities in the primary areas of (a) Civic, (b) Manuka and (c) Kingston in (i) 2004-05, (ii) 2005-06 and (iii) 2006-07;
- (2) What is the total number of separate fee-paying entities that operated outdoor café facilities in the secondary areas of (a) Civic, (b) Belconnen, (c) Braddon, (d) Dickson, (e) Griffith, (f) O'Connor, (g) Yarralumla and (h) Woden in (i) 2004-05, (ii) 2005-06 and (iii) 2006-07;
- (3) What is the total number of separate fee-paying entities that operated outdoor café facilities in the tertiary areas of (a) Deakin, (b) Fyshwick, (c) Kippax, (d) Phillip, (e) Tuggeranong and (f) Weston in (i) 2004-05, (ii) 2005-06 and (iii) 2006-07;
- (4) How many staff are involved in managing the policy and revenue collecting activities associated with outdoor cafes;
- (5) What costs were incurred during 2006-07 in managing the policy and revenue collecting activities associated with outdoor cafes.

**Mr Corbell:** The answer to the member's question is as follows:

- (1) Please refer to **Attachment A** for answer.
- (2) Please refer to **Attachment A** for answer.
- (3) Please refer to **Attachment A** for answer.
- (4) There are 3 staff within the Office of Regulatory Services who designate a portion of their time to manage the policy, collect revenue and other activities associated with the policy governing outdoor cafes.
- (5) The total costs for the designated time spent on this area for the 2006-07 period by the 3 staff mentioned previously in this response was \$34,016.65.

*(Attachment A is available at the Chamber Support Office)*

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### Environment—pest plants (Question No 1822)

**Dr Foskey** asked the Minister for the Environment, Water and Climate Change, upon notice, on 12 February 2008:

- (1) What strategies are being pursued to reduce and halt the spread of the pest plants Patterson's Curse and St John's Wort on the respective land categories in the Territory;

- (2) Is the spread being mapped from year to year;
- (3) What strategies are used to ensure they do not spread into nature parks.

**Mr Stanhope:** The answer to the member's question is as follows:

- (1) Parks, Conservation and Lands (PCL) in the Department of Territory and Municipal Services manages an annual weed spraying program on unleased land and actively engages with rural lessees to treat weed infestations and to encourage the reduction of over grazing which can cause weeds to spread.

Paterson's Curse is a broadacre weed found in grasslands and pastures. Whilst it is widespread throughout south eastern Australia it is not considered to be a weed of national significance. In the ACT, the emphasis is on controlling Paterson's Curse in high conservation areas, roadsides and the Government Horse Holding Paddocks. A spring/autumn weed control program for the ACT Government Horse Holding Paddocks was undertaken in 2007 and will be followed up with an autumn 2008 control program.

St John's Wort is a high priority weed in the ACT as it readily invades pastures, grasslands and woodlands. A summer control program for St John's Wort concentrates on rural roadsides, high conservation value grasslands and yellow box, red gum grassy woodlands. When possible, sheep are utilised to graze the St John's Wort rosettes during winter.

- (2) The locations of confirmed pest plants on unleased Territory land are mapped and updated at the end of each financial year.
- (3) To minimise the risk of the spread of pest plants into high conservation areas, PCL enforces strict cleaning procedures for the maintenance of vehicles and slashers. Follow-up weed spraying is also undertaken.

### **Arts and letters—M16 galleries (Question No 1823)**

**Dr Foskey** asked the Minister for the Arts, upon notice, on 12 February 2008:

- (1) Is it true that the workshops and galleries at M16 are being relocated; if so, for what reason;
- (2) Where will M16 activities be relocated to.

**Mr Stanhope:** The answer to the member's question is as follows:

M16 has met with the Government to discuss its current and longer-term accommodation needs.

While M16's accommodation needs are being considered in future arts' facilities planning, there are no immediate plans to relocate the organisation.

**Planning—Jamison  
(Question No 1830)**

**Dr Foskey** asked the Minister for Planning, upon notice, on 12 February 2008:

- (1) Is there a precinct Master Plan for the Jamison development; if so, what processes were used in its development; if not; is there an intention to develop one;
- (2) What will happen to the Greengold site;
- (3) What is happening to the (a) swimming pool and (b) hotel site;
- (4) What is being planned for development on the existing car parks and treed areas;
- (5) What public amenities that will remain in Jamison, including Jamison Plaza, at the conclusion of this process;
- (6) Do the amenities referred to in part (5) include sheltered public areas for mothers and children, the elderly, and the disabled; if not, why not.
- (7) What car park facilities will remain for shoppers at the conclusion of this process;
- (8) Is provision being made to continue the Sunday Trash and Treasure Market once development is complete;
- (9) Is it the intention to downgrade the status of Jamison from a group centre;
- (10) How have environmental and social concerns such as the reduction of the need for car miles and local amenity been taken into account in decisions made in relation to Jamison's further development.

