



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

EIGHTH ASSEMBLY

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Tuesday, 12 February 2013

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Health (National Health Funding Pool and Administration)

Bill 2012 (No 2)427

Tuesday, 12 February 2013

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

Petition

The following petition was lodged for presentation, by Ms Gallagher, from 1,152 residents:

MyWay terminals

To the Speaker and Member 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 to the current disparity which exists with respect to PROVISION OF MY WAY TERMINALS FOR ALL GROUP CENTRES.

Your petitioners therefore request the Assembly to: provide and install MY WAY TERMINALS in all GROUP CENTRES as soon as possible as per ACT Territory Plan.

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

Petition

Ministerial response

The Clerk: The following response to a petition has been lodged by a minister:

By **Mr Rattenbury**, Minister for Territory and Municipal Services, dated 24 January 2013, in response to a petition lodged by Ms Le Couteur on 14 August 2012 concerning safety concerns at Deakin shops.

The terms of the response will be recorded in *Hansard*.

Deakin shops—safety barriers—petition No 137

The response read as follows:

Roads ACT has undertaken work to address concerns raised by traders at Deakin Shops.

On 25 May 2012 a vehicle mounted the kerb from the car park onto the footpath and crashed into the newsagency window. This resulted in property damage but no casualties.

Roads ACT has investigated the location. To prevent vehicles mounting the kerb onto the footpath directly adjacent to the Hopetoun Circuit car park entry, heavy duty metal barriers were installed along the footpath adjacent to the newsagency in July 2012.

This section of the footpath is within the ACT road reserve boundaries, that is, on Government land. Prior to installing the permanent barriers, temporary water filled barriers were installed on this section as an interim measure to prevent other vehicles mounting the kerb.

The Deakin traders have requested similar barriers along the rest of the perimeter of the footpath facing the car park at Deakin Shops. However, in these locations, the footpath is on private land, and not the direct responsibility of the ACT Government.

Nevertheless, Roads ACT agreed to undertake an assessment of the traders' concerns, with a view to improving the safety of the footpath along the eastern and southern side of the shops facing the car park.

In the meantime, petition No. 137 lodged by Ms Le Couteur MLA, representing the Deakin traders, was received by the Assembly on 14 August 2012 seeking urgent action by the ACT Government to remedy the situation by installing temporary water filled barriers and undertake a full risk assessment to identify and address the safety concerns raised by the shop owners.

Roads ACT engaged an independent consultant to undertake these tasks. The ACT standard specification for kerb height is 150mm. In most suburban shopping centres this kerb height provides a more than adequate barrier to prevent vehicles mounting the kerb. However, the actual kerb height at Deakin Shops varies between 80mm and 120mm, probably as a result of successive asphalt overlays.

Following the comprehensive survey of the car park and adjacent footpaths facing the shops, the consultant canvassed three options for improvements:

1. Restoration of the height of the kerb to 150mm to provide an effective vertical barrier to stop errant vehicles. This option involved either partial or full milling of the car park pavement. It is considered to be expensive and would be disruptive to business activities at Deakin Shops.
2. Provision of pipe rail barriers mounted on the existing footpath behind the kerb in a similar manner to the barriers already installed opposite the driveway entrance. This option would result in the least disruption to business activities, and there is ample room on the footpath for the placement of the barriers. This option would cost between \$23,000 and \$30,000.
3. Relocation of the kerb to create a footpath extension within the road reserve boundary. Pipe barriers would be installed on the footpath extension. However, like Option 1 this option would be disruptive to business activities. It would reduce space within the car park for vehicle manoeuvring, and may also result in a reduction of parking spaces. This option would cost between \$44,000 and \$53,000.

As noted above, most of the current footpath area (behind the kerb) is within the lease boundary, and before work proceeds an agreement needs to be negotiated with the leaseholders. In normal circumstances, traders and building owners would be expected to install measures on their own land should they have concerns with vehicles striking their buildings, either unintentionally or as part of deliberate 'ram raids'.

However, in view of the current kerb height contributing to the problem, the ACT Government is prepared to cover the cost of either Option 2 or Option 3. The ACT Government's preference at this stage would be Option 2, as the most cost effective solution.

Roads ACT plans to have a consultative session with leaseholders to outline the proposed solution and to clarify any administrative and tenure issues. A public display will also be mounted at the shops explaining the recommended treatment. Depending on the outcome of this consultation process, Roads ACT would plan to undertake the works under its Minor New Works program early in the new year.

The Government considers that this is an appropriate response to the risks and safety concerns identified by the traders. When undertaking previous work, Roads ACT installed temporary water filled barriers on the section of footpath directly adjacent to the car park entry. Placing water filled barriers along the whole length of the footpath, as requested in the petition, is not considered necessary.

This issue is clearly a shared responsibility between the ACT Government and the traders and building owners at Deakin Shops. The ACT Government has already taken action to resolve issues with respect to land it directly controls. And is willing to work with the traders and building owners with respect to the privately controlled land at the Deakin Shops.

Leader of the Opposition Statement by Speaker

MADAM SPEAKER: I inform the Assembly that on 11 February 2013 Mr Hanson advised me that the Canberra Liberals had elected him as their leader and that he consented to being the Leader of the Opposition. I therefore recognise Mr Hanson in accordance with standing order 5A and table the correspondence from Mr Hanson. I present the following paper:

Leader of the Opposition—Consent—Copy of letter to the Speaker from Mr Hanson, dated 11 February 2013.

MR HANSON (Molonglo—Leader of the Opposition), by leave: Madam Speaker, I wish to inform you that I have been elected as Leader of the Opposition. I wish to advise you that I have consented to this position, and Alistair Coe has been elected as deputy leader and will remain as whip.

Firstly, may I address some comments to you, Madam Speaker. I have been elected by my colleagues as Leader of the Opposition, and Mr Coe is the Deputy Leader of the Opposition, but I wish to recognise that we are parliamentarians first. It is important that we all recognise that, regardless of which position or which party we are in.

I acknowledge your role in providing dignity and respect in this place. It is an important role, and I want you to know that I and my team will be recognising your authority as Speaker, and I will be asking you, Madam Speaker, to treat the opposition with no favour. Your role as Speaker is truly independent. That is why you do not sit on the frontbench, and I would ask that you treat us as you would, regardless of whether we are Liberal, Labor or Green.

It is a great honour to lead a political party. I am very humbled by this day today, and anybody who enters politics would understand what this means. The respect and trust of my colleagues have put me in this place. I recognise that, and I will work hard every day to earn that trust.

I am here because Mr Seselja has decided to step down. I would like to commend Zed for the work that he has done in this place, both as a parliamentarian, as a local member for Molonglo and Brindabella, and particularly as Leader of the Opposition. I think I am about to find out what a difficult job it is. We would all agree on this side—no doubt a number on the other side, I would hope, would acknowledge, whether they agree with Mr Seselja's position on a number of issues—that he has been highly effective and he will be a loss to this place. I understand why you are doing what you are doing. I wish you every success. But I would like to say that it is a loss, and the Liberal Party will feel it. But as with all these things, people will step up.

With respect to Brendan Smyth, the outgoing deputy leader, people are probably aware that Brendan is a good mate of mine. Brendan has been a champion of the Liberal Party for many years. He was a Liberal who won the seat of Canberra. That is no easy thing to do. Hopefully we will do it this year; that remains to be seen. But we will find out. Brendan Smyth has held just about every position in ACT politics except for Chief Minister—and, knowing Brendan Smyth, he will get there one day. Brendan is going to remain on my frontbench—

Mr Corbell interjecting—

MADAM SPEAKER: Order, members! Mr Hanson, could you sit down for a minute. Mr Corbell, this is a serious moment, and I will ask for respect. You have interjected twice now, and I will not tolerate interjection in a statement like this. It is entirely inappropriate.

MR HANSON: Thank you, Madam Speaker. Brendan, the Liberal Party needs you doing what you do best. We need you here in this chamber. As Zed moves on, and as Mrs Dunne has moved from the frontbench to the Speaker's position, the Liberal Party simply cannot do what it does without you.

With respect to my deputy, Alistair Coe, I could ask for no better deputy. Everybody recognises his talents. His performance in the electorate of Ginninderra has been truly remarkable. Alistair has captured the imagination of the people of Ginninderra, and represented them like no other. If you are looking for a definition of a good local member in a dictionary, it is Alistair Coe. But his talents go far beyond that. When he was appointed as shadow minister for TAMS, I think Jon Stanhope was licking his lips. By the end of the previous term, Jon Stanhope had left this place, and I think he, with everybody else, understood the talents, the abilities and capabilities of Alistair Coe. I could wish for no better person as my deputy. I note that that was acknowledged in the editorial of the *Canberra Times* today, which was refreshing.

With respect to the team that I have, Madam Speaker, I wish I did have you on my frontbench. The reality is that it is important that you are not, and we have been through those issues. The work that you did as the shadow minister in looking after care and protection, and the issues that were covered there, and the enormous work that you went through as shadow attorney-general, earned you tremendous respect, and I will miss you on my frontbench.

With respect to Steve Doszpot, a friend of mine and an elder statesman of the party, there is no more empathetic figure than Steve Doszpot. I refer to the work that you did for people with disabilities that went under the radar during the last term. There was no political hoo-hah, there were no press releases or trying to make ground out of it. You did it, and you worked for the people because it was the right thing to do. By doing that you have earned tremendous respect, not just from me and my colleagues but from the people of Canberra and the community. I refer also to the work that you did in education. There were murmurings that you were getting a little close to the Australian Education Union, but it is a reflection of the fact that you represented the public school system and the independent school system without favour and you were a champion of both. That is important, and well done.

Giulia Jones, one of the newer members of the team, is a true Liberal woman. She represents the face of Liberal women—strong and capable. I know how capable, because when you are in the Hare-Clark system and you are running in the same electorate as someone, when you are running against someone who is strong, capable and effective, you get to know that. Over the last four or five years I have developed enormous respect for Giulia Jones. She does what she does while she has a husband serving in the Army, and at various stages over the last few years in Iraq and Afghanistan, and while she has been looking after four children. That is no small thing, Madam Speaker.

Andrew Wall is here not only because he is capable and talented but because of his work ethic. Most people said that getting the third seat in Brindabella could not be done. It was done, and there are a number of reasons for that, not least the fact that Andrew Wall got out there and did what a good local member does—knocked on doors of houses and earned the trust, respect and admiration of the people of Brindabella. Andrew Wall is what the Liberal Party claims to represent. We are the party that represents small business, and Andrew Wall is a small businessman. He comes from that background; he understands what it is to be struggling, to be earning

your way with no support really from government. With respect to the decisions that we make here that might seem a bit trivial or inconsequential, when they flow down to the man or woman that is trying to run that small business, they can have a big impact on those businesses.

It is important to acknowledge the staff who support us. There will be continuity in our staff because they are very good staff. Their job is to make us look good. They have done that for a while now, and hopefully they will continue to do that. I would like to acknowledge our tremendously capable and hardworking staff.

While I am doing that, I would like to recognise your staff, Madam Speaker, the staff of the Assembly, the Clerk and all of your staff. I look forward to working with you all. You have been a great asset to the opposition and to the government, to all members in this place, and I look forward to maintaining our close working relationship.

There will be no dramatic change for the Liberal Party. What was good under Zed Seselja, good for the Liberal team, will remain. There will be a change in leadership style and approach with myself and Mr Coe. I will let others commentate on that, but the values that we have remain intact; the agenda that we have remains intact. It will change over time, but people should not see this change of leadership as a change in direction or approach for the Liberal Party. We need to do what we do best, which is to hold this government to account. The people of Canberra need us to do this, because let there be no doubt that this is not a good government. As it gets older and as it gets more tired, it will be further exposed to the people of Canberra, who are ultimately the people who are missing out.

At the last election it was a very close result. In fact the Liberal Party got more votes than the Labor Party. But what many people were surprised by, after the election, whether they voted Liberal or Labor, was that the Greens member of the government said he was going to make this the most green, the most progressive—that is, left-leaning—government in Australia. And Katy Gallagher said she wants that also, as a badge of honour.

The many people that voted Liberal or Labor—perhaps I exclude the Greens from this—did not want to wake up, with the election result decided, to having the most extreme government in Australia. What they want is a government that represents them, that is focused on their issues, that wants the emergency departments to be the focus of the government, not an agenda to put needles and syringes in the jail; that wants things like plastic bags for when they go shopping rather than public art going up; and that wants us to focus on their cost of living rather than on things like putting up the renewable energy targets—eight times the national targets.

We will be holding this government to account. We will be working hard, and it is my intent that my deputy, Alistair Coe, and I will be working every day to earn the trust and respect of our team. We will be working hard to earn the trust and respect of the Canberra community, because this town needs change, and we will be working hard over the next four years to earn that trust and respect so that we will effect that change in 2016.

Justice and Community Safety—Standing Committee Scrutiny report 2

MR HANSON (Molonglo—Leader of the Opposition): I present the following report:

Justice and Community Safety (Legislative Scrutiny Role)—Standing Committee—Scrutiny Report 2, dated 4 February 2013, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MR HANSON: Scrutiny report 2 contains the committee's comments on eight bills, two government responses and government amendments to the Crimes Legislation Amendment Bill 2012 (No 2). The report was circulated to members when the Assembly was not sitting.

In its first report to this Assembly the committee commented on the inclusion of a clause in the Health (National Health Funding Pool and Administration) Bill 2012 which stated that a particular section had effect despite anything in another territory law. That would include, of course, an act that came into force after the commencement of that act. Not for the first time, the committee has noted that the inclusion of such a provision is misleading. No act of the Assembly or subordinate law can limit the power of this or a future Assembly to enact legislation that is inconsistent with a statute or subordinate law.

The Minister for Health responded that this type of provision is commonly used in legislative drafting to make it clear that any provision of the type foreshadowed has the force of law and prevails over other territory laws in the event of any inconsistency. Whilst the committee appreciates the aim of the provision, nonetheless the wording used purports to provide for something that, in the committee's opinion, plainly cannot happen and therefore is misleading. The committee again requests that the government desist from using such a provision in legislation or, alternatively, include a provision which more accurately reflects the power of the Assembly. I commend the report to the Assembly.

Racing Amendment Bill 2012

Debate resumed from 29 November 2012, on motion by **Ms Burch**:

That this bill be agreed to in principle.

MR SMYTH (Brindabella) (10.16): The opposition will be supporting this bill today. The local racing industry is very keen to see that it is in place so that the benefits from the bill are actually available in March for the Black Opal. The feedback I have received has been positive—namely, the prospect for clubs to increase their prize money and to better position the ACT as a competitive racing venue. With that in mind, the Canberra Liberals will be supporting this bill.

MR RATTENBURY (Molonglo) (10.17): I would like to start by indicating that I intend to support the passing of the Racing Amendment Bill 2012. The bill devolves responsibility for the collection and administration of race field information charges from the industry regulator to the industry itself—namely, from the ACT Gambling and Racing Commission to the three controlling bodies defined in the act.

These changes will bring the ACT into line with other jurisdictions, such as New South Wales and Victoria. My office has been in touch with the Victorian regulator, who has advised that Victoria has had similar legislation in place since 2005 with no significant problems arising from its operation. I think these changes are a sensible move that is likely to free up the resources of the Gambling and Racing Commission and allow them to be directed elsewhere.

My one concern might have been that the controlling body set too high a fee for the use of race field information. However, I do feel confident that the ACT's bookies will be able to speak up for themselves if they feel they are paying too much. The changes rightly provide for a transitional period during which the industry and the government will no doubt be alert for any emerging problems. Given the High Court's decision regarding similar legislation in New South Wales, I see no reason to oppose these amendments. I will, therefore, be giving my support to the bill.

MS BURCH (Brindabella—Minister for Education and Training, Minister for Disability, Children and Young People, Minister for the Arts, Minister for Women, Minister for Multicultural Affairs and Minister for Racing and Gaming) (10.18), in reply: The bill changes the existing race field information charge scheme. The changes enable the racing clubs to directly set and collect race field information charges from wagering operators while also ensuring the integrity of the scheme is maintained. The government in its earlier response to the Independent Competition and Regulatory Commission investigation into the ACT racing industry agreed to urgently assess the need for amendments to the current scheme in light of a High Court decision in New South Wales and subsequent submissions from the industry. This assessment included consideration of other jurisdictions' approaches to ensure that the territory maintains an appropriate and adequate payment scheme.

The proposed amendments will allow three controlling bodies—the thoroughbred racing, the harness racing and the greyhound racing clubs—to directly set and collect race field information charges from wagering operators. How the quantum is set for race field information charges will be at the discretion of the controlling body. The new arrangements mean that the ACT Gambling and Racing Commission will no longer play a direct role in the administration of the race field information charge scheme. However, the proposed amendments do not affect the commission's broader responsibility for licensing wagering operators in the ACT.

The changes seek to reflect the best practice of similar legislation in Victoria and particularly New South Wales. To maintain the integrity of the scheme and to ensure new arrangements are appropriately supported throughout the transition period, the bill provides transitional arrangements. Under these transitional arrangements the existing role of the Gambling and Racing Commission in assessing the liability of

approved entities and making payments to the racing clubs of fees collected will remain in place as long as necessary to wrap up all activity relating to the current financial year.

The approval of entities and the setting and notification of fees and relevant thresholds will become the responsibility of the controlling bodies from the date of commencement of the amendments, proposed to be 1 March this year, with the commission staff assisting in the handover. The bill also provides that additional regulations may be made to support the transition where required.

I am confident that these changes will help support the racing industry now and into the future by giving the controlling bodies the flexibility to maintain a race field information charge scheme that is relevant to local conditions. I thank the Standing Committee on Justice and Community Safety, in their scrutiny role, for the review of the Racing Amendment Bill. The committee raised no comments on this bill. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Health (National Health Funding Pool and Administration) Bill 2012 (No 2)

Debate resumed from 27 November 2012, on motion by **Ms Gallagher**:

That this bill be agreed to in principle.

MR HANSON (Molonglo—Leader of the Opposition) (10.21): The Canberra Liberals will be supporting this bill today as we believe it is important to secure as much health funding for the residents of the ACT as possible. This bill establishes the national health funding pool, the administrator of that pool and a territory-managed fund for receiving funding of public hospital services. This bill is necessary to ensure that the ACT receives funding from the federal government under health reforms.

I note that this is not an efficient manner of receiving this funding and the national agreement that the Chief Minister has signed up to today does add another level of bureaucracy to the Health Directorate. The Canberra Liberals supported the establishment of a local hospital network in March 2011, acknowledging then that this was an unnecessary level of bureaucracy, a point that at the time senior Health Directorate staff supported.

This bill will hopefully facilitate residents in the ACT receiving much-needed funding for our health system. The Canberra Liberals will be supporting this bill today.

MR RATTENBURY (Molonglo) (10.23): The Greens believe that it is important to ensure that we have a fair and equitable national funding system for our hospitals. We all know that the long-term sustainability of our health system is very important.

I would like to note that this bill, and the national health reform agreement in general, is not so much a health reform but a public hospital funding reform. Having said that, we do support these reforms before us today. There are many more health and hospital reforms which need to happen across the country but those are undoubtedly a discussion for another time.

This bill does bring with it improvements to the current national hospital funding process, which is welcome. I believe that this bill is fairly uncontroversial and generally sets out sensible proposals for how the funds can be well accounted for and transparently managed. The detail of the bill is largely administrative and will ensure that hospital funding being provided can be tracked, used appropriately and regularly reported against.

As the health minister told us in her presentation speech last November, this bill ensures a national consistency between all states and territories in how public hospital funding is banked, managed and reported against. I note the concerns of the scrutiny committee regarding the clauses around the suspension of the administrator, and I note that there are alternatives available such as we have for the suspension of the Clerk. However, given that these protections will be effectively replicated in the employment agreement, it is justified in these circumstances to support the provisions of the bill as proposed. The Greens will be supporting this bill today.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.24), in reply: I thank members for their contributions to this bill and to the debate. The Health (National Health Funding Pool and Administration) Bill 2012 gives effect to new national funding arrangements for public hospitals. These arrangements were set out clearly in the national health reform agreement as agreed by COAG in August 2011. The bill forms a component of a suite of national reforms being delivered under that agreement.

The ACT health system provides a high standard of care. However, we are not immune to the growing pressures and rising health costs. ACT government has responded to these pressures and the massive growth in demand by investing in more beds, new services, new models of care and new facilities. These services and facilities will equip our health system for the future. Significantly, the national health reform agreement provides more funding to the ACT health system and reorganises how health systems will be governed and delivered. We have retained those elements of our health system that work the best and strengthened others.

At the heart of the agreement is the commitment by the commonwealth to fund a fairer share of the cost of health services over time, and that was very much at the forefront of our minds when we signed up to this agreement. The commonwealth will begin to contribute to efficient growth funding for public hospitals in 2014-15 by

contributing 45 per cent to the efficient growth in public hospital funding. This contribution will rise to 50 per cent in 2017-18.

This means that beyond 2017-18 the commonwealth will contribute half of the cost of increases in the efficient cost of providing public hospital services and growth in demand. Under the former government from 2001-02 to 2008-09, the commonwealth share of ACT public hospital expenses reduced from 38 per cent of costs to just 28 per cent. This agreement delivers a sustainable funding base for the ACT public hospital system in the long term and will over time address some of those funding inequities.

In dollar terms, the ACT Treasury estimates that the agreement will provide the ACT with an additional \$260 million in commonwealth health funding over the period 2014-15 to 2019-20. The agreement delivers additional commonwealth funding, an independent entity to ensure the flows of public hospital funding are going to where they are supposed to, and an independent body to set efficient prices for hospital services and an independent body to assess the performance of local hospital networks.

All public hospital funding derived from the commonwealth government must flow transparently through the national health funding pool. Enabling legislation has been developed nationally to establish a national health funding pool, which means that for the first time ever the Australian public will know where each and every public hospital dollar is being spent. The growth funding for hospital services will be based on the efficient price for hospital-type care, which will be set by the Independent Hospital Pricing Authority. Where possible, hospital services will be funded on an activity basis.

Financially, this draws the commonwealth growth funding contribution from the national health funding pool direct to the local hospital network where the services are delivered. The funds cannot be diverted elsewhere or used for some other purpose, and to ensure this the national health funding pool accounts will be audited and there will be complete transparency in recording and accounting.

The bill allows the ACT to participate in this national scheme and establishes the national health funding pool account for the ACT. The funding pool consists of a Reserve Bank of Australia account for each state and territory which will receive all commonwealth public hospital funding and state and territory public hospital funding for activity-based funded public hospital services.

The bill also establishes for the ACT the administrator of the pool, which is an independent statutory office holder whose function is to administer the payment of public hospital funding into and out of the pool in accordance with the local hospital network agreement. The national health funding pool and the administrator of the pool commenced functioning on 1 July this year and the framework for activity-based funding of public hospital services also commenced operation nationally on 1 July.

In summary, the bill provides for these national financial agreements in the ACT and is focused on establishing for the ACT the structures necessary that will allow the commonwealth growth funding to flow into the ACT in the future. These are much-needed funds for a public hospital system.

There is a minor amendment to the bill which I will move in the detail stage. It is addressing an adjustment to the commencement provisions to ensure that it has prospective effect. The bill is identical to the bill that lapsed prior to the election earlier this year. However, since that time Treasury officials have identified that it would be prudent to clarify that the ACT Treasurer is able to enter into an agreement with the Reserve Bank of Australia for the purpose of opening an ACT local hospital network bank account under clause 15. It is a minor and technical amendment. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (10.30): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill as it is minor and technical in nature.

Leave granted.

MS GALLAGHER: I move amendment No 1 circulated in my name [*see schedule 1 at page 427*].

I table a supplementary statement. I spoke to this at the in-principle stage. I think I have addressed the content of the amendment.

MR HANSON (Molonglo—Leader of the Opposition) (10.31): The Canberra Liberals will be supporting the amendment. As the Chief Minister has outlined, it is minor and technical in nature. I do want to speak to the broader point, though, as to the nature of this amendment and the impact of the new standing order on this amendment.

This is an example of the new standing order that has been brought in that prevents amendments from being debated in this place unless we have a certain amount of notice. Often when we are dealing with legislation, particularly complex legislation, there will be minor technical amendments that are necessary, that are picked up, as in this case, by Treasury officials, to make a bill more workable. We should not be prevented, as we have been in this case, from debating a piece of legislation for two months simply because there is a minor and technical amendment that needs to be made to a bill.

I think that we could dispense with the standing order entirely and leave it up to members' judgement as to whether we would debate an amendment if somebody is wanting to do so. We can always defer; we can always suspend a piece of legislation

to a later date. But I would commend to you, Madam Speaker, and to members of this place, that this illustrates the unworkability of the amendment to standing orders.

We do not want to make an issue of this other than to say: let us have a look at it. It has been tried. The way it has actually worked as we have come up against it, as we have been dealing with legislation and amendments, has caused problems. It is impractical. I would commend the appropriate committee—maybe administration and procedure or members of this place—to look at that amendment and consider whether it is appropriate for the good functioning of this place. But that said, we will be supporting the amendment.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (10.33): Madam Speaker, in the context of this amendment, I note the comments from the Leader of the Opposition in relation to the standing order provisions around notice for amendments of this nature.

Without wanting to labour the point, I think it is appropriate to assert that this standing order is there for good reason. It is there to ensure that members are able to consider the importance and the appropriateness of amendments in time. All too often in this place we have seen amendments generated in an often haphazard and chaotic manner and then put to debate without appropriate time for consideration.

The government's amendments to the standing orders last year ensured that there was a discipline on all members—the government included—to provide amendments in a timely manner so that these matters can be appropriately considered and not lead to ad hoc or confused amendment making on the floor of this place.

It is a standing order the government stands by. We are prepared to be subject to that discipline and we look forward to seeing the opposition subject to the same discipline when it comes to amendments that they propose to other bills in this place.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Public Unleased Land Bill 2012

Debate resumed from 27 November 2012, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR COE (Ginninderra) (10.35): Whilst the opposition has some reservations about the ability of this bill to cut red tape and to streamline processes as it purports to do, we will be supporting the Public Unleased Land Bill 2012. We were informed by the Minister for Territory and Municipal Services and his directorate that the bill will modernise the Roads and Public Places Act 1937. Things have certainly changed in 75 years, and we agree there is room to upgrade this legislation.

We understand the premise for the introduction of this bill and agree that the modernisation of this legislation as a whole is timely. As the term “public place” will soon be a defined term under the Legislation Act, it will not be possible to use the same language when referring to the use of “public unleased land” as set out in the old legislation, hence the need for a new bill. “Public unleased land” is the new terminology for legislative purposes and its definition is clearly outlined in clause 8 of this new bill.

The bill mirrors the provisions in the Roads and Public Places Act relating to roads, placement of signage, and removal of graffiti and overhanging trees and branches with no real change except for terminology. The most noteworthy part of this legislation, however, is the changes to the permit system.

In the Roads and Public Places Act, the permit system was ad hoc and clunky at best. The use of the land was not well reflected for legislative purposes, and the new bill provides a basis for a better permit system, provided that users are given clear guidelines on what use requires a permit and what use does not. We are told that the permit system will not be used as a policing mechanism but, rather, a way to facilitate the use of land. We trust this will be the case. We are informed that the current permit holders will not be disadvantaged by the introduction of this legislation.

I would like to reiterate that the opposition’s support of this bill is conditional on the basis that the permit system will, in fact, streamline current processes and make it easier to manage and use public unleased land.

Another notable addition in the permit system is the new requirement in some instances for financial assurance or a bond to be provided before obtaining a permit to use public unleased land. I am sure there are many instances where this would have saved the taxpayer the burden of rectifying damage caused by users. However, for community groups and charities, such as Lions or Rotary, who run regular events and markets on an ongoing basis, it must be made clear that no additional burden, financial or otherwise, is placed upon them.

The government tells us that definitive guidelines for the permit system will be developed after the bill is enacted. This is all very well and good, but these guidelines are integral to the effectiveness of this piece of legislation. I argue that, whilst I do not agree with being overly prescriptive with the legislative instruments—nor do I agree with over-regulating anything—this new system will only work if well-thought-out guidelines are in place in a timely manner. Such guidelines should be put out for consultation prior to implementation and, ideally, as disallowable instruments.

Once again, the opposition will be supporting this bill today, and I commend the TAMS directorate—in particular, City Services—for the work that has gone into this piece of legislation.

MS BERRY (Ginninderra) (10.38): I welcome the opportunity to participate in this debate on the Public Unleased Land Bill 2012. The current act is administratively inefficient and, in some cases, enforcement is difficult. Some matters have specific

legislative provisions contained in the act which dictate the administrative management, for example, in relation to movable signs, abandoned vehicles and graffiti removal. Other matters are managed administratively, for example, approval to interfere with a public place or permits which allow for activities or events. The government proposes to amend the act to provide a more cohesive legislative scheme that will streamline administration and better manage our public land.

In summary, the Public Unleased Land Bill provides for a permit system to authorise the use of a public place for an event or an activity, power to seek financial assurances where there is a risk that damage may occur to the public land, a reformed approvals process in relation to roads and works approvals in specified public places, broadened conditions which the decision-maker can apply to the granting of a permit and discretion to renew a permit, and the introduction of strict liability offences and provision for penalty infringement notices.

As the Minister for Territory and Municipal Services noted earlier in presenting this bill, the reformed legislation includes a clearer framework for the permit system. When appointed as authorised officers, a person will have all the template powers which allow for more effective and better enforcement. The template powers are consistent with the powers already in place for authorised officers under the legislation, for example, the Liquor Act 2010. Authorised officers will be given this suite of powers to assist the enforcement of the act.

Authorised officers will have the power to give general directions, such as directions to produce approvals, permits or other relevant documentation. Other powers include powers to enter premises and to seize things. There are also enforcement powers to remove and dispose of unauthorised objects on public unleased land and to take urgent action when needed.

The bill will introduce strict liability offences and penalty infringement notices under Magistrates Court regulations, which are yet to be implemented. The advantage is that an infringement notice can be issued on the spot and means that, unless a person wants to contest the penalty or the infringement remains unpaid, offences need not be processed through the courts.

The amendments introduce improved compliance and enforcement measures, and allow for financial assurances in relation to potential damage to the territory. The amendments will enable the ACT government to claim more easily the costs of repairing damage to public unleased land. The system will be similar to financial assurances used in the Environment Protection Act 1997, and will require up-front financial assurances such as a bond, especially for larger events. The requirement to hold public liability insurance will be maintained.

The power to seek financial assurances when issuing permits has been included because of the risk that damage may occur to public unleased land—for example, damage to infrastructure such as in-ground irrigation systems. However, it is not the intention to disadvantage the not-for-profit or charity sector with this provision. Discretion is provided not to impose a financial assurance requirement, such as for small community activities and events. This will be managed through the process for assessing events.

The bill broadens the conditions under which the decision-maker can grant permits, and under the new legislation there is discretion for a decision-maker not to review a permit. This decision will be reviewable in the ACT Civil and Administrative Tribunal. The former legislation made renewal mandatory even when there had been a change in circumstances. This proved problematic for permit holders and for the enforcement of permits—for example, in some circumstances safety concerns were generated by changed circumstances. The intention is not to ensure that permits are renewed as a matter of course where the person and activity remain suitable.

Many people, including corporations, who currently utilise permits to use public unleased land will not be substantially affected by changes in the new act. However, a number of reforms will impact upon ongoing permit holders, and I will take the opportunity to outline a few of these.

The bill will allow for the transfer of permits to a new permit holder. This reform has been sought by businesses which use public unleased land on an ongoing basis for purposes such as outdoor cafes or to display goods such as motor vehicles. A permit can now be transferred with the sale of business on application by the permit holder if the transferee meets the requirements of the act.

The bill extends the length of a permit from one year to two. The business associations, including the Motor Trades Association, the Hotels Association and the Canberra Business Council, have welcomed the extended permit duration from the current 12 months to two years. This will provide certainty for businesses and reduce the administrative burden in renewing a permit on an annual basis.

The current act lacks effective enforcement provisions, which is addressed in the bill by incorporating a number of strict liability offences and accompanying penalty notices. Section 14 covers repair of damage to public places, such as damage other than fair wear and tear due to the ordinary and reasonable use of the public place.

The type of damage incurred is often through illegal parking of cars and heavy vehicles on nature strips and damage to infrastructure by event organisers. The costs for repair and maintenance are generally absorbed by the ACT government. The bill will enable the government to claim more easily the costs and ensure compliance. For example, up-front financial assurance, especially for larger events, and infringement notices will effectively address illegal parking and offence provisions. The enforcement mechanisms provide authorised officers with a range of powers, including the power to give directions to people using public unleased land.

As you can see, the heavy emphasis on rewriting this legislation has been in improving the permit system that allows the exclusive use of unleased land. Other subject matters covered by the bill, such as the pruning of trees that overhang public unleased land or the closing of roads, have not changed substantially.

This bill is about improving compliance for the benefit of the wider community. If somebody is going to be granted the exclusive use of what is effectively a public area, why should they be allowed to do so without consideration of the cost and damage

implications of unauthorised use? Improved compliance measures for the use of public unleased land will ensure protection of the amenity and natural value as well as facilitate the use of public unleased land for everyone. The Public Unleased Land Bill is a significant improvement on the current scheme that will enable every Canberran to get the most out of our public land.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (10.46), in reply: The need to amend and update the 75-year-old Roads and Public Places Act 1937 was initially identified through a regulatory review process. While it has been amended over the years in a piecemeal fashion, the current act simply does not respond to contemporary needs. The new act will not only be up to date with current legislative styles and much easier to read; it will also much better reflect the changed needs of the community.