**Mr Barr:** The answer to the member's question is as follows:

- (1) A master plan for Jamison was adopted as a guideline under the Territory Plan in 2002. The process used in its development involved consultation with residents, businesses and community groups to raise issues and enable a vision for Jamison to be prepared;
- (2) A Development Application for the Greengold site was recently approved to demolish the existing garden centre and construct mixed-use development with commercial and residential uses;
- (3) (a) A planning study was recently prepared for the Big Splash swimming pool site to support a draft variation to change the land use policy from Restricted Access Recreation (PRZ2) to Commercial B2C Group Centres precinct 'b' (CZ2 Business Zone); and (b) Redevelopment options for the hotel site have been discussed over recent years, but there is no current Development Application;
- (4) There is no development proposed on existing car parks and treed areas
- (5) The existing public amenities, including internal toilets, playground and park, will remain;

- (6) Public amenities for mothers, children, the elderly and the disabled include sheltered areas and seating within the centre, awnings around the edges of the buildings, trees around the playground and covered seating at the bus stop;
- (7) Existing car parking facilities were recently reconfigured to achieve more efficient layouts and additional spaces, and these facilities will be retained;
- (8) The Trash and Treasure Market will continue to operate in its existing location;
- (9) There is no intention to change the status of Jamison from a group centre;
- (10) Variations to the Territory Plan following the master planning process led to increased densities and mixed-use development including residential uses being permitted. These opportunities for people to live and work in and close to the centre, and to shop locally, reduce the number of car trips required and contribute to the vibrancy of the centre.

### **Finance—federal funding (Question No 1831)**

**Mr Mulcahy** asked the Treasurer, upon notice, on 12 February 2008:

- (1) Does the ACT receive payments from the Federal Government for the purpose of maintaining and improving municipal services within the Territory; if so, what is the value of these payments?
- (2) Do these payments form part of general revenue or are they used specifically for municipal services in the Territory;
- (3) If the payments form part of general revenue, what amount, as a figure and a percentage, is allocated to the municipal services budget.

**Mr Stanhope:** The answer to the member's question is as follows:

- (1) Payments from the Federal Government for local government purposes are shown in Budget Paper No. 3 (p42). In 2007-08 these payments are estimated to be \$60.8 million.
- (2) These payments form part of general revenue.
- (3) There is no separate municipal services budget. All municipal type revenues are treated as general revenue, without hypothecation to municipal type expenditures. Nevertheless, the Government has adopted a policy that municipal revenue, from all sources, is broadly in line with municipal expenses.

### **Water—unmetered consumption (Question No 1834)**

**Mr Stefaniak** asked the Minister for the Environment, Water and Climate Change, upon notice, on 12 February 2008 (*redirected to the Treasurer*):

- (1) Are there any consumers in the ACT whose water consumption is not metered; if so, (a) why, (b) how many are there, (c) what is the estimated total unmetered water consumption and (d) what, if any, is the estimated foregone annual revenue to ACTEW Corporation, in the categories of (i) private, (ii) commercial, (iii) ACT Government, (iv) Commonwealth Government and (v) other;
- (2) What is being done to minimise the number of unmetered water consumers.

**Mr Stanhope:** The answer to the member's question is as follows:

According to ACTEW records, as at 19 February 2008, there were 916 blocks classified as unmetered.

- a) In reviewing these records, two reasons for this unmetered classification were identified:

**Greenfield** - These blocks are yet to be developed, or are in the process of development. Prior to construction of a commercial or multi-residential block, a metered water connection is provided. Single residential blocks are provided with an unmetered water supply until construction is complete. ACTEW has trialled the mandatory installation of water meters prior to construction, however, meters were regularly damaged during site works.

**Unserviced** - These sites are provided water supply through an adjoining block's water service. In each case, the adjoining block is metered and owned by the same lessee.