The new act covers seven broad subject matters:

- roads, regarding their level and closure;
- interference with a public place, including the excavation or breaking of the surface;
- movable signs;
- the removal of abandoned vehicles, signs and objects from a public place;
- trees in certain situations where they may hang over a public place or are damaging a public place;
- graffiti removal; and
- permits for the exclusive use of public places.

Currently the Roads and Public Places Act is administratively inefficient, and in some circumstances enforcement is difficult. It cannot respond to current demand and makes regulating the use of public land very inefficient. Our centenary year, with a large number of events being organised, has really highlighted just how important the new scheme is.

The aims of the legislation being debated today are to introduce a precautionary approach in relation to the protection and management of public land to protect its amenity and natural value. The bill will improve and streamline the legislative framework, improve administration, and introduce more effective sanctions.

Importantly, the bill will create a new permit system for the use of public unleased land for an event or activity. The new system will be more flexible, allowing greater scope for decision-makers when issuing permits, which will help both those using the land and the regulators who also have to manage the protection of the land.

Currently, many of the major events and activities held on unleased territory land are organised by professional event organisers as well as individuals, charities, school organisations and government agencies. The use of public unleased land for these events is authorised through the application and subsequent issuing of a Roads and Public Places Act 1937 section 15A permit to place an object in a public place. Common practice has been for organisers to apply for the section 15A permit, which is then used to, in effect, authorise the staging of the entire event.

For example, the recent Multicultural Festival in Civic is given a permit under section 15A for movable objects, yet everything else—that is, all other aspects connected with the event—flows through that single permit covering objects. In 2012, nearly 2,600 events were held under this arrangement. Activities and events ranged from music festivals and motor sport activities to weddings. Of these events, 41 attracted over 1,000 people.

The new legislation provides a clearer framework and supporting provisions which not only cover the placing of objects such as marquees or a rubbish skip on unleased public land but also cover the use of that land—for example, a wedding or sporting event. The permit will now be issued on the basis of use and will be regulated through the permit conditions placed on that particular use.

There will be greater flexibility around the imposition of conditions allowing the scheme to be more responsive to the events Canberrans want to hold on public land. The conditions are intended not to be excessively regulatory or onerous but rather to protect the public land from damage or unauthorised use and provide the capacity for government to ensure that any damage that is caused is made good by the user, either directly or through compensation.

Conditions could potentially cover a wide range of matters, depending on the permitted use of the unleased public land, to cover off issues such as safety and security, protection of people, property and the environment, noise control and parking.

Also, under the current act permits can only be issued for a maximum of one year. The bill will reduce the administrative burden for business by removing the requirement to renew permits annually and enabling two-year permits to be issued.

Importantly, only those uses or activities that exclude some or all members of the public from a place will require a permit, and a number of activities will not require permits at all.

The new legislation will facilitate the development of specific policy around permits for the use of public unleased land in consultation with stakeholders.

It is also intended that improved communication tools for permit applications will be developed to complement the administration of the permit system—allowing for electronic lodgement and approval of applications. This alone is a good outcome for both the community and the government.

Turning briefly to the comments provided by the scrutiny of bills committee, the committee expressed a concern about the scope of the definition of a “use” of public land. I do acknowledge that the definition of “use” of land is very broad. This is necessary given the wide range of activities that may need to be captured in managing and protecting the amenity and natural value of the land.

I accept the committee’s concern that in some cases it may not be possible to definitively say that something is or is not a “use” as defined by the bill. However, by applying a common-sense test anyone can be reasonably confident about whether

their conduct does or does not require a permit. For example, if a group of people decide to go and play an informal game of football at lunchtime there is obviously no need for a permit; however, an organised sporting competition that wants exclusive use of a playing field for a whole day would need one.

Additionally, TAMS is developing guidelines and a web tool that will enable members of the community to assist them in working out whether or not they need a permit for their particular use of the land. Consultation on the underpinning policy and guidelines is well underway and will be available on the commencement of the act, which at this stage we anticipate will be at the beginning of July.

The committee expressed some additional concerns about the availability of the section 39 defence to the strict liability offences created by the bill. Certainly this does apply to all offences created by the bill and I do agree with the committee that this issue should have been discussed in the explanatory statement.

The committee also made the point that the right to enter premises in certain circumstances, in clause 107(1)(f), created a limitation on the right to privacy. This matter should also have been addressed in the explanatory statement, and it is covered in the supplementary explanatory statement. I thank the committee for drawing these matters to the Assembly's attention and giving me the opportunity to address these issues.

Before concluding, I wish to foreshadow a government amendment to address two drafting errors identified by Parliamentary Counsel's Office. The amendments are minor and technical in nature and I will be seeking leave of the Assembly to dispense with standing order 182A. The first is an amendment to clause 86(3), where the reference to a public unleased land permit should be a reference to the register. The second amendment is to clause 96(4), which should include a reference to a police officer.

We all use public land every day. Balancing competing pressures on public land is a difficult task that needs a modern and responsive regulatory scheme, one that can effectively manage our public land while ensuring that public land remains accessible and actively utilised by all Canberrans. This legislation will provide that mechanism, and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (10.54): Pursuant to standing order 182A(c) I seek leave to move two amendments to this bill together as they are in response to comments made by the scrutiny committee.

Leave not granted.

Standing and temporary orders—suspension

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (10.55): I move:

That so much of the standing orders be suspended as would prevent Mr Rattenbury from moving amendments.

It is clear that the opposition has developed a concern around this particular provision, which it flagged about 15 minutes or so ago. Obviously that has not been addressed. My understanding is that these amendments have been made available to the opposition. They are very simple amendments; they are quite technical in nature. I am surprised. I will be interested to hear Mr Coe's comments, given that he has declined to grant leave, as to why this is problematic. But given that they are minor and technical in nature, this provision exists for these sorts of provisions. Clearly the intent is that prior notification should have been given; if that is not the case, then I apologise to Mr Coe, but I am quite certain that it has. I put to the Assembly that there is no reason not to proceed with this legislation this morning.

MR COE (Ginninderra) (10.56): I am concerned about the use of this provision to suspend standing orders to, in effect, do exactly what was allowed prior to standing orders being changed. We heard repeatedly from the government and from the Greens in the past Assembly, including Minister Rattenbury, that due process is giving people appropriate notice, appropriate warning, about changes to legislation through amendments. I had a briefing on this bill last week, and it was not flagged that amendments would be moved. That was last week, just a few days ago. I fail to see how we can suddenly say that we have had an opportunity to look into this. I do not think this is appropriate, and for that reason we will not be supporting the motion for the suspension of standing orders.

MR RATTENBURY (Molonglo—Minister for Territory and Municipal Services, Minister for Corrections, Minister for Housing, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for Ageing) (10.57): I will just clarify, given Mr Coe's comments. Mr Coe did receive a briefing last week. At the time, he asked whether there were any amendments, and the answer he was given was no, which was correct at the time. Unfortunately, later that afternoon PCO did identify these two mistakes. As I flagged in my speech, PCO picked up these two quite technical issues. They were communicated to Mr Coe's office yesterday and explained to him, or explained to his office. And there was a call put through this morning just to check whether there were any concerns about that.

I think that the intent of this standing order—Mr Corbell spoke to this in his earlier remarks—is that clearly there is meant to be a space where amendments should not be rushed in. But the fact that there is also the capability to move past these where this sort of minor issue arises I think is the intent of the standing orders. If the Liberal Party wants to discuss changing that, fair enough: let's take it to admin and procedures and have that conversation. But I think that coming in today and refusing leave without any prior indication, despite certainly my office's efforts to—

Mr Coe interjecting—

MR RATTENBURY: despite the fact that Mr Coe was advised of this change yesterday and a further call was put through this morning is a little disingenuous.

Question put:

That **Mr Rattenbury's** motion be agreed to.

The Assembly voted—

Ayes 8

Noes 7

Mr Barr	Ms Gallagher	Mr Coe	Mrs Jones
Ms Berry	Mr Gentleman	Mr Doszpot	Mr Smyth
Ms Burch	Ms Porter	Mrs Dunne	Mr Wall
Mr Corbell	Mr Rattenbury	Mr Hanson	

MADAM SPEAKER: In accordance with standing order 272, the suspension of standing orders requires an absolute majority, which has not been achieved, so the motion is resolved in the negative. Where does that leave us? We cannot proceed with the amendment.

Mr Rattenbury: I seek your guidance, Madam Speaker.

MADAM SPEAKER: Someone will need to adjourn the debate.

Debate (on motion by **Mr Barr**) adjourned.

MADAM SPEAKER: The question now is that the debate be set down as an order of the day for the next day of sitting.

Mr Rattenbury: Madam Speaker, might it be done at a later hour this day? Would that suit the opposition? It is a minor and technical amendment. They might like to be able to consider it over the next three or four hours.

MADAM SPEAKER: I am in the hands of the Assembly. I will rephrase the question and we can work it out. Is it the wish of the Assembly that the debate be adjourned until a later hour this day?

Mr Corbell: Yes.

Sitting suspended from 11.04 am to 2.30 pm.

Questions without notice

Health—aged care

MR HANSON: Madam Speaker, my question is to the Minister for Health. Minister, on ABC 666 radio on 30 January 2012, you were asked what areas have improved in the quarterly health report. You stated, and I quote:

If you look at aged care and rehab and time for assessments you will see that all of these results are excellent and improving.

Minister, in the 2011-12 year, the average waiting time for an in-hospital aged care assessment team review was 1.7 days. In the September 2012 quarterly report it is now two days. Minister, can you please explain how an increase in the average waiting time is “excellent and improving”?

MS GALLAGHER: I just do not have the quarterly performance report before me, and I am very happy to come back to the Assembly if I have made an error in relation to any comments I made on radio. The point I was making in the interview was that the health system is more than the emergency department and elective surgery. It is a much broader measure of the effectiveness of the health system, including issues around quality and safety, including issues in mental health, including issues in aged care.

Mr Smyth: I am not sure that is what you said.

MS GALLAGHER: If I can just put the context of the interview, if I have made an error, I will come back and correct it. It is the first time it has been drawn to my attention, if I have made an error, and I will correct it. The point I was making was that the quarterly performance report shows a health system that is high quality and that has areas where improvements have been made and areas where continuing improvements are being made. That is why we have the quarterly performance report and that is why it is important, I think, to acknowledge where it is correct. As I have said, if I am incorrect, I will correct the record where there are areas of improvement and also acknowledge the hard work that is done by officers within the Health Directorate to improve services to the community.

MADAM SPEAKER: Supplementary question, Mr Hanson.

MR HANSON: Minister, why has the average waiting time for aged care assessments increased?

MS GALLAGHER: I would just like to congratulate the Leader of the Opposition on his appointment to that position. I should have done so at the beginning of my first question.

In relation to that, I will come back to the Assembly. I just do not have the quarterly performance report before me.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, in relation to the questions asked by Mr Hanson, are your statements in line with the call for you to be more honest in speaking about health data?

MS GALLAGHER: I have already said that this is the first time it has been drawn to my attention. If it is incorrect I will come and correct the record, as I do every single time that incorrect data is brought to my attention, whether it be in Health—

Mr Smyth: Sometimes.

MS GALLAGHER: No, not sometimes, Mr Smyth. Every single time, if I have used data incorrectly—

Mr Smyth: That is an absolute statement.

MS GALLAGHER: Mr Smyth, if you would let me answer the question, I do take these matters very seriously. Unlike the opposition, when it comes to matters of truth and integrity, I do take these matters seriously, and if I have made an error, I will come back and correct the record.

MADAM SPEAKER: Before we go on to the supplementary question could I just point out to members that standing order 117(b)(iii) says that questions should not have an inference. There was an inference in Mr Doszpot's question about honesty, but there was also an inference in Ms Gallagher's answer to the question about honesty. I said in the last sitting before Christmas that I think there should be an active exchange of ideas in this place, but I will not tolerate reflections upon people's character. Mr Doszpot, you have a supplementary question.

MR DOSZPOT: Minister, where else have waiting times for health services increased?

MS GALLAGHER: In relation to the quarterly report, Mr Doszpot?

Mr Doszpot: Yes.

MS GALLAGHER: As I said, I do not have the quarterly report before me, but waiting times, from memory, in that quarterly report had increased in relation to, most obviously, the emergency department. I think if you go back to areas like mental health, areas of cancer and other measures in the report which actually do not deal with waiting times, which are just as important—issues around quality, safety; all of those measures which do form a very large part of the report and a very large part of whether or not you are running a good health system—they were excellent and areas in elective surgery were showing very, very good reductions in waiting times. I note that that must be the case because the opposition are not crowing about elective surgery anymore; they are just focusing on the emergency department. That would be the area where the most significant improvements need to occur.

Office of Regulatory Services—breach of process

MR GENTLEMAN: My question is directed to the Attorney-General. Minister, has there been a complaint received by the Office of Regulatory Services regarding a possible breach of process in the Liberal Party of Australia ACT as an incorporated association?

MR CORBELL: I thank Mr Gentleman for the question. Yes, there has been a complaint lodged with the Office of Regulatory Services. I am advised that the Office of Regulatory Services is currently looking at the circumstances surrounding a possible breach of process in the ACT branch of the Liberal Party as an incorporated association.

Obviously, this is a very serious matter and I think it highlights and confirms some of the circumstances we have seen over the past couple of weeks and the dissention—

MADAM SPEAKER: Order, Mr Corbell! You have been asked a question about a particular matter. Standing orders require you to answer the question and be directly relevant to the question. I just remind you of the standing orders.

MR CORBELL: Thank you, Madam Speaker. I am outlining the circumstances I understand that have led to the complaint. Of course, these circumstances are very serious ones in relation to any incorporated association. It is, of course, important that incorporated associations at all times abide by their rules, abide by the requirements of their constitution when it comes to the interests of their members. It is always of concern to the government when incorporated associations, particularly those which are political parties, see complaints lodged with the Registrar-General in relation to possible breaches of process.

Of course, this highlights I think the significant dissention and division that exists amongst the party of those opposite, Madam Speaker—

MADAM SPEAKER: Mr Corbell, I will draw your attention to the standing order that requires you to be directly relevant. I have reminded you already. The question is: has there been a complaint? You will answer the question as to whether there has been a complaint. It would be perhaps inappropriate of you to hypothesise about the nature of that complaint unless you are very well informed.

MR CORBELL: Thank you, Madam Speaker. I am not hypothesising. I am referring directly to those matters which are of significant public interest. These are affairs that have captivated the Canberra community over the last couple of months—

MADAM SPEAKER: Mr Corbell, sit down.

Mr Corbell: Am I hypothesising again, Madam Speaker?

MADAM SPEAKER: Sit down! Mr Corbell, I should not have to use my mother voice to get you to sit down.

Mr Corbell: You are certainly not my mother, Madam Speaker.

MADAM SPEAKER: First of all, you will be respectful of everyone in this chamber and when I tell you to sit down, you sit down the first time. Mr Corbell, I have drawn your attention on two occasions to standing order 118(a) and I have asked you to be concise and directly relevant and you have failed to do so. Is there a supplementary question?

MR GENTLEMAN: My supplementary is to the Attorney-General again. Can you tell me, Attorney-General, what does this complaint relate to.

MR CORBELL: Of course, this complaint relates to the significant dissension we have seen in the Liberal Party over the last couple of weeks. Clearly the complaint has been lodged by a member of the incorporated association and they have raised the matter with the Office of Regulatory Services because they are concerned that the complaint raises matters around access to the records of the association. This is a very serious matter. It is not for me to judge whether or not the complaint can be substantiated, but the government is always concerned to ensure that incorporated associations, particularly those which are political organisations, are making sure that all members are appropriately dealt with and engaged in the process.

Mr Coe: Point of order.

MADAM SPEAKER: Mr Coe, you have a point of order.

Mr Coe: I draw your attention to the fact that the minister is discussing what may or may not be an individual's complaint to the government authority and I wonder whether it is appropriate in this place to be canvassing that particular complaint.

MADAM SPEAKER: I have been thinking about that myself, Mr Coe. I think that the standing orders, however, do allow some latitude for the minister to answer the question and to canvass these matters. I think that again the minister has to be directly relevant to the question, but I think the question is able to be answered.

MR CORBELL: Thank you, Madam Speaker. I was asked: what does the complaint relate to? It relates to concerns about the access to records of the association in question, that being the Liberal Party of Australia, ACT division. The complaint—

MS PORTER: Supplementary.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Minister, what is being done about this complaint?

MR CORBELL: The government is always concerned about any suggestion that there may have been some sort of skulduggery in relation to these types of matters. Therefore I can advise the Assembly that the Office of Regulatory Services has written to the association requesting further particulars about the complaint so that further inquiries that are necessary can be made. This is the standard process when a complaint is made about an incorporated association. Obviously these are very serious matters. It is most unusual for members of incorporated associations to raise concerns about their internal governance with the registrar-general. The registrar-general takes these matters very seriously. The registrar-general will ask for further particulars from the incorporated association, in this case being the Liberal Party of Australia, ACT division, and will seek to ensure that the association's constitution and rules are being adhered to. This of course is the obligation on the part of the registrar-general and I am confident that he will take all appropriate steps.

It is of course worth highlighting, in relation to what is being done about this complaint, that we would not want to see in an organisation such as the Liberal Party of Australia, ACT division—

MADAM SPEAKER: Order, Mr Corbell! I have already directed you on two occasions to be directly relevant. The question was: what is being done? You have answered the question as to what is being done. Is there anything else that is being done or are you going to hypothesise?

MR CORBELL: I am simply indicating, Madam Speaker, that—

MADAM SPEAKER: The member's time has expired.

Mr Corbell: when there are allegations, Madam Speaker—

MADAM SPEAKER: The member's time has expired. Sit down. Mr Coe, you have a supplementary question.

MR COE: Thank you, Madam Speaker, a supplementary. Minister, do you see all complaints sent confidentially to the government and have you breached the ability of the registrar-general to assess the complaint?

MR CORBELL: No, I do not.

Members interjecting—

MADAM SPEAKER: Order, members! I want to hear Mr Corbell.

MR CORBELL: My attention was drawn to this complaint by the comments of a particular past president of the Liberal Party on 666 morning radio a couple of days ago. Given the topicality of the matter and the fact that there is significant public interest in it, I inquired whether or not such a complaint had actually been made, and I can confirm that it has been made.

Parking—fees

MR COE: My question is for the Attorney-General in his directorate's capacity of parking operations within ORS. Attorney, what information was provided to you that influenced you to increase the cost of parking in Civic and when was that information first provided to you?

MR CORBELL: The decisions in relation to increasing parking fees are made as part of the government's budget considerations. I would draw to Mr Coe's attention the fact that about three years ago now the government indicated that there would be a regular increase, on a yearly basis, of parking fees and that is what the government has done.

MADAM SPEAKER: A supplementary question, Mr Coe.

MR COE: Given that the increase now means that it costs a Civic office worker almost \$70 per week to park their car, will parking now be included in the budget's cost of living statement?

MR CORBELL: I would refer Mr Coe to the Treasurer in relation to matters around cost of living assessments, as those are his responsibility. I would, however, make the observation that parking fees in the city centre in Canberra are cheaper than every other state capital in the country and are also cheaper than equivalent-size cities such as Wollongong and Newcastle.

MADAM SPEAKER: Order, Mr Corbell! The question was about the cost of living assessment. Can you be directly relevant to the question.

MR CORBELL: I have answered that.

MADAM SPEAKER: A supplementary question, Mr Hanson.

MR HANSON: Attorney-General, what is the estimated increase in revenue that the ACT government will gain from the increase in parking and is it your intention to force people onto public transport?

MR CORBELL: The use of pay parking fee increases is a normal parking demand management tool used by municipal administrations and city administrations around the world. There is nothing unusual in the government's moves to use pricing to help manage demand and demand for surplus car parking in particular. In relation to your question about revenue, I would draw your attention to the relevant budget papers or, if you need further clarification, you can ask those questions of the Treasurer.

In relation to public transport use, yes, the government believes that ultimately there will need to be, and must be, an increase in the mode share of public transport to allow our transport system to continue to operate efficiently. It is simply unrealistic, and indeed naive, to believe that all of the future capacity of managing the number of journeys in our city can be met by the private motor vehicle and that we must endeavour to continue to improve the level of mode share achieved by public transit, walking and cycling.

It is not about forcing people out of their cars. It is not about that at all. It is about saying that there is a scarcity value. First of all; there is a scarcity value in relation to land when it comes to surplus car parking provision and, secondly, there is a need to manage that demand through pricing signals. That is a legitimate and appropriate transport planning response to the challenges of car parking in the city centre. There is no city centre in Australia or in the world which does not seek to manage parking demand through pricing and there is not a city centre in the world which has unlimited supply.

MADAM SPEAKER: The member's time has expired.

Mr Corbell: Supply is scarce and it needs to be managed.

MADAM SPEAKER: The member's time has expired. Mr Corbell, on two or three occasions your time has expired in answering questions and you have persisted in speaking over me. It is disrespectful.

Mr Corbell: Madam Speaker, no disrespect is meant, but I am simply finishing my sentence. I am doing no more than that.

MADAM SPEAKER: The rules are that when your time has expired, whether you have finished or not, you sit down. A supplementary question, Mr Hanson.

MR HANSON: Thank you, Madam Speaker. Attorney-General, has there previously been a decrease in demand for parking when prices have increased or are you simply gouging Canberrans with this price increase?

MR CORBELL: I draw Mr Hanson's attention to the assessment of parking supply and availability at various points and at various locations around the city. He would see, if he looked at those figures, that in fact we do continue to provide a quite reasonable level of supply that does outmatch demand at various times of the day at various locations in the city centre and, indeed, across the city as a whole and at other town centres and group centres, for example. Part utilisation is highest in centres such as Woden. It is lower in the city centre. It is lower in places like Tuggeranong and Belconnen.

So it depends on the time of day and it depends on the location. This is not about gouging anyone. We are not gouging anyone. What we are doing, as a government, is matching demand—

Mr Coe: On a point of order, on relevance. The supplementary question was about whether the minister had seen a decrease in demand when past increases had come into effect. It was not about supply, as he spoke about.

MADAM SPEAKER: I did actually note that down. That was correct, Mr Corbell, about what the question was. Could I ask you to be concise and directly relevant in answering the question.

MR CORBELL: Madam Speaker, I was. I was asked whether or not the government was gouging, and I was directly answering that question when you took the point of order. But Madam Speaker, I take your ruling.

In relation to the issue of decreases in demand, yes, increases in prices do lead to decreases in demand. It has varied from location to location, and it will vary dependent on the time of day.

Canberra—centenary

MS PORTER: My question is to the Chief Minister. Chief Minister, in your role as the minister responsible for the centenary and for the National Arboretum, can you inform the Assembly of centenary celebrations to date and how these have been attended?

MS GALLAGHER: I thank Ms Porter for the question. It is fantastic, obviously, after seven years of planning, to be here in 2013 and celebrating a very significant milestone for our city. 2013 will be remembered as a true celebration of why Canberra was built and what we have achieved so far, and I think garnering excitement for our city's future.

I think we are seeing a true sense of pride growing in our city. Some of that has to be down to how the centenary team has united business, community, creative artists, the private sector and the public sector into pulling together and promoting the city in the centenary year.

We will manage a celebration which acknowledges the very important role we have as a home to all of us who live here and have a true sense of love for our city and also the role we play in our nation's history. In the six short weeks that we have had so far, I think—and I have attended a number of the centenary events—that we are well on the road to achieving what we set out to achieve when the centenary was first being considered by former chief ministers all those years ago.

There have been several very significant events already. The bushfire memorial, which commemorated the 10-year bushfire anniversary on 18 January, was probably the first significant centenary event. I think for members—and there were a number of members present at that anniversary—it was an important event not only for bushfire-affected people and their families but also for the broader community.

The celebration of citizens who have turned 100—indeed I think the oldest Canberran is 105—getting their centenary medallions was another very lovely event and an important part of the centenary celebrations.

Also, the arboretum opened on 1 February, and it was a really magnificent event. A number of members attended that. Unfortunately no-one from the Canberra Liberals was out of bed at 5 o'clock in the morning, it appeared, on that day. Actually no; I lie. Gary Humphries did come in. He did not know he was heading for the departure lounge by that date, did he? So he was still attending events, thinking he was going to represent the city as a senator. I know that his opponent was not out of bed at 5 am. I think it was disappointing that we did not have any members of the opposition there. I think the arboretum will grow to become one of the city's most significant national attractions. There have been years of planning.

There was a fantastic feeling at that event. People could see not only how magnificent that place already is and the vision that was shown by Jon Stanhope in fighting for community support for that vision, but also the visitors centre showed how truly magnificent that place will become year after year. There was a real sense of pride. Children from all the different government and non-government schools across Canberra, student leaders, attended that. They will be the future custodians of the arboretum and they were proud of what they saw in their city.

I think it is time that the Canberra Liberals supported the arboretum. There was not any whisky up there; there was not any wine up there. It was a bit early for that. It was

a bit early to entice Mr Smyth up there. He needs a whisky, I am told. But there will be a dinner at a more reasonable time. So we have to put a dinner and drinks on for you before you get up there—

MADAM SPEAKER: Order, Chief Minister!

MS GALLAGHER: It was a fantastic event and I look forward to more centenary events over the year.

MADAM SPEAKER: I think it borders on the unseemly, Chief Minister, to make reflections on people's character about whether they will turn up for a drink or not. A supplementary question, Ms Porter.

MS PORTER: Chief Minister, can you detail, for the information of members, the centenary events for the upcoming months.

MADAM SPEAKER: Chief Minister, in two minutes.

MS GALLAGHER: Exactly, Madam Speaker; you have really hit the nail on the head there. I cannot do the centenary program justice in just two minutes. But I think it is important to put on the record in the *Hansard*, for posterity's sake, that we will have—listing the very significant work that has gone into the centenary celebrations and really how well it is going with only six weeks gone so far.

There are a number of events coming up. Obviously the big weekend is 9 to 12 March, when a number of very significant events will be held, including the Capithetical. There will be the fireworks; there will be the celebrations down around Commonwealth park and the lake. But also there will be a whole range of other exhibitions that have been going on and will continue through the centenary year.

We will have, obviously, a big celebration for those that are born on 12 March this year. They will have a centenary medallion, along with all of the people who have turned 100. I have given out 26 of those medallions so far; I believe there are another 18 which I am hand-delivering to those who were unable to make it to the public ceremony.

For members, it is important that, as community leaders, we attend some of the centenary events, that we are there supporting the work that the centenary team and really everyone across the community who has got involved with the centenary to promote Canberra has done—for all of us not only as a community but across Australia as well. There is plenty to do; it is all contained in the books which I am sure that members will also have. My plea to all of you is to attend as many events as you can to show your support for the centenary of Canberra in this most significant year.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Thank you, Madam Speaker. Chief Minister, late last year Mr Barr at the tourism awards announced that the government would establish a committee to look at ensuring we get the maximum benefit from the Centenary year. How will the government measure the long-term benefits of the Centenary year and the effectiveness of the government's expenditure?

MS GALLAGHER: Thank you, Mr Smyth. This is one of your pet issues, I think—how do you evaluate the success of the Centenary program? There will be an evaluation that is undertaken. Obviously, some of that will be done as standard business for the tourism area of government. But the Centenary team will also be evaluating their performance throughout the year.

I think that some of it will be hard to manage. Having been to a number of Centenary events, I have not seen you at any Centenary events, Mr Smyth.

Mr Smyth: I have not seen you at the ones I have been at.

MS GALLAGHER: Well, in respect of the ones I have been at, I think it is hard to measure the feeling in the room, the pride in the city, the general lift that people are experiencing when they are going to these events, because there is I think a very positive feeling about how the program has been put together and how it is being received. I do not know how you measure that, other than participating and enjoying yourself.

But it will be evaluated and I am sure we will be discussing the evaluation in the Assembly and, indeed, at things like estimates and annual reports.

MADAM SPEAKER: A supplementary question, Mr Smyth.

MR SMYTH: Apart from MLAs, Chief Minister, how was the guest list for the opening of the arboretum determined and, except for the board members, was the business community excluded from that list?

MS GALLAGHER: Not at all. We had to limit the number of people attending that ceremony because of the time of day.

Mr Doszpot: Just Labor supporters?

MS GALLAGHER: No, wrong, Mr Doszpot, because I wanted children there. I wanted two children from every school, and that actually formed the largest part of the attendance. I thought it was important not to have the usual crowd that goes to every opening, that gets on the VIP list. I actually did make the decision that it should be about community, it should be about schools, it should be about the future of the city, which is children.

Mr Smyth: Businesses are not part of the community?

MS GALLAGHER: The business community have been very involved. They had their very big business dinner within the first week of the opening.

Mr Doszpot: Why weren't you there?

MS GALLAGHER: Because I had a number of other engagements. The government was well represented there. I felt, as Chief Minister, that it was very important for me to attend the formal opening and, indeed, spend the Saturday, again where I did not see any of you, at the community open day where it was open for the entire community.

Yes, I took a decision that the usual VIP crowd should not be the crowd that was invited to the formal opening of the arboretum. I wanted the kids there. That is why they were there. Then we had a parent or a school teacher with each one of those schools that attended. We had to limit the invites, and there were a lot of people whom I would have liked to invite but we were not able to invite. But we did invite every MLA, and I think we probably got about six MLAs who turned up to the event.

We had federal members there. We had federal ministers there and of course we had Gary Humphries there, smiling away—

MADAM SPEAKER: Relevance, Chief Minister.

MS GALLAGHER:—unbeknown to him that he was heading for the departure lounge.

MADAM SPEAKER: Relevance, Chief Minister. Chief Minister, I will keep you to being relevant.

MS GALLAGHER: There he was, representing the Canberra Liberals. Not for long!

Budget—superannuation

MR SMYTH: My question is to the Treasurer. The Auditor-General's report No 10 of 2012 on the 2011-12 financial audits noted on page 10:

The long-term financial position of the Territory is much weaker than the budgeted and prior year's positions due mainly to a substantial unexpected increase in the unfunded superannuation liability. The use of borrowings to fund the Infrastructure Investment Program has also contributed to the significant weakening of the long-term financial position since the previous year.

Treasurer, why did you let the territory's long-term financial position deteriorate to such a state?

MR BARR: I thank the shadow treasurer for the question. I note his move to a position down in the rankings and wish him all the best with this term.

MADAM SPEAKER: Order! Sit down, Mr Barr. The standing orders require you to be concise and directly relevant to answering the question. I have said on a number of occasions since the very first day I occupied this chair that I will not tolerate snide comments about people's character and the like. That comment was designed to put somebody down and it was inappropriate. I will ask you to come to your feet and directly and concisely answer the question. If you cannot do it, I will sit you down.

MR BARR: Thank you, Madam Speaker. In relation to the question the shadow treasurer asked, he would be aware that all jurisdictions in Australia are experiencing this challenge in relation to superannuation funding as a result of the long-term commonwealth bond rate being considerably lower than its long-run historical average. In fact, I would draw the member's attention to an article in the *Financial Review* from last month that detailed the situation that each jurisdiction is in. This is beyond the control of the states and territories at this point in time as we do not set the long-term commonwealth bond rate and we are not responsible for the current situation where that rate is well below its long-term average.

There are a number of reasons for that, most particularly that the Reserve Bank of Australia has made a series of decisions to lower interest rates. The positive of that, of course, is the impact it has in terms of stimulating demand within the economy and what that does, of course, for cost of living pressures for those with a mortgage. But as with everything in economics, there is another side to the story and those who hold deposits, as the territory does, particularly in relation to our superannuation, can expect lower returns on those deposits as a result of lower interest rates. We are not alone in facing this challenge.

In relation to our borrowings, they are at a level that is sustainable and appropriate to invest in the long-term infrastructure needs of the territory. If the shadow treasurer has an alternative view, if he believes that the government should be withdrawing investment from the territory economy at this time, let him say so and let him look in the eye of all those Canberrans whose jobs would be lost as a result of that policy prescription.

MADAM SPEAKER: Supplementary question, Mr Smyth.

MR SMYTH: Thank you, Madam Speaker. Treasurer, why did your government allow the territory superannuation liability to double from \$2.6 billion to \$5.2 billion in only a year?

MR BARR: The government did no such thing, Madam Speaker.

MADAM SPEAKER: Supplementary question, Mr Seselja.

MR SESELJA: Minister, what plans do you have for "significant increases in capital injections" into the superannuation provision account to cover the government's superannuation liabilities as noted in the report on page 156?

MR BARR: The government makes these decisions annually in the budget process. If Mr Seselja is still in the Assembly by that time, he will be informed at that point.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Can the Treasurer tell us what he thinks about the importance of long-term investment in the ACT with regard to infrastructure?

MADAM SPEAKER: I have to rule it out of order because you are asking for an expression of opinion.

Ms Porter: Was I?

MADAM SPEAKER: You asked, Ms Porter, what the Treasurer thought would be a good idea, and that is asking for an expression of opinion.