- b) As at 19 February 2008, the number of unmetered sites was:

|                         | Greenfield | Unserviced | Total      |
|-------------------------|------------|------------|------------|
| Residential/Private     | 841        | 0          | 841        |
| Commercial              | 72         | 3          | 75         |
| ACT Government          | 0          | 0          | 0          |
| Commonwealth Government | 0          | 0          | 0          |
| Other                   | 0          | 0          | 0          |
| <b>Total</b>            | <b>913</b> | <b>3</b>   | <b>916</b> |

- c) As at 19 February 2008, the estimated level of unmetered water consumption resulting from use by Greenfield residential developments is approximately 4,205 kilolitres (kL). The estimated level of unmetered water consumption resulting from use by Greenfield commercial developments has not been quantified as these sites are yet to be developed.

- d) As at 19 February 2008, the estimated level of revenue foregone is as follows:

**Greenfield**

- **Residential** – These properties are invoiced for the supply charge (currently \$75 per annum), but not for consumption. Construction of a single residential property uses approximately 5 kilolitres. At 841 blocks, this equates to 4,205 kL. This consumption would occur on the lowest water price tier, currently \$1.415 per kL, equating to \$5,950 per annum in foregone revenue.
- **Commercial** - These sites are yet to be developed. Water meters will be installed on each of these sites prior to commencement of development. Therefore, no revenue is foregone from these sites.

**Unserviced**

All water supplied to these blocks is metered through the adjacent block. There is no foregone revenue from these blocks.

- (2) ACTEW considers its current practices sufficient to minimise the number of unmetered water consumers. As described above, prior to construction beginning on multi-residential, commercial and government sites a metered water connection is installed. A residential development will not receive plumbing certification until a water meter is installed.

**Planning—Majura Lane environs  
(Question No 1836)**

**Mr Stefaniak** asked the Minister for Planning, upon notice, on 12 February 2008:

- (1) What are the current planning proposals for the future of Majura Lane and its environs;
- (2) If there are no current planning proposals, is it intended to review the planning policies in relation to Majura Lane and its environs; if so, (a) when will the review take place, (b) what will be the scope of the review, (c) will there be community consultation and (d) when will any new policies be operational.

**Mr Barr:** The answer to the member's question is as follows:

- (1 & 2) ACTPLA is currently undertaking the Eastern Broadacre Planning Study. This study is investigating the potential of the eastern edge of the ACT for employment purposes, consistent with the 2004 *Canberra Spatial Plan*. The study includes the Majura area, although much of this area cannot be developed as it is taken up by the Department of Defence and the Australian Federal Police (total 3400ha).
  - a) The study commenced in October last year and is due to be completed in May this year.
  - b) The study scope includes:
    - an economic and market assessment (looking at existing supply and demand and new job opportunities);
    - a land capability assessment (looking at key ecological and other constraints in the area); and
    - key stakeholder consultation (with Commonwealth, ACT and NSW Government agencies; industry groups and major lessees such as the Airport and the Department of Defence).

The study will take account of key projects like the Majura Road upgrade, the Very Fast Train proposal (which is still very preliminary) and the latest Airport Master Plan.

- c) Consultation with key agencies and groups has occurred as part of the study and wider community consultation will occur after the Government has considered the findings of the study and how it wishes to progress.

Because of their particular interest, all rural lessees in the area have been notified in writing of the study, and a presentation will also be made to the ACT Rural Landholders Association in the near future.

- d) Depending on Government consideration, the Study findings may lead to more detailed planning and draft changes to the land use policies in the area. Any changes would be released for public comment and subject to further Government and Assembly considerations. As such, it is not possible to put a fixed time on when new policies may become operational.

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### **Planning—Queanbeyan decisions (Question No 1842)**

**Dr Foskey** asked the Minister for Planning, upon notice, on 13 February 2008:

How does the ACT Planning and Land Authority liaise with Queanbeyan City Council and the NSW Government about planning decisions that impact both the ACT and the Queanbeyan region.

**Mr Barr:** The answer to the member's question is as follows:

ACTLA engages with both the Queanbeyan City Council and the NSW Government on all of its strategic planning and policy development work that has the potential to impact across the border. These discussions and invitations for contributions to be made to ACTPLA's work are undertaken as part of non-statutory consultation processes adopted by ACTPLA as good practice and in accordance with the expectations of the Regional Management Framework entered into between the ACT and NSW Governments.

ACTPLA also participates in a six monthly meeting with the Queanbeyan City Council's administrative executive to informally discuss matters of mutual interest. The Government has included in the Statement of Strategic Direction in the restructured Territory Plan the need to engage with adjoining Councils (in NSW) on planning policy that may affect regions adjoining the ACT. Under both current and future planning legislation, ACTPLA is also obliged by statute to notify an adjoining Council of a development application if it owns land deemed to be affected by the application and third party notification is required. This process also applies to Territory Plan variations that have the potential to impact on land outside of the ACT.