Schools—Taylor Primary School

MR DOSZPOT: My question is to the Minister for Education and Training and it concerns Taylor primary and preschool. Minister, what are the current arrangements for children enrolled as Taylor school students and how long will these arrangements last?

MADAM SPEAKER: I am sorry, Mr Doszpot. I did not hear the question and I need to actually be able to hear it so I can determine whether it is in order and whether members are answering concisely and directly.

MR DOSZPOT: I take pleasure in repeating it.

MADAM SPEAKER: Thank you. I really did not hear it. So can you speak up.

MR DOSZPOT: My question is to the Minister for Education and Training and it concerns Taylor primary and preschool. What are the current arrangements for children enrolled as Taylor school students and how long will these arrangements last?

MS BURCH: I thank Mr Doszpot for his question. The arrangements for children at Taylor preschool are that they are currently undertaking their education at Namadgi. Arrangements have been put in place for, in many ways, separated school and play areas for those schools. My understanding is that there are transport arrangements from Mt Taylor for those parents who find it more suitable for transport to pick up from Mt Taylor school rather than Namadgi.

There are other arrangements also around communication with parents about the upgrades and the ongoing work that is happening at Taylor school. That will occur over this year. It is quite a significant parcel of work, Mr Doszpot. We made a commitment that the school would be open again for 2014 and there is nothing in front of me to say that we will not meet that. It is a big parcel of work and it is progressing as far as I understand according to what we expect and hope.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, given that Taylor primary was closed last March and consultants' reports provided to the government before June, why did the remedial work not start until November 2012?

MS BURCH: I do not have the project plan detail in front of me but this is not a small piece of work. This is a substantial piece of work that involved removal of asbestos, making the site safe and secure, and then getting on with the work at hand. As I said, I do not have the full details of the project and the project plan in front of me. I am satisfied, though, that first and foremost the rectification and the safety work needed to be done. I understand that that is done. So the restoration work, the building work, is in train. There are arrangements in place that support the students that were enrolled in Taylor to continue their education at Namadgi. There is ongoing communication from the executive of Taylor school to those parents. As I understand it, our commitment was to have the school open again in 2014, and there is nothing in front of me to say that that will not occur.

MADAM SPEAKER: Supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, how important is it to deal quickly with health and safety concerns in ACT schools like Taylor primary?

MS BURCH: I thank Mr Gentleman for his interest in local schools. We have a number of schools—in fact, we have 80 schools, not only government schools but non-government schools as well—that need to be factored into how we manage the sons and daughters of our community. But when we get to issues of asbestos it is very clear that we need to report them to the relevant authorities and to put all the safety precautions in place. With Taylor school, the work that is happening is a result of a very extreme weather event that caused significant damage to Taylor school. I have no doubt that the Taylor community are very disappointed that they are not at Taylor school; there is a very close affection within the local community for Taylor school.

Mr Doszpot interjecting—

MS BURCH: Mr Doszpot interjects over there continually. It is because we do things to make sure that there is a safe, secure environment.

Mr Doszpot interjecting—

MS BURCH: Mr Doszpot, I am actually responding to Mr Gentleman's question.

MADAM SPEAKER: You are actually supposed to be answering through me, Ms Burch. If you want to answer the question, direct your comments to the chair.

MS BURCH: I consider it answered.

MADAM SPEAKER: A supplementary, Mr Wall.

MR WALL: Minister, why did you allow Taylor Primary School to become so run down that the only option was to shut the school and inconvenience Tuggeranong families?

MS BURCH: I reject the proposition that Mr Wall has put there, that the Taylor school was left to be run down. That is not the circumstance. If you had visited Taylor school in your days, as did others over there—and I do note that we have three members from Brindabella among those opposite that went to the local community with a strong leadership team. And where is that leadership representing Tuggeranong now?

MADAM SPEAKER: Minister Burch, sit down.

Mr Coe: On a point of order, Madam Speaker, I wonder whether it would be appropriate for a member for Ginninderra to comment on the fact that the only minister from Ginninderra was dumped.

MADAM SPEAKER: Mr Coe, I think that was a frivolous point of order. I was about to draw Minister Burch's attention to—

Mr Gentleman interjecting—

MADAM SPEAKER: I am making a ruling here, Mr Gentleman. I was about to draw Ms Burch's attention to the fact that I am going to be quite insistent on answers being concise and directly relevant, and the make-up of the representation of members from the seat of Brindabella is not relevant to Mr Wall's question, which was: why did you let the school get run down? Would you like to answer that question.

MS BURCH: Madam Speaker, with the time left, I do request that next time I am interrupted you stop the clock. As I said—

MADAM SPEAKER: Sit down, Ms Burch. Stop the clock on this occasion. The standing orders say that it is the Speaker's discretion whether or not the clock will be stopped. You have 16 seconds to answer the question.

Mr Corbell: On your ruling, Madam Speaker—

MADAM SPEAKER: Stop the clock.

Mr Corbell: Thank you, Madam Speaker. I would draw to your attention—and ask that you provide some further guidance to members—last Assembly it was frequently the case that members of the now opposition would ask that the clock be stopped during question time, particularly during points of order debates. That was a courtesy regularly extended by the then Speaker. I appreciate that this is a matter for you. I would ask that if you are going to vary from the position adopted by the former Speaker, you give some guidance to members on what circumstances you choose to ask that the clock be stopped and in what circumstances you do not.

MADAM SPEAKER: I think you make a point. Can I ask that we put a pin in that until Ms Burch finishes answering the question, and before we go to the next question I will be happy to do so. Ms Burch.

MS BURCH: Thank you. The people of the local community have not raised with me any concerns. They are pleased that the work in Taylor school will progress and that we will increase the numbers in the preschool. What they have raised with me is the fact that they have been left out and deserted by the leadership of those opposite.

MADAM SPEAKER: Minister Burch, I drew to your attention, in answering the question, that comments about people's political future were not relevant to the question and I will sit you down. Your time has expired, so I cannot sit you down.

I will go back to the guidance that Mr Corbell sought. The standing orders clearly say—and this was an innovation which, correct me if I am wrong, came about during the last Assembly, the idea of stopping the clock. One of the things that were discussed in meetings with presiding officers, people who sat in the chair during the last Assembly, was that there was a bit of a general outburst at any time there were any interruptions, with people on both sides yelling out, "Stop the clock. Stop the clock." It was reinforced that it was a matter for the Speaker's discretion.

I will stop the clock when I consider that there is something appropriate. For instance, I think that frivolous points of order should not result in a stopping of the clock. It is sometimes hard to know, in anticipation, whether something is going to be frivolous or not. Things which are frivolous and can be dealt with quickly do not require a stopping of the clock. If someone takes a point of order that requires some discussion, then I will stop the clock. But when someone takes a frivolous point of order that can be dismissed by saying there is no point of order, I do not believe it is necessary.

Mr Barr: Such as Mr Coe's.

MADAM SPEAKER: Such as Mr Coe's, yes. I do not need prompting from you. I thought it was pretty clear, without drawing a line under it, that I was referring to recent frivolous points of order.

As a general rule, I do not want to hear this sort of come back or natter or chorus "stop the clock". It may be appropriate, if something is going on for a long while and I have failed to stop the clock, that someone can politely draw it to my attention or the attention of the person who is sitting in the chair. But generally speaking, if it can be dealt with quickly, I will not stop the clock. If it is taking time, I will.

Hospital—emergency departments

MR WALL: My question is to the Minister for Health. The Health quarterly performance report of September 2012 states that only 99 per cent of emergency department category 1 patients were seen "immediately". Category 1 patients are commonly termed resuscitation patients. Minister, why were a percentage of patients needing resuscitation not seen immediately?

MS GALLAGHER: That relates to one patient who refused to be taken out of an ambulance.

MADAM SPEAKER: Supplementary question, Mr Wall.

MR WALL: Minister, this has fallen from 100 per cent in 2011-12. What action has been taken to ensure that all category 1 patients are seen on time in the future?

MS GALLAGHER: All category 1 patients are seen on time except for one patient who refused to be taken out of an ambulance. In that instance, they required some care and attention and some gentle persuasion to leave the ambulance. They were seen and were attended to by medical staff at all times, but under the timeliness rules about how to actually clock on they did not make it into the resuscitation area within the time that is specified for category 1. It relates to one patient.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, is this occurrence of patients refusing to leave the ambulance something that has occurred in the past or is it a one-off occurrence?

MS GALLAGHER: I am sorry to have ruined this question, but I think when you go back—

Mr Hanson interjecting—

MS GALLAGHER: No, Mr Hanson. I did hear your glee at saying that all five categories had seen reduced performance, so we do know that you have been celebrating that and whooping it up. No-one had come to me to ask what did that mean about life-threatening conditions not being seen on time. But as you can see, for the benefit of you, Mrs Jones, 100 per cent seen immediately has been what has been achieved in both emergency departments for as many years as I have been health minister. This occurrence relates to one person.

National Multicultural Festival—services

MRS JONES: My question is to the Minister for Multicultural Affairs. Minister, I have received representations from stallholders at the Multicultural Festival on the weekend raising concerns about the allocation of some specific services. Could you please outline how power allocations were determined to stallholders, given that they all had diverse power needs?

MS BURCH: I thank the member for her question. I note that she was out and about and I hope that she enjoyed the festival. It was indeed a great success. Early figures are showing that we exceeded last year's figures of—

MADAM SPEAKER: Minister Burch, standing order 118(a) requires you to be concise and go directly to the point. The question was about the allocation of power.

MS BURCH: It goes to the busyness of the festival and the fact that we had also record stalls this year—over 420 stalls over the weekend. We do everything we can do to make sure that the generators and the power suppliers meet that need. We ask all the stallholders what their requirements will be—how many hot plates, chillers; whatever is relevant to their stalls. That goes into the mix and that dictates in many ways the generators and the power supplies that are put into the footprint.

What does happen on occasion, though, is stallholders may bring in additional utilities and have more power requirements. That at times means that power is inconsistent or there may be some shortages or outage or it does not meet their requirements. That is unfortunate. We work around the clock to make sure that the stallholders have what they need, but sometimes there are some hiccups in that. Ms Jones, you would appreciate that, with 420 stalls, if there are only a few complaints I think that we have done well.

MADAM SPEAKER: Supplementary question, Mrs Jones.

MRS JONES: Minister, could you please outline how the access to fresh water points for the use of stallholders was determined and what distance from a fresh water point was considered adequate?

MS BURCH: I do not have that detail in front of me, other than that all stallholders were given very clear information about their stall allocation but also the requirements to meet food safety regulations, and that would have included access to fresh water.

Before the festival there was a mandatory session to be attended by the stallholders. I would have hoped that questions such as that and those sorts of matters, once the footprint was determined, would have been worked through. But if there are matters of concern, I am quite happy to take the information and see what the office can provide back.

MADAM SPEAKER: A supplementary question, Mr Doszpot.

MR DOSZPOT: Minister, will you make changes to the allocation of these various services based on the feedback from stallholders?

MS BURCH: We review each festival each and every year, from a participant's point of view, from the point of view of the artists that perform and from the stallholders' point of view. It is something that we take very seriously, which is why over the years we have built up such a successful event, with a quarter of a million people coming in—as I said, record stalls, record performers and record participation this year from our local community associations. So it is something that we do. We do review all aspects of the festival, and where there are things to learn and areas of improvement, that is what we factor in, to make sure that next year's is even better.

MADAM SPEAKER: Supplementary question, Ms Berry.

MS BERRY: What does the minister intend to do to continue to promote the Multicultural Festival?

MS BURCH: I thank Ms Berry for the supplementary question. This year was also part of our centenary, which I think is why we allowed the footprint to stretch, to be bigger than before. It is important with the festival to allow that ongoing participation from various community groups.

If I can just indulge with some feedback that I have received this morning, for example—

MADAM SPEAKER: Sorry, Minister Burch, the question was about what you will be doing to promote the Multicultural Festival. Could I ask you to be concise and directly relevant to the question?

MS BURCH: Thank you, Madam Speaker, but what I am answering is that the positive feedback we get from community groups enhances what we continue to do. It goes a little bit to what Mr Doszpot asked about how we review this as well.

Opposition members interjecting—

MS BURCH: It is important that we listen to the voice of our multicultural community about their participation, what works for them—

Opposition members interjecting—

MS BURCH: how we can enhance those services for them. I think that is a reasonable response, Madam Speaker.

Ms Berry: Madam Speaker.

MADAM SPEAKER: Do you have a point of order, Ms Berry?

Ms Berry: Yes, Madam Speaker, I have a point of order. I am actually interested in the answer here and I am trying to put on my “mother’s ears” and ignore the white noise, but they are not working today.

MADAM SPEAKER: Members, it was getting a little noisy. I was beginning to have trouble hearing Ms Burch. I was having considerable trouble hearing Ms Burch answer Ms Berry’s question in relation to promotion. If you would like to answer the question in relation to what you are doing to promote the Multicultural Festival, we will be glad to hear it.

MS BURCH: There is very little interest from those opposite. I think that reflects that they went to the most recent election with no multicultural policy at all.

MADAM SPEAKER: Minister Burch, this is not a child’s game to see how far you can push your parents or something like this. I expect rulings in this place to be kept. If I make a ruling and call you to order to be relevant, I expect you to be relevant and not to go off on another tangent about what other people in the Assembly—in this place—may or may not think about your policy.

There was a direct question from one of your own members about promotion and I was unable to hear you at any time in two minutes answer the question in relation to promotion. That is why I asked you on a number of occasions to be concise and directly relevant, as the standing orders say. I do not expect you, when I am discussing these issues, to be skiving off, laughing and carrying on. I am actually trying to make this place run. When I do ask you to come to order, I expect you to come to order and I expect you to be respectful.

Courts—backlogs

MR SESELJA: My question is to the Attorney-General.

Ms Gallagher interjecting—

MR SESELJA: The 2013 report on government services released by the Productivity Commission showed that the ACT had some of the worst backlogs in the country. This included 42.6 per cent of pending criminal cases in the Supreme Court over 12 months and 16.5 per cent pending over 24 months. Despite the court “blitz”, the Justice and Community Safety Directorate’s half-yearly statement of performance indicated that there were still 11 per cent of pending criminal cases in the Supreme Court over 24 months. Minister, what actions are you taking to address this continued backlog?

MR CORBELL: I thank the senator-elect—sorry, Mr Seselja—for—

MADAM SPEAKER: Sit down, Mr Corbell. When Mr Seselja stood up to ask the question, I heard the Chief Minister, not very sotto voce, refer to him as “senator”.

Ms Gallagher: Well, that’s where he’s heading.

MADAM SPEAKER: Chief Minister, I have no compunction in naming any member in this house. I will have no compunction. I will not be a bit put off because you are the Chief Minister. I almost said something then. Then the Attorney-General stood and again openly flouted the standing orders by referring to a member, in a joking way, in a clearly confected joke, “Oops, I’m sorry, I didn’t mean that.” Members in this place will refer to members by their name. When you are answering a question, Mr Corbell, from Mr Seselja, you will refer to him as Mr Seselja. No-one will refer to them by any nickname or in any other way, and I will not tolerate it.

MR CORBELL: Madam Speaker, thank you for your ruling. Can I simply ask that you give some further guidance to members, given your comments last year—

MADAM SPEAKER: Stop the clock. I realise I have taken up most of the attorney’s time for answering the question.

MR CORBELL: in relation to the conduct of question time. You indicated last year that you expected there to be a level of cut and thrust during question time, and that some level of interjection was appropriate. Of course, from the government’s

perspective there is the opportunity to perhaps make a point in passing as part of that cut and thrust, and I ask whether the general level of acceptance that you are going to provide when it comes to the conduct of question time extends to perhaps the occasional attempt at wit or humour in an answer. Madam Speaker, I would simply ask for your guidance in relation to those matters. I am not asking you to make a comment on whether or not mine was sufficiently witty or humorous.

MADAM SPEAKER: It certainly wasn't.

MR CORBELL: I accept that it was probably a fairly ordinary effort. Nevertheless, Madam Speaker, the principle and point remain, so I simply ask for your guidance in relation to those matters.

MADAM SPEAKER: If you would like to sit down I will give you some guidance now.

MR CORBELL: Thank you very much. I would welcome it enormously.

MADAM SPEAKER: It was not really funny. It was a bit of a dare joke and you could see it coming long before you went "oops". I should not be the arbiter of humour. It is not my job here. My job here is to be the arbiter of running this place in a respectful fashion. Note that I did not say anything about the Chief Minister and her interjection on the subject but I did raise the issue when you quite deliberately flouted the standing orders in answering your question.

I will be quite insistent on being directly relevant and concise. If people can add humour to what they do, I am always in favour. Some of the best parliamentarians have always been those who could deliver a message with humour, often at the expense of their colleagues—some of them their opponents, some of them on the other side of the chamber. But what I said was that I expect people to be respectful. I will not tolerate reflections upon people's character. When I have made a ruling like those that I have made on a couple of occasions with both you, Mr Corbell, and Minister Burch, to come back to the point of the question, I expect you to do so. This will be a growing experience. If you behave nicely, perhaps I will be more lenient. But at the moment I think we all have to learn to play well. When you are on your feet, Mr Corbell, to answer the question, we will start the clock. Do you remember what the question is?

MR CORBELL: Yes, thank you, Madam Speaker. The government is investing significant time and effort to address concerns about delay in our courts. The government has obviously invested significant additional resources into our courts through a range of measures. These include measures such as the deployment of the blitz last year, which has seen a significant reduction in long-wait matters for a large number of matters in the Supreme Court.

In addition the government is investing several million dollars in improved IT systems that will assist the court to improve its case management, and in particular its processing of documentation in the courts. Finally, the most fundamental step that needs to be taken is the full and comprehensive implementation of the case

management or docket system in the courts. These measures were agreed to by the courts late last year and put into implementation late last year. So we are yet to see one full year's effect of a full-blown and effective case management or docket system. The government's view is that it is prudent to wait upon the outcome of the proper and full deployment of a case management system before considering other steps that need to be taken.

The work of the Supreme Court in the ACT, and indeed the Magistrates Court, is not of a level that would suggest that the court is the busiest in the country when it comes to the number of lodgements it receives. That is on a per capita basis. In other jurisdictions we see more lodgements per capita than we do here in the ACT. So really issues around case management, issues around the effective use of the court's time, are central to addressing the issues that are still outstanding in relation to delay.

MADAM SPEAKER: A supplementary question, Mr Seselja.

MR SESELJA: In addition, when will you commit ongoing additional resources to the courts to address some of these backlogs?

MR CORBELL: The government is providing ongoing resources right now, including the deployment of additional IT resources at a cost of several million dollars, to assist the court in this work. We will continue to do that as necessary.

MS BERRY: Supplementary, please.

MADAM SPEAKER: Supplementary question.

MS BERRY: Why does the government believe that it is important to take action to reduce the backlog of cases?

MR CORBELL: Delay is unsatisfactory for any litigant, and it is a matter that must be addressed. It must be addressed, though, in a partnership between the executive and the judiciary. The executive has a role to play in relation to resources; the judiciary has a role to play in the effective deployment of those resources, to make the most of them and to ensure that delay is minimised. The government takes the issue of delay very seriously.

MADAM SPEAKER: A supplementary question, Ms Porter.

MS PORTER: Yes. Could the minister inform the Assembly about other measures that the government has taken to improve outcomes in Justice and Community Safety?

MADAM SPEAKER: Ms Porter, I think that the question would have to be limited to within the courts rather than the whole portfolio.

MS PORTER: In the area of the courts.

MR CORBELL: In relation to other measures that have been taken in the courts, of course the government has undertaken significant legislative reform to change the workload of respective courts. For example, there have been increases in jurisdiction of the Magistrates Court in relation to civil matters, there have been changes in relation to how summary offences are dealt with and there have been changes around election processes between the two jurisdictions. These are the types of measures that need to be continuously considered. I can, of course, foreshadow that the government has made election commitments around the establishment of an industrial magistrates court. As part of our development of the detail of that, and the detail of how that election commitment will be implemented, we will have to give consideration to the jurisdiction of that court as well.

National Multicultural Festival—success

MS BERRY: My question is to the Minister for Multicultural Affairs. Can the minister inform the Assembly of the success of last week's centenary Multicultural Festival in promoting and welcoming our multicultural community?

MADAM SPEAKER: The Minister for Multicultural Affairs will be able to speak at length about how successful the program is.

MS BURCH: I could speak for more than four minutes on the success of the National Multicultural Festival, and I would hope that those opposite—

Members interjecting—

MADAM SPEAKER: Order, please! Mr Smyth, you need to keep the volume down so that Ms Burch can be heard.

MS BURCH: The National Multicultural Festival, our centenary National Multicultural Festival, has been considered an outstanding success. For those opposite who did attend—I know I saw Mrs Jones there; she was the only one I did see there.

Mr Doszpot: I was there Saturday and Sunday, thank you.

MS BURCH: I am glad to hear that, Mr Doszpot. This is successful because it is part and parcel of our community. It is driven by our community, with over 100 community associations coming through and being part of it. Across the seven stages there were community groups, the sons and daughters of our neighbourhoods performing their national cultural dances and songs. That is what makes it absolutely spectacular. It is not a group from the outside coming in and performing to us; it is our community performing for us and with us.

Over the weekend, as I have indicated in response to some of the earlier interest on this, early figures indicate that we exceeded last year's figures, so we are looking at about 250,000 or 260,000, which is quite extraordinary given the population of the ACT. But the success should not be counted just on sheer numbers alone. It was the vibrancy, the feel and the response from the community as they moved through the

festival footprint over the weekend. Anyone who was there would say that there was an incredibly positive feeling by all that attended. Yes, the crowds were large; we stretched the footprint as much as we could to allow some more comfort and movement through by participants.

We saw families with strollers; we saw older people. I saw a number of people with walking assistance with a ready-made built-in seat, so they were out and about as well. The older persons' oasis was very popular. The children's sanctuary we had this year was incredibly popular; indeed, it had its own face, with Jay Laga'aia, who is well known across all mediums of entertainment. I was particularly impressed by the number of three-year-olds who could actually recognise Jay on sight. My youngest is 19; I do not think Jay was on *Play School* when he was watching it, but he was certainly very popular indeed.

The food and dance spectacular, as always, was a great signature event. There were the Greek glendi and the Chinese new year. I know that Mr Smyth was there, as was Giulia Jones. I am not quite sure if Mrs Jones is still plucking out the glitter from her hair; I know it took me some time to get out all the glitter from that fabulous way of celebrating the Chinese new year.

Another new event we brought in this year was the African village. That was incredibly successful. They ran a program throughout the day and it was very popular with the young folk later on in the evening, as was the carnivale in the city.

One of the highlights for me was Geoffrey Gurrumul Yunupingu, who played at the Indigenous showcase. That was really something quite special—to see his live performance.

All in all, I would say that it was indeed a very successful weekend. I want to thank the team at the Office of Multicultural Affairs, which ran a fantastic program; the 100-plus volunteers who supported it, and also the community organisations. (*Time expired.*)

MADAM SPEAKER: A supplementary question, Ms Berry.

MS BERRY: What commitments has the government made to guarantee the future of the Multicultural Festival?

MS BURCH: I thank Ms Berry for her question. As a government we are indeed committed to fostering a multicultural city and events such as the festival and other initiatives ensure that that is carried into the future. The government acknowledge that the festival is an amazing showcase, but there are other things that we need to do and that we are doing to ensure that multiculturalism does not just stop at the festival, even though we all agree it is a fabulous weekend. Here in Canberra one in five were born overseas. We speak over 100 languages. So it is important that we respect and regard our multicultural community, which is why we put in a number of commitments in our election policies to support our multicultural community, as opposed to the Canberra Liberals, who seem to have forgotten it.

One of our election commitments was that, as a government, we would look at a microcredit scheme for our multicultural community, including supporting the workforce. Microcredit is seen as a very successful program in supporting people to get a hand up and to get on with small business and other activities. We have made a commitment to a microcredit program. We have also made a commitment to enhance our community language schools. We have 45 language schools across the ACT. They are supported by this government to run schools to provide language classes because it is important that mother tongue is kept. As I talk to the community groups, I absolutely recognise, sympathise with and support their keen desire to maintain the mother tongue for their language group. Our community language schools are a very important part in that. We have pledged an extra \$100,000 in recurrent funding over four years to the association.

MADAM SPEAKER: Supplementary question, Mr Gentleman.

MR GENTLEMAN: Minister, I understand that you attended the interfaith formal held as part of the festival. Can you tell me what views you have heard from the participants of the importance of genuine interfaith dialogue?

MADAM SPEAKER: There was a preamble to that one, but there was a preamble somewhere else as well.

MS BURCH: I thank Mr Gentleman for his interest in interfaith matters. We did hold at the National Multicultural Festival an interfaith forum. I think it is a natural progression on to our diverse community as we respect our cultures. The forum was organised by the Canberra Interfaith Forum. I would particularly like to thank the main organiser, Dean Sahu Khan, who is the chair of the interfaith forum and a passionate advocate for cultural inclusiveness. The forum was attended by religious communities, among them Baha'i, Islam, Hindu, Buddhism, Judaism, Quakers, Sikh, Christianity and even the pagan awareness network.

The chair of the Indigenous elected body, Ron Little, also spoke at the forum. The theme of the afternoon symposium was how can my spiritual tradition contribute to community partnership for the future? I believe such a theme is very timely, not only at the National Multicultural Festival but more broadly.

I want to thank the organisers for making this forum happen in a way that excluded no-one. It can truly lay claim to having been a multifaith event. One of the successes of the forum is that it had no religious component to it, ensuring that no religious group felt excluded. I think that is essential when organising any multifaith activity.

I think we can all learn from the way that the Canberra Interfaith Forum conducted this event and I do hope that they are part of the 2014 Multicultural Festival.

MADAM SPEAKER: A supplementary question, Mr Wall.

MR WALL: Minister, what portion of the festival's funding was used to secure the celebrities that supported the festival?

MS BURCH: I do not have the details in front of me but certainly there is a contribution by government. We came in on time and on budget, I am pleased to say. But there is a significant community contribution through sponsorship arrangements as well. The Indigenous showcase, as part of the centenary celebrations, also have a line of funding, and they were able to secure Geoffrey Gurrumul Yunupingu and Christine Anu for that.

Mr Wall: How much?

MS BURCH: Mr Wall, I indicated at the very beginning that I do not have those figures in front of me. When we come to annual reports and when all of this is washed up, I am sure you will ask the question and the figures will be provided.

MADAM SPEAKER: So you are not taking that question on notice, Minister Burch? Are you taking that question on notice or not?

MS BURCH: No, I am saying when it is done and we get to annual reports, that information will be there.

Ms Gallagher: I ask that all further questions be placed on the notice paper.

Papers

Madam Speaker presented the following papers which were circulated to members when the Assembly was not sitting:

Auditor-General Act—Auditor-General's Report No 10/2012—2011-12 Financial Audits, dated 21 December 2012.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 15(3)—Minister's annual report 2011-2012.

Government Agencies (Campaign Advertising) Act, pursuant to subsection 20(2)—Independent Reviewer—Report for the period 15 September to 31 December 2012, dated 31 January 2013.

Madam Speaker presented the following papers:

Standing order 191—Amendments to:

Gaming Machine Amendment Bill 2012, dated 3 and 4 December 2012.

Road Transport (Third-Party Insurance) Amendment Bill 2012, dated 3 and 4 December 2012.

Answer to question on notice Question No 54

MR COE: Madam Speaker, I jumped up earlier, but I did not catch your eye, with regard to an unanswered question.

MADAM SPEAKER: I am sorry; I do apologise.

MR COE: Under 118A, I ask that Mr Rattenbury explain question No 54.

MR RATTENBURY: Mr Coe, I do apologise for the delay on this question, but TAMS has advised me that the crash data you have requested in question on notice 54 and in the earlier 2011 question on notice 2220 on a similar request has needed to be revalidated following issues identified with the crash database and the crash analysis process. The response is expected to be available next week.

Executive contracts

Papers and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): For the information of members, I present the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Anthony Polinelli, dated 24 October 2012.

Daniel Igelsias, dated 15 January 2013.

David Snowden, dated 24 January 2013.

Dominic Lane, dated 17 January 2013.

Short-term contracts:

Alan Traves, dated 3 January 2012.

Alice Tibbitts, dated 24 January 2013.

Benjamin Ponton, dated 20 December 2012 and 2 January 2013.

Catherine Fallon, dated 28 November 2012.

Christopher Reynolds.

David George, dated 30 January 2013.

Floyd Kennedy, dated 6 February 2013.

Grant Kennealy, dated 25 September and 18 October 2012.

Grant Kennealy, dated 15 and 17 October 2012.

Grant Kennealy, dated 1 and 5 February 2013.

Heather Tomlinson, dated 3 January 2013.

Heidi Robinson, dated 30 January 2013.

Howard Wren, dated 17 December 2012.

Janet Plater (2), dated 19 December 2012.

Jonathan Quiggin, dated 18 December 2012.

Kaye Yen, dated 21 December 2012.

Michael Joyce, dated 7 December 2012.
Moirra Crowhurst, dated 3 and 6 December 2012.
Richard Hutch, dated 14 and 21 January 2013.
Sandra Georges, dated 20 and 24 December 2012.
Sandra Kennedy, dated 7 and 10 December 2012.
Sandra Kennedy, dated 13 December 2012.
Steven Wright, dated 18 December 2012.
Stewart Ellis, dated 3 October 2012.
Thomas Gordon.

Contract variations:

Alison Playford, dated 9 and 19 December 2012.
Bethan Mitchell, dated 10 and 21 January 2013.
Bianca Kimber, dated 5 and 11 December 2012.
Christine Murray, dated 11 and 19 December 2012.
Coralie McAlister, dated 16 and 17 January 2013.
Craig Simmons, dated 22 and 24 January 2013.
Daniel Walters, dated 10 and 11 December 2012.
David Snowden, dated 25 September and 8 October 2012.
Graeme Dowell, dated 8 and 31 January 2013.
Ian Thompson, dated 11 and 12 December 2012.
Jayne Johnston, dated 10 and 15 January 2013.
Lana Junakovic, dated 14 and 29 January 2013.
Leanne Cover, dated 14 and 15 January 2013.
Liz Beattie, dated 14 and 18 January 2013.
Mark Whybrow, dated 7 January 2013.
Mary Toohey, dated 5 and 11 December 2012.
Meredith Whitten, dated 17 and 31 January 2013.
Michael Bateman, dated 14 January 2013.
Nic Manikis, dated 31 January and 6 February 2013.
Sandra Georges, dated 5 and 7 December 2012.
Sandra Georges, dated 5 February 2013.
Shane Kay, dated 11 and 12 December 2012.
Stephen Gniel, dated 10 and 15 January 2013.
Stewart Ellis, dated 10 and 12 December 2012.
Vanessa Little, dated 12 and 30 November 2012—

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

Leave granted.

MS GALLAGHER: I present another set of executive contracts. These documents are tabled in accordance with section 31A and 79 of the Public Sector Management Act, which require the tabling of all director-general and executive contracts and contract variations. Contracts were previously tabled on 27 November 2012. Today I present four long-term contracts, 26 short-term contracts and 25 contract variations. The details of the contracts will be circulated to members.

Papers

Ms Gallagher presented the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

ACT Magistrates Court Judicial Positions—Determination 11 of 2012, dated November 2012.

ACT Supreme Court Judicial Positions—Determination 10 of 2012, dated November 2012.

Clerk of the Legislative Assembly—Determination 13 of 2012, dated December 2012.

Director of Public Prosecutions—Determination 12 of 2012, dated November 2012.

Human Rights Commissioner, Discrimination Commissioner, Health Services Commissioner, Children and Young People Commissioner—Determination 14 of 2012, dated December 2012.

Part-time Public Office Holders—Determination 9 of 2012, dated November 2012.

Committee reports—government responses Papers and statement by minister

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): For the information of members, I present government responses to the following committee reports presented during the Seventh Assembly on the 2010-11 annual and financial reports:

Climate Change, Environment and Water—Standing Committee (Seventh Assembly)—Report 7—*Report on Annual and Financial Reports 2010-11*.

Education, Training and Youth Affairs—Standing Committee—Report 9—*Report on Annual and Financial Reports 2010-2011*.

Health, Community and Social Services—Standing Committee—Report 7—*Report on Annual and Financial Reports 2010-11*.

Justice and Community Safety—Standing Committee—Report 10—*Report on Annual and Financial Reports 2010-11*.

Planning, Public Works and Territory and Municipal Services—Standing Committee—Report 14—*Report on Annual and Financial Reports 2010-2011*.

Public Accounts—Standing Committee—Report 23—*Report on Annual and Financial Reports 2010-11*.

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

Leave granted.

MS GALLAGHER: I am pleased to present the government's response to all six of the Seventh Assembly standing committee reports on the 2010-11 annual and financial reports of ACT government agencies. In keeping with past practice, I am tabling the responses to all six committee reports together on behalf of all ministers. This is because the standing committee reports generally cover more than one portfolio and in some cases issues raised in the reports have cross-directorate implications.

Annual and financial reports are prepared by agencies in accordance with the Annual Reports (Government Agencies) Act 2004, the Financial Management Act 1996 and the Chief Minister's Directorate annual report directions. In this regard, the government seeks to ensure that annual and financial reports are continually updated to reflect best practice and full accountability.