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### **Hospitals—medical assessment and planning unit (Question No 1845)**

**Mrs Burke** asked the Minister for Health, upon notice, on 13 February 2008:

- (1) In relation to the Medical Assessment and Planning Unit (MAPU), what is the total number of patients who have benefited from the rapid transfer service in (a) 2006-07 and (b) 2007-08 to date;
- (2) What has been the average age of patients accessing MAPU during (a) 2006-07 and (b) 2007-08 to date and what proportion was (i) male and (ii) female;

(3) What categories of acute illnesses did patients present with during these periods.

**Ms Gallagher:** The answer to the member's question is as follows:

(1) (a) There were 113 transfers into the MAPU from its opening in May 2007 to 30 June 2007.

(b) There were 665 transfers into the MAPU from 1 July 2007 to 31 January 2008.

Source: The Canberra Hospital ward transfer file 2006-07 and 2007-08

(2) (a) The average age of patients in the MAPU in 2006-07 was 71 years. Of this total:

(i) 68 percent were female

(ii) 32 percent were male

(b) The average age of patients in the MAPU in 2007-08 was 71 years. Of this total:

(i) 58 percent were female

(ii) 42 percent were male

Source: The Canberra Hospital admitted patient data set 2006-07 and 2007-08

(3) The MAPU service manages people with a wide variety of conditions. To date, the major types of acute illness managed within the unit relate to respiratory, circulatory and musculoskeletal conditions.

### **Hospitals—staffing (Question No 1848)**

**Mrs Burke** asked the Minister for Health, upon notice, on 13 February 2008:

In relation to the Medical Appointments and Training Unit, in what way has the centralisation of recruitment, training, appointment and credentialing of medical officers assisted in the availability of suitably qualified and credentialed staff.

**Ms Gallagher:** The answer to the member's question is as follows:

The centralisation of recruitment, appointment, credentialing and training of medical officers has achieved a number of benefits since the ACT Health Medical Appointments and Training Unit (MATU) was established in August 2006.

MATU has -

1. Developed expertise in strategic recruitment to address areas of clinical service vulnerability in the territory and the region;
2. Developed new policies in relation to medical workforce management that apply to all divisions of ACT Health;
3. Improved and standardized selection, appointments, credentialing, and clinical privileging procedures;

4. Developed a territory-wide approach to medical workforce planning, appointments, credentialing and clinical privileging;
  5. Improved systems for management of the junior doctor workforce;
  6. Developed and expanded postgraduate medical education and training, which will assist in the longer term recruitment and retention of medical staff; and
  7. Achieved accreditation and re-accreditation for education and training of junior doctors in a number of clinical disciplines.
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**ACT Health—assistants in nursing  
(Question No 1860)**

**Mrs Burke** asked the Minister for Health, upon notice, on 14 February 2008:

How many Assistants in Nursing are currently employed and working within ACT Health and where are they currently deployed.

**Ms Gallagher:** The answer to the member's question is as follows:

There are no Assistants in Nursing currently employed and working within ACT Health.

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**ACT Health—client care officers  
(Question No 1864)**

**Mrs Burke** asked the Minister for Health, upon notice, on 14 February 2008:

How many Client Care Officers are currently working within ACT Health and where are they currently deployed.

**Ms Gallagher:** The answer to the member's question is as follows:

ACT Health does not have an employment category called "client care officer".

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**Hospitals—patient administration system  
(Question No 1866)**

**Mrs Burke** asked the Minister for Health, upon notice, on 14 February 2008:

Can the Minister provide an update of the Common Patient Management Administration System and advise if the system is in full operation.

**Ms Gallagher:** I am advised that the answer to the member's question is

The ACT Patient Administration System is fully operational. Phase one went live on the 18th September 2006 and phase two went live on the 23rd July 2007. Project completed on 20th September 2007.

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**Public service—consulting services  
(Question No 1871)**

**Mrs Burke** asked the Minister for Health, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Ms Gallagher:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question.

Information regarding ACT Health's use of consultants is publicly available in its annual reports, with the total amount paid to contractors and consultants shown in the notes to the financial statements together with a table listing all significant consultancies by name.

All new Government contracts executed after 1 October 2007 with a value of \$20,000 and over, and prior to that date with a value of \$50,000 or greater are published on the public register and included on the ACT Government website at:  
<http://www.contractsregister.act.gov.au>.

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**Public service—consulting services  
(Question No 1885)**

**Mr Seselja** asked the Chief Minister, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your Department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' annual reports.

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**Public service—consulting services  
(Question No 1886)**

**Mr Seselja** asked the Minister for Education and Training, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your Department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Barr:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' annual reports

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### **Public service—consulting services (Question No 1887)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your Department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Barr:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' Annual Reports.

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### **Public service—focus groups (Question No 1888)**

**Mr Seselja** asked the Chief Minister, upon notice, on 14 February 2008:

- (1) How many public focus groups were conducted through your department in the 2007-08 financial year to date;
- (2) When were they held and what was the nature of each focus group;
- (3) What was the cost to conduct these focus groups;
- (4) How much, if anything, were focus group participants paid to attend
- (5) Where can Members get the details and findings of these publicly funded focus groups.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question.

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**Public service—advertising  
(Question No 1890)**

**Mr Seselja** asked the Chief Minister, upon notice, on 14 February 2008:

- (1) In relation to the promotional activities of the (a) ACT Department of Indigenous Affairs and (b) Department of Water and Climate Change, what promotional activities, publications and advertising in any media have been undertaken by the (i) department, (ii) the Minister's Office or (iii) any other office or agency on behalf of the Department or Minister's office in the 2007-08 financial year to date;
- (2) What was the total amount spent on such activities as outlined in part (1) and was it costed to (a) the department/agency, (b) the Minister's office, (c) another Minister's office or (d) another agency/department;
- (3) Can the Minister detail the promotional activities, publications and advertising undertaken by (a) the department/agency, (b) the Minister's Office, (c) another Minister's office or (d) another agency/department on behalf of the Minister or the department/agency;
- (4) What were the promotional activities, publications and advertising meant to achieve, did they achieve their purposes and how was that measured;
- (5) How much has been allocated both within the Minister's office and the department/agency for these activities in the 2007-08 financial year to date.

**Mr Stanhope:** The answer to the member's question is as follows:

The ACT Department of Indigenous Affairs and the Department of Water and Climate Change do not exist.

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**Public service—advertising  
(Question No 1891)**

**Mr Seselja** asked the Chief Minister, upon notice, on 14 February 2008:

- (1) What promotional activities, publications and advertising in any media have been undertaken by the (a) department, (b) the Minister's Office or (c) any other office or agency on behalf of the Department or Minister's office in the 2007-08 financial year to date;
- (2) What was the total amount spent on such activities as outlined in part (1) and was it costed to (a) the department/agency, (b) the Minister's office, (c) another Minister's office or (d) another agency/department;

- (3) Can the Minister detail the promotional activities, publications and advertising undertaken by (a) the department/agency, (b) the Minister's Office, (c) another Minister's office or (d) another agency/department on behalf of the Minister or the department/agency;
- (4) What were the promotional activities, publications and advertising meant to achieve, did they achieve their purposes and how was that measured;
- (5) How much has been allocated both within the Minister's office and the department/agency for these activities in the 2007-08 financial year to date.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question.

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**Public service—advertising  
(Question No 1893)**

**Mr Seselja** asked the Minister for Planning, upon notice, on 14 February 2008:

- (1) What promotional activities, publications and advertising in any media have been undertaken by the (a) department, (b) the Minister's Office or (c) any other office or agency on behalf of the Department or Minister's office in the 2007-08 financial year to date;
- (2) What was the total amount spent on such activities as outlined in part (1) and was it costed to (a) the department/agency, (b) the Minister's office, (c) another Minister's office or (d) another agency/department;
- (3) Can the Minister detail the promotional activities, publications and advertising undertaken by (a) the department/agency, (b) the Minister's Office, (c) another Minister's office or (d) another agency/department on behalf of the Minister or the department/agency;
- (4) What were the promotional activities, publications and advertising meant to achieve, did they achieve their purposes and how was that measured;
- (5) How much has been allocated both within the Minister's office and the department/agency for these activities in the 2007-08 financial year to date.

**Mr Barr:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the very considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on promotional activities, publications and advertising is routinely provided in agencies' Annual Reports.

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**Public service—consulting services  
(Question No 1894)**

**Mr Smyth** asked the Treasurer, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' annual reports.

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**Public service—consulting services  
(Question No 1895)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' annual reports.