The standing committees made 48 recommendations. The government has agreed in full, in principle or in part to 32 recommendations, has noted 12 recommendations and has not agreed with four recommendations. I commend the government's report to the Assembly.

Legislation program—autumn 2013 **Paper and statement by minister**

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education): For the information of members, I present the following paper:

Legislation Program—Autumn 2013

Leave granted.

MS GALLAGHER: I am very pleased to present the government's legislation program for the autumn 2013 sittings and our first in the Eighth Assembly. This legislation program builds upon our past achievements and it pursues commitments made by the government by way of our election promises and our parliamentary agreement with the ACT Greens. It also looks forward to our second century as a city.

Whilst the work of this chamber makes up just a small part of the overall work of government, it is, nonetheless, a critical part of our role as elected representatives. I would like to outline some of the ongoing policy priorities for which the government will be proposing legislation during this session of the Assembly.

This city has a reputation as an inclusive and caring community. We respect each other's human rights, we give a hand to those in need and we respect our city's social and cultural diversity. The government is proposing a range of legislation to build upon this reputation.

We will be proposing better protection for prisoners or detainees from cruel, inhuman or degrading treatment, an official visitors scheme for the homeless and those with disabilities and formal recognition of sex and gender diversity in relation to births, deaths and marriages.

The adoption of a national system of regulation of community housing providers will benefit both tenants and investors, as well as preserve assets for future social housing, while the implementation of an election commitment will provide incentives for business to employ a recent school leaver with a disability.

The Monitoring Places of Detention (Optional Protocol to the Convention against Torture) Bill 2013 will give effect to the ACT's obligations under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. This is a model bill that has been agreed by the Standing Council on Law and Justice and will ensure that the territory can continue to positively engage human rights—namely, the right to humane treatment when deprived of liberty.

The Community Housing Providers National Law (ACT) Bill 2013 will amend part 4A of the Housing Assistance Act 2007 and establish the community housing providers national law ACT. This will replace the current ACT regulation of affordable and community housing providers with a national regulatory system. Well-governed, well-managed and robust providers will assist in achieving the aims of the ACT's affordable housing action plan and give confidence to potential investors, protect tenants and help preserve millions of dollars in assets for future social housing. It will also meet our commitments under the national affordable housing agreement.

This government is committed to build upon its strong reputation as a diverse and inclusive legislature via its response to the Law Reform Advisory Council's *Beyond the Binary* report. As such, the government will be proposing amendments to the Births, Deaths and Marriages Registration Act 1997 which will ensure the legal recognition of sex and gender diversity in the ACT.

The government will continue to support the disability and community services sector by making a number of amendments necessary to implement the new official visitors scheme. The bill will formally establish an official visitors board consisting of relevant statutory office holders and official visitors. The bill will also give the Disability and Community Services Commissioner the power to enter premises, which mirrors similar entry provisions in ombudsman legislation, to follow up reasonable concerns where an official visitor is not given entry to a visitable place. These amendments will provide an oversight mechanism for vulnerable people in the ACT whilst ensuring there are no negative human rights implications.

The government will also be amending various pieces of construction and planning legislation to implement short and medium-term reforms to the construction regulatory framework. This includes streamlining and increasing the flexibility of statutory processes in relation to territory plan variations, estate development plans and within future urban areas.

The proposed Construction Amendment Bill will amend various pieces of construction legislation to begin to implement reforms within the construction regulatory framework. These amendments are the result of the current review of the Building Act and proposed by the government's report to the Legislative Assembly in September 2010 on building quality in the ACT.

A full policy review of the Building Act is being undertaken which will result in a number of reform proposals to be implemented over the next few years. This is the first of a series of bills which concentrates on the proposals that have been finalised and agreed as part of ongoing consultation and development of the project.

The bill will also amend a number of pieces of legislation to improve the operability of regulation for the industry. Proposed amendments address issues with the interaction of consumer installations with the utility networks, improvement of the plumbing certification system, establishing new gas appliance approval processes and bringing the licensing of gas appliance workers under the Constructions Occupations (Licensing) Act. These amendments are the result of ongoing policy work, recent findings of the ACAT and national and ACT reforms affecting the building process and government programs to encourage alternative technologies.

The broad intent of the Planning and Development (Territory Plan Variations) Amendment Bill 2013 is to increase flexibility and streamline statutory processes in relation to territory plan variations, estate development plans and within future urban areas—greenfield development—consistent with community and stakeholder expectation. The bill proposes to increase the powers of the Legislative Assembly in relation to territory plan variations and provide an opportunity to reduce the time frames for draft variations by more than six months, as determined by the Legislative Assembly. It also proposes amendments to streamline and consolidate the various planning processes while retaining provision for community and stakeholder consultation.

Another proposal is to introduce a more direct mechanism to introduce site-specific provisions into precinct codes. Of key concern is the need to ensure bushfire attack levels are identified on all relevant blocks in the ACT for building and construction purposes in a timely manner. There are also a range of minor amendments intended to clarify provisions of the act, including making a distinction between public consultation time frames for territory plan variations and technical amendments by increasing the overall time frames for territory plan variations.

The government will continue to build on our strong record in the area of environment and sustainability and are proposing various pieces of legislation covering conservation of the natural environment and of heritage places as well as amendments

to water resource offence provisions. The Heritage Act requires that it be reviewed after five years. The review has highlighted a number of inefficiencies with the existing legislation. Consequently, the Heritage Legislation Amendment Bill 2013 has been prepared to address those inefficiencies and provide for better recognition, conservation and protection of heritage places and objects valued by the ACT community. The bill aligns with the government's key policy and strategic initiatives including environment protection, creating liveable cities and providing for greater openness and transparency.

The Council of Australian Governments agreed to a national partnership on water for the future to implement a national framework for compliance and enforcement systems for water resource management. As such the government is committed to progress the implementation plan for the national framework for compliance and enforcement systems for water resource management project.

Central to the national framework is the harmonisation of water resource offence provisions across states and territories. A review of ACT water resource offences was made primarily within the Water Resources Act 2007 in light of required water offences. Many of the offence provisions are already covered by the act. However, a number of required amendments have been identified. The amendments will seek to introduce strict liability infringement notices for failure to submit bore completion reports and undertaking unauthorised waterway work, to clarify the definition of "ACT drillers licence", to ensure enforceable offence provisions for short-term water use and to provide a new offence provision for tampering with a water meter.

The safety of our city and of those who call this city home continues to be a high priority for the government. We are proposing legislation to follow through on an election commitment to establish an alcohol interlock scheme to specifically target repeat drink-driving offenders. In pursuing another election commitment, we will also propose the establishment of an industrial magistrates court to specifically deal with work safety matters before the court.

The government will introduce the Road Transport Legislation Amendment Bill 2013 (No 2) to establish an ACT alcohol interlock program. It will require alcohol interlocks to be fitted to vehicles driven by high risk drink-driving offenders for a period of time until they can demonstrate an ability to separate drinking and driving. If the court so orders, the use of an interlock device will be supplemented by treatment or alcohol rehabilitation programs.

Similar schemes have been operating successfully internationally and in other Australian jurisdictions with a considerable body of research evidence showing that, while fitted, they work effectively to prevent drink-driving. The devices are manufactured, tested and maintained to an Australian standard. They are designed to be tamper proof with various security features that guard against attempts to circumvent their operation.

The comments received on the ACT's exposure bill in August 2012 strongly supported the introduction of an interlock program to complement existing measures to address drink-driving in the ACT. The introduction of an interlock scheme is

consistent with recommendations in the ACT road safety strategy 2011-20 and the road safety action plan 2011-13.

In addition to pursuing these strategic initiatives, the government will also introduce legislation to ensure responsible and appropriate economic management of the territory as well as routine legislation to ensure that the statute book remains current and up to date, and I commend the legislation program to the Assembly.

Financial Management Act—instruments Papers and statement by minister

MR BARR (Molonglo—Deputy Chief Minister, Treasurer, Minister for Economic Development, Minister for Sport and Recreation, Minister for Tourism and Events and Minister for Community Services): For the information of members, I present the following papers:

Financial Management Act—Instruments, including statements of reasons, pursuant to—

Section 16—Directing a transfer of appropriations from—

Economic Development Directorate to Territory and Municipal Services Directorate, dated 31 December 2012.

Environment and Sustainable Development Directorate to Economic Development Directorate, dated 31 December 2012.

Treasury Directorate to Commerce and Works and Chief Minister and Treasury directorates, dated 20 December 2012.

Section 16B—Authorising the rollover of undisbursed appropriation of—

ACT Public Cemeteries Authority, dated 29 November 2012.

Chief Minister and Treasury Directorate, dated 4 December 2012.

Community Services Directorate, dated 4 December 2012.

Education and Training Directorate, dated 28 November 2012.

Environment and Sustainable Development Directorate, dated 10 December 2012.

Health Directorate, dated 7 January 2013.

Territory and Municipal Services Directorate, dated 11 December 2012.

Section 18A—Authorisation of expenditure from the Treasurer's Advance to Chief Minister and Treasury Directorate, dated 31 December 2012.

I ask leave to make a statement in relation to the papers.

Leave granted.

MR BARR: As required by the Financial Management Act 1996, I am tabling a number of instruments today under sections 16, 16B and 18 of the FMA. Advice on each instrument's directions and statements of reasons must, of course, be tabled in the Assembly within three sitting days after it is given.

I am tabling a total of 11 instruments today, Mr Assistant Speaker. Section 16(1) and (2) of the FMA allow for the transfer of responsibility for a service or function from an entity for which an appropriation is made to another entity, and this package includes three such instruments.

Consistent with the Administrative Arrangements 2012 (No 2), the first instrument authorises the transfer from the Treasury Directorate of \$17 million in net cost of outputs (controlled) appropriation to the Chief Minister and Treasury Directorate; \$6 million in net cost of outputs (controlled) appropriation to the Commerce and Works Directorate; \$5.949 million in payments on behalf of the territory (territorial) appropriation to the Commerce and Works Directorate for the management and responsibility of the first home owners grant and first home owners boost programs; \$9.045 million in capital injection (territorial) appropriation relating to land rent to the Commerce and Works Directorate; \$5.341 million in capital injection (controlled) appropriation for the Oracle e-business suite upgrade and the whole-of-government banking contract to the Commerce and Works Directorate; and \$3.838 million in capital injection (controlled) appropriation in relation to a loan for Community Housing Canberra to the Chief Minister and Treasury Directorate.

The second instrument facilitates the transfer of \$800,000 in net costs of outputs (controlled) appropriation from the Economic Development Directorate to the Territory and Municipal Services Directorate to implement commitments as part of the Molonglo Valley plan for the protection of matters of national environmental significance.

The third instrument facilitates the transfer of \$1.146 million in net cost of outputs (controlled) appropriation and \$263,000 in capital injection (controlled) appropriation from the Environment and Sustainable Development Directorate to the Economic Development Directorate for infrastructure planning services.

Section 16B of the FMA allows for appropriations to be preserved from one financial year to the next, as outlined in instruments signed by myself as Treasurer. This package includes seven such instruments. The first instrument authorises a total rollover of \$24.416 million for the Health Directorate comprising \$6.98 million in net cost of outputs (controlled) appropriation and \$17.436 million in capital injection (controlled) appropriation.

The second instrument authorises a total rollover of \$22.41 million for the Education and Training Directorate comprising \$20.228 million in net cost of outputs (controlled) appropriation; \$368,000 in payments on behalf of the territory; and \$1.814 million in capital injection (controlled) appropriation.

The third instrument authorises a total rollover of \$7.34 million for the Territory and Municipal Services Directorate comprising \$183,000 in net cost of outputs (controlled) appropriation; and \$7.157 million in capital injection (controlled) appropriation.

The fourth instrument authorises a rollover of \$4.356 million for the Environment and Sustainable Development Directorate, comprising \$3.854 million in net cost of

outputs (controlled) appropriation; \$456,000 in payments on behalf of the territory; and \$46,000 in capital injection (controlled) appropriation.

The fifth instrument authorises a total rollover of \$3.381 million for the Community Services Directorate, comprising \$175,000 in net cost of outputs (controlled) appropriation and \$3.206 million in capital injection (controlled) appropriation.

The sixth instrument, Mr Assistant Speaker, authorises a total rollover of \$3.228 million for the Chief Minister and Treasury Directorate comprising \$2.918 million in net cost of outputs (controlled) appropriation and \$310,000 in the capital injection (controlled) appropriation.

The seventh and final instrument in this package authorises a total rollover of \$203,051 in capital injection (controlled) appropriation, for the ACT Public Cemeteries Authority for the new southern cemetery design.

Finally, section 18 of the Financial Management Act provides for the authorisation of expenditure from the Treasurer's Advance. This package includes one such instrument providing an increase of \$722,404 in net cost of outputs (controlled) appropriation for the Chief Minister and Treasury Directorate for the payment of costs associated with the inquiry into secondary water use to the Independent Competition and Regulatory Commission. Additional details regarding all instruments are provided in the statement of reasons accompanying each of the instruments I have tabled today. I commend these to the Assembly.

Papers

Mr Corbell presented the following papers:

Crimes (Assumed Identities) Act, pursuant to subsection 38(4)—Assumed Identities Annual Report—2011-12, dated 26 November 2012.

Coroners Act, pursuant to subsection 102(8)—Chief Coroner—Annual Report—1 July 2011 to 30 June 2012, dated 31 December 2012.

Australian Crime Commission (ACT) Act, pursuant to subsection 51(5)—Board of the Australian Crime Commission—Annual report 2011-12, dated 26 November 2012.

Performance reports

Financial Management Act, pursuant to section 30E—Half-yearly performance reports—December 2012, for the following directorates:

Chief Minister and Treasury Directorate, dated January 2013.

Community Services Directorate, dated January 2013.

Economic Development Directorate.

Education and Training Directorate, dated January 2013.

Environment and Sustainable Development Directorate.

Health Directorate, dated February 2013.

Housing Services.

Justice and Community Safety Directorate, including—

Attorney-General and Minister for Police and Emergency Services.

Minister for Corrections.

Territory and Municipal Services Directorate.

Treasury Directorate, dated January 2013.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Betting (ACTTAB Limited) Act—Betting (ACTTAB Limited) Rules of Betting Determination 2012 (No 4)—Disallowable Instrument DI2012-247 (LR, 23 November 2012).

Building Act—Building (ACT Appendix to the Building Code) Determination 2012—Disallowable Instrument DI2012-248 (LR, 29 November 2012).

Civil Law (Wrongs) Act—

Civil Law (Wrongs) Association of Taxation and Management Accountants (ATMA) Scheme 2012 (No 1)—Disallowable Instrument DI2012-266 (LR, 24 December 2012).

Civil Law (Wrongs) College of Investigative and Remedial Consulting Engineers Australia Scheme 2012 (No 1)—Disallowable Instrument DI2012-281 (LR, 24 December 2012).

Court Procedures Act—Court Procedures Amendment Rules 2012 (No 2)—Subordinate Law SL2012-43 (LR, 21 December 2012).

Energy Efficiency (Cost of Living) Improvement Act—

Energy Efficiency (Cost of Living) Improvement Eligible Activities Code of Practice 2012 (No 1)—Disallowable Instrument DI2012-279 (LR, 24 December 2012).

Energy Efficiency (Cost of Living) Improvement Record Keeping and Reporting Code of Practice 2012 (No 1)—Disallowable Instrument DI2012-268 (LR, 20 December 2012).

Food Act—Food (Fees) Determination 2012 (No 3)—Disallowable Instrument DI2012-280 (LR, 24 December 2012).

Gaming Machine Act—Gaming Machine (Fees) Determination 2012 (No 2)—Disallowable Instrument DI2012-271 (LR, 20 December 2012).

Health Act—

Health (Fees) Determination 2012 (No 2)—Disallowable Instrument DI2012-272 (LR, 20 December 2012).

Health (Fees) Determination 2013 (No 1)—Disallowable Instrument DI2013-3 (LR, 17 January 2013).

Health (Interest Charge) Determination 2012 (No 2)—Disallowable Instrument DI2012-263 (LR, 10 December 2012).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees) Determination 2012 (No 1)—Disallowable Instrument DI2012-262 (LR, 10 December 2012).

Legislative Assembly (Members' Staff) Act—Legislative Assembly (Members' Staff) Members' Salary Cap Determination 2012 (No 2)—Disallowable Instrument DI2012-257 (LR, 3 December 2012).

Legislative Assembly Precincts Act—Legislative Assembly Precincts (Licence Fees) Determination 2012 (No 2)—Disallowable Instrument DI2012-261 (LR, 13 December 2012).

Medicines, Poisons and Therapeutic Goods Act—

Medicines, Poisons and Therapeutic Goods (Fees) Determination 2012 (No 1)—Disallowable Instrument DI2012-264 (LR, 10 December 2012).