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**Public service—advertising  
(Question No 1898)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 14 February 2008:

- (1) How much will be spent in the 2007-08 financial year to date on advertising, promotion, the dissemination of policy information or other information which included the Minister's photograph and/ or a message from the Minister;

- (2) What is the individual breakdown for print media, television, radio and other media such as brochures including direct mail by (a) the Minister's Office, (b) the Minister's department or agency, (c) another agency/ department or Minister's office on behalf of the Minister or the department/agency
- (3) Did the Minister or the Minister's office approve the publication in each case;
- (4) How much has been allocated for these activities in the 2007-08 financial year to date by the (a) Minister's office and (b) department/agency.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question.

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### **Public service—focus groups (Question No 1901)**

**Mr Smyth** asked the Minister for Business and Economic Development, upon notice, on 14 February 2008:

- (1) How many public focus groups were conducted through the area of business and economic development in the 2007-08 financial year to date;
- (2) When were they held and what was the nature of each focus group;
- (3) What was the cost to conduct these focus groups;
- (4) How much, if anything, were focus group participants paid to attend;
- (5) Where can Members get the details and findings of these publicly funded focus groups.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question.

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### **Public service—consulting services (Question No 1903)**

**Mr Stefaniak** asked the Minister for the Arts, upon notice, on 14 February 2008:

- (1) How much was spent on consulting services for your department in the 2007-08 financial year to date;
- (2) Can the Minister provide details of the individual contracts as outlined in part (1) as to (a) who were they awarded to, (b) at what cost, (c) for what purpose and (d) how were they awarded, for example, by tender or with certificate of exemption.

**Mr Stanhope:** The answer to the member's question is as follows:

I am not prepared to authorise the use of the considerable resources that would be involved in providing the detailed information required to answer the Member's question. I note information on the use of consultants is routinely provided in agencies' annual reports.

### **Live in Canberra (Question No 1925)**

**Mr Mulcahy** asked the Chief Minister, upon notice, on 4 March 2008:

- (1) What welcome events are held for new Canberrans as part of the Live in Canberra program;
- (2) What is the process for selecting which individuals receive invitations to these events;
- (3) For how long after an individual has moved to Canberra are they eligible to attend Live in Canberra programs.

**Mr Stanhope:** The answer to the member's question is as follows:

- (1) The following welcome events have been held to date:

#### **2006**

|              |                              |
|--------------|------------------------------|
| 11 September | Dinner at LaScala            |
| 2 October    | Movie Night at Centre Cinema |
| 14 November  | Dinner at Gungahlin Lakes    |
| 14 December  | Family Night at Questacon    |

#### **2007**

|              |   |
|--------------|---|
| 29 January   | Twilight golf at Federal Golf Club                |
| 10 February  | Family Day at National Zoo and Aquarium           |
| 12 March     | Dinner at Delissio                                |
| 9 March      | Brumbies V Cape Town Stormers                     |
| 2 April      | Canberra Raiders V Newcastle Knights              |
| 17 May       | Dinner at the Southern Cross Club                 |
| 30 May       | Young Professional Alliance at Hippo Bar          |
| 17 June      | National Gallery of Australia tour                |
| 28 June      | Royal Australian Mint tour                        |
| 11 July      | CSIRO Discovery Centre                            |
| 22 July      | National Museum of Australia tour                 |
| 23 August    | Dinner at Café @ CIT                              |
| 22 September | Floriade tour                                     |
| 5 October    | Canberra Capitals                                 |
| 25 October   | Film screening at National Film and Sound Archive |
| 11 November  | National Botanical Gardens tour                   |
| 5 December   | Family night at Questacon                         |

**2008**

|             |                                   |
|-------------|-----------------------------------|
| 30 January  | Prime Minister's XI cricket match |
| 15 February | Old Parliament House tour         |
| 24 February | Black Opal Stakes Race Day        |

Proposed events for the coming months (dates to be confirmed):

|          |  |
|----------|--|
| 16 March | Easter egg hunt at Cockington Green      |
| 25 March | Young Professional Alliance at Hippo Bar |
| March    | Brumbies home game                       |
| April    | Canberra District Wine Harvest Festival  |
| April    | Cruise on Lake Burley Griffin            |
| May      | Collector Pumpkin Festival               |
| May      | Canberra Raiders home game               |

- (2) All individuals/families registered with the Live in Canberra program are sent invitations to events simultaneously via email. RSVP's are taken on a first in first served basis, however consideration is given to those who have not attended an event previously.
  - (3) Each individual/family may stay active on the welcome event database for 12 months from the time they arrived in Canberra.
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