Medicines, Poisons and Therapeutic Goods (Kava Exemption) Amendment Regulation 2013 (No 1)—Subordinate Law SL2013-1 (LR, 25 January 2013).

Public Place Names Act—

Public Place Names (Amaroo) Determination 2012 (No 1)—Disallowable Instrument DI2012-243 (LR, 8 November 2012).

Public Place Names (Casey) Determination 2012 (No 5)—Disallowable Instrument DI2012-244 (LR, 8 November 2012).

Public Place Names (Franklin) Determination 2012 (No 2)—Disallowable Instrument DI2012-259 (LR, 6 December 2012).

Public Place Names (Harrison) Determination 2012 (No 1)—Disallowable Instrument DI2012-258 (LR, 6 December 2012).

Public Place Names (Lyneham) Determination 2012 (No 1)—Disallowable Instrument DI2012-255 (LR, 29 November 2012).

Public Sector Management Act—Public Sector Management Amendment Standards 2012 (No 3)—Disallowable Instrument DI2012-238 (LR, 30 October 2012).

Race and Sports Bookmaking Act—

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2012 (No 2)—Disallowable Instrument DI2012-249 (LR, 29 November 2012).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2012 (No 3)—Disallowable Instrument DI2012-250 (LR, 29 November 2012).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2012 (No 4)—Disallowable Instrument DI2012-251 (LR, 29 November 2012).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2012 (No 5)—Disallowable Instrument DI2012-252 (LR, 29 November 2012).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2012 (No 6)—Disallowable Instrument DI2012-253 (LR, 29 November 2012).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2013 (No 1)—Disallowable Instrument DI2013-6 (LR, 31 January 2013).

Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2013 (No 2)—Disallowable Instrument DI2013-7 (LR, 31 January 2013).

Race and Sports Bookmaking (Sports Bookmaking Venues) Revocation 2012 (No 1)—Disallowable Instrument DI2012-270 (LR, 17 December 2012).

Radiation Protection Act—Radiation Protection (Fees) Determination 2012 (No. 2)—Disallowable Instrument DI2012-265 (LR, 10 December 2012).

Road Transport (Driver Licensing) Act, Road Transport (General) Act, Road Transport (Mass, Dimensions and Loading) Act, Road Transport (Public Passenger Services) Act, Road Transport (Safety and Traffic Management) Act and Road Transport (Vehicle Registration) Act—Road Transport Legislation Amendment Regulation 2012 (No 1)—Subordinate Law SL2012-44 (LR, 19 December 2012).

Road Transport (General) Act—

Road Transport (General) (Pay Parking Area Fees) Determination 2012—Disallowable Instrument DI2012-256 (LR, 3 December 2012).

Road Transport (General) Application of Road Transport Legislation Declaration 2012 (No 5)—Disallowable Instrument DI2012-245 (LR, 15 November 2012).

Road Transport (General) Application of Road Transport Legislation Declaration 2012 (No 6)—Disallowable Instrument DI2012-254 (LR, 28 November 2012).

Road Transport (General) Application of Road Transport Legislation Declaration 2012 (No 7)—Disallowable Instrument DI2012-260 (LR, 6 December 2012).

Road Transport (General) Exclusion of Road Transport Legislation (Summernats) Declaration 2012—Disallowable Instrument DI2012-269 (LR, 17 December 2012).

Road Transport (General) MyWay Smart Card Fees Determination 2013 (No 1)—Disallowable Instrument DI2013-1 (LR, 2 January 2013).

Road Transport (General) Withdrawal of Infringement Notices Guidelines 2012 (No 1)—Disallowable Instrument DI2012-246 (LR, 15 November 2012).

Road Transport (Public Passenger Services) Act—Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2013 (No 1)—Disallowable Instrument DI2013-2 (LR, 14 January 2013).

Road Transport (Safety and Traffic Management) Regulation 2000—Road Transport (Safety and Traffic Management) Airservices Australia Emergency Worker Declaration 2012—Disallowable Instrument DI2012-242 (LR, 1 November 2012).

Road Transport (Third-Party Insurance) Act—Road Transport (Third-Party Insurance) Early Payment Guidelines 2013 (No 1)—Disallowable Instrument DI2013-5 (LR, 24 January 2013).

Taxation Administration Act—

Taxation Administration (Ambulance Levy) Determination 2012 (No 1)—Disallowable Instrument DI2012-277 (LR, 20 December 2012).

Taxation Administration (Amounts Payable—Eligibility—New and Substantially Renovated Homes and Land only—Home Buyer Concession Scheme) Determination 2012 (No 2)—Disallowable Instrument DI2012-278 (LR, 20 December 2012).

Taxation Administration (Amounts Payable—Eligibility—Pensioner Duty Concession Scheme) Determination 2012 (No 1)—Disallowable Instrument DI2012-273 (LR, 20 December 2012).

Taxation Administration (Amounts Payable—Thresholds—Home Buyer Concession Scheme) Determination 2012 (No 2)—Disallowable Instrument DI2012-275 (LR, 20 December 2012).

Taxation Administration (Amounts Payable—Thresholds—Pensioner Duty Concession Scheme) Determination 2012 (No 2)—Disallowable Instrument DI2012-274 (LR, 20 December 2012).

Taxation Administration (Amounts payable—Utilities (Network Facilities Tax)) Determination 2012 (No 2)—Disallowable Instrument DI2012-276 (LR, 20 December 2012).

University of Canberra Act—University of Canberra Council Appointment 2013 (No 1)—Disallowable Instrument DI2013-4 (LR, 29 January 2013).

Utilities Act—Utilities Exemption 2012 (No 3)—Disallowable Instrument DI2012-267 (LR, 17 December 2012).

Government services

Discussion of matter of public importance

MR ASSISTANT SPEAKER (Mr Gentleman): Madam Speaker has received letters from Ms Berry, Mr Doszpot, Mr Gentleman, Mr Hanson, Mrs Jones, Ms Porter, Mr Seselja and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, Madam Speaker has determined that the matter proposed by Mr Doszpot be submitted to the Assembly, namely:

The performance of the ACT in the Productivity Commission Report on Government Services 2013.

MR DOSZPOT (Molonglo) (4.12): I have pleasure in moving this MPI—the performance of the ACT in the Productivity Commission report on government services. This is the first of the MPIs for this new Assembly for the 2013 parliamentary year and it is a very appropriate matter of public importance to set the scene. There can be a no more comprehensive and objective assessment of how well a government is managing taxpayer moneys than this.

This is the 17th edition of the report produced by a steering committee of senior officials from Australian, state and territory governments for the Council of Australian Governments, COAG. The steering committee is chaired by Gary Banks, and as he observed when releasing the latest report:

Everyone relies on government services at different stages of their lives, and the services in this Report are particularly important for the more disadvantaged members of society. Improving government services is important socially, but also economically. Governments spent over \$164 billion on the services covered in this year's Report, equivalent to around 12.5 per cent of Australia's national income.

Of course, the Chief Minister was quick to rush to print to claim how well the ACT government had been portrayed in the latest report. This can be expected from this Chief Minister. She talked about our NAPLAN results, which show that ACT school students in years 3, 5, 7 and 9 are performing well in reading and numeracy, and suggested that this indicated a school system that is teaching the basics effectively. But what she failed to mention—and the previous education minister often glossed over this—was the percentage of children in the ACT and the percentage of schools that are not achieving the national minimum standards for spelling, reading, numeracy and comprehension.

She also failed to point out that many of the top results are in non-government schools, the sector that the Chief Minister was happily prepared to wipe out in her earlier political career as the minister for government schools. She also failed to point out the unique socioeconomic circumstances here in the ACT that led to these results. As the *Canberra Times* highlighted in February of last year in respect of NAPLAN tests:

With the release of NAPLAN test results, some ACT schools will again be basking in the warm glow of success that our raw scores show. While it is true that on actual test results, a majority of ACT schools perform above the national average in most areas most years, there is a much less rosy picture when fair comparison is made with statistically similar schools around the nation ... Many of our schools are not performing as well as they should be when factors like the education and income of parents are taken into account.

The Chief Minister said that we have an education system that produces great results—and it does, but only for some students and some schools. What is being done to bring those students in those schools up to the national minimum standards? For example, when we look at the graphs in the report across a number of measurements in education for Indigenous students, a lot of work is to be done. At every year level Indigenous students are trailing. The government talks of wanting to close the learning achievement gap for Aboriginal and Torres Strait Islander students, but how many are still falling through the cracks and how serious is the government when it talks about addressing these issues?

When it comes to other aspects of education, the government are again selective. They are quick to promote some of our newer schools, but they are silent on so many others that lack resources for so many basic requirements. We can all acknowledge that some of our public schools are outstanding architectural examples. They are leaders in technology and they produce environmental outcomes well above schools in other jurisdictions. Some schools have gymnasiums any commercial operator would be proud to own. But we also have public schools at the opposite end of the spectrum.

We have schools that have continual mould problems. We have schools whose students have been forced to relocate, possibly for years, because of asbestos issues and other factors. Other schools are cramped with old buildings and pokey classrooms.

When we move to other areas in the report we again find the ACT wanting, and no more so than in health. This is another area in which the Chief Minister has been especially selective in commenting on. After all the focus the Canberra Liberals have put on driving improvements in emergency waiting times and all the claims the Chief Minister has made about what improvements she has delivered in health, we find things are not getting better. It is not just the ACT opposition saying so, Chief Minister; have a look at what this national report really says. You might share some of our concerns if you read it with a little bit of pragmatism rather than just looking for glory in all of the statements that you come out with. Our concerns are backed up by hard data, Chief Minister, produced by the Productivity Commission.

In fact, as the report shows, the ACT has the second-worst percentage of patients seen across all triage category time frames of all jurisdictions. When you drill down into individual categories, the picture is not good. It tells us that only half the people presenting to our emergency departments are seen on time. For emergency cases, only the Northern Territory has a worse response rate. For urgent category cases only 50 in every 100 patients are seen—

Ms Gallagher: Small jurisdictions with a very low number of hospitals. That is what it is.

MR DOSZPOT: Chief Minister, this is a debate on presenting a matter of public importance; I would be interested to hear your response to it. For emergency cases, only the Northern Territory has a worse response rate, and I repeat it: for urgent category cases only 50 in every 100 patients are seen within the acceptable time frame, the second worst in the country. For semi-urgent cases the number drops to 47 in every 100 patients, the worst of every state and territory. For non-urgent cases, again, it is the worst in the country.

For six years as health minister Ms Gallagher has been saying she would improve the ACT's health system, and for six years we have seen our emergency department waiting times get worse. (*Quorum formed.*) The Chief Minister's media release issued on the Productivity Commission report highlights an improvement in waiting times for elective surgery for those patients who have waited more than a year for surgery. What she again failed to point out is that the improvement comes from a very low base—a very low base indeed—with waiting times still the second longest in Australia.

When we move to corrective services the story gets no better. Not surprisingly, the Chief Minister's media release makes absolutely no mention of our ACT prisons. One can well understand why nothing was said—our prisons are, quite bluntly, the most expensive, most violent and least secure in the country.

For years the government has lauded our prison as the most human rights compliant. It was opened, eventually, with great fanfare, and Canberrans have been reminded

endlessly that we should be proud of what Labor has delivered in this example of modern technology. We were promised it would serve us well for many decades. But the Productivity Commission tells a somewhat different and real story. The real net operating expenditure per prisoner per day is \$313.27. By comparison, the national average is \$226.13. That is \$87.14 per prisoner per day more expensive than other states and territories.

Clearly, despite the fact that our prison is promoted as among the world's most human rights compliant, its residents obviously do not agree because they have no more desire to stay there than those in other prisons. We clearly also make it easier for them to get out. Escapes per 100 prisoners is 13.25. This is, not surprisingly, not only the highest in the country but the highest by a country mile.

Ms Gallagher: How many escapes, Steve? Attempted escapes? One.

MR DOSZPOT: The national average is just 0.44. So not only are we the most expensive by over 30 per cent, but we also have the most breakouts. If I recall correctly, that one you are talking about did not even want to go. He stayed inside!

Mr Rattenbury: Well, exactly.

Ms Gallagher: Yes, that's how secure it is. He had to call for help.

Mr Wall: It's because it's a resort.

MR DOSZPOT: That is right.

MR ASSISTANT SPEAKER (Mr Gentleman): Members! Discussion on a matter of public importance through the chair, please. Mr Doszpot.

Ms Gallagher: Have you been there, Mr Wall?

MR DOSZPOT: I have not had the pleasure of being arrested yet, no.

Ms Gallagher: Well, Mr Wall just called it a resort.

MR ASSISTANT SPEAKER: Members!

MR DOSZPOT: The national average is just 0.44. So not only are we the most expensive by over 30 per cent; we also have the most breakouts—in fact, 400 per cent more than the national average.

But there is more. We also have the most number of assaults in custody—and that is no laughing matter—prisoner on prisoner. There were 15.84 assaults per 100 prisoners, and, yes, it is the highest in the country. The national average is 8.3.

As shadow corrections minister, Zed Seselja said in a release at the time:

This is a dreadful result for the territory. The prison should be an important part of our law and justice system. Instead it is simply the most expensive, most violent and least secure in the country.

Of course, the ACT government response makes no comment about these statistics and talks instead of yet more reviews. We need more reviews to have a look at it. Ms Gallagher, I do not quite know why.

So, despite all the spin that this government might put on how well they are performing and how well they are managing the taxpayer dollar for residents, the real truth is exposed in this report from the Productivity Commission: the worst hospital waiting times, the most expensive prison with the most escapes of any in Australia and very serious education results. Not once have this government suggested they could do better. Well, the Canberra taxpayer, Ms Gallagher, expects better and deserves better. This government are on notice that the Canberra Liberals will be keeping the pressure on for the next four years.

MS GALLAGHER (Molonglo—Chief Minister, Minister for Regional Development, Minister for Health and Minister for Higher Education) (4.26): I am terrified, Mr Doszpot, with that final sentence in your speech. Just for the information of members, my name is “Gallaher”. It has a silent “g” in it. That is how it is pronounced, just for the information of new members. Mr Doszpot, it is not “Gallager”, as most people pronounce it in this place; it is “Gallaher”.

Mrs Jones: Unlike “Giulia”, which has a “g” in it.

MS GALLAGHER: Well, it is important to me, Mrs Jones.

Mrs Jones: I just said my name is “Giulia” with a “g”, that is all.

Mr Doszpot: I apologise, Ms Gallagher.

MS GALLAGHER: That is fine. I am just saying up front at the beginning of the term that is the way you pronounce it.

In relation to the matter of public importance—and I welcome the opportunity to speak to this matter of public importance in relation to the report on government services—Mr Doszpot raises a number of concerns about the report. He is right to do that. This report is used by government to measure our performance as benchmarked against other governments. Mr Doszpot is wrong to say that I did not speak about elements of the report where we would like to see improvements. I spoke about them consistently and at length in my media commitments around the release of this report. I am the first person to come in and say that government services can always improve. There is never a point where you do not accept that your government services can improve. But I also think that we should acknowledge government services where they are doing well.

Mr Doszpot criticises me for selective reporting of elements of the ROGS data. I would say in his address to this Assembly today he did not mention ESA, police, child protection, disability, early childhood education or homelessness. These are all areas where the ACT government performs and, if not leading the way, is right there leading with other jurisdictions.

I do make an emphasis around education. I think we should be proud of those education results but, again, that is not to say that you do not want to see those results improve and that you do not focus on areas where you can see opportunity for improvements. I think Mr Doszpot is right to raise Indigenous education. I have just read the last—I think Ms Burch must be tabling it this week—six-monthly report into Indigenous education. There are results in that that I am not happy with and I am seeking further information from the directorate about why we are seeing that. Some of it is to do with small numbers where you have fluctuations from year to year. There are always explanations around that for populations of our size. Complacency in this area would not be rewarded. The only way you are going to drive improvements in education is to keep focused and to measure your performance.

This is only one report of many that are done into government services. All governments report against performance indicators. We have the budget, we have annual reports, we have quarterly performance reports and we have requirements, certainly in Health, for performance reporting in a number of different areas. This is only one of those reports. The government does use it, does read it, does examine it and does analyse areas where we are not doing well and why we might not be doing well. But I think we should also acknowledge that there are areas in this report where we are doing well and we should stop talking down the ACT public service. The ACT public service serves us very well. Again, I am not saying that to avoid some of the more difficult results in this report.

In education, I think we should be proud that the equal highest NAPLAN results are in the ACT in years 3, 5, 7 and 9. I think we should be proud that we have got the highest high school participation rates of all jurisdictions for 14 to 19-year-olds—that is something we should celebrate—that we have the second highest year 12 completion rates, that we are doing well in VET, that we have got really high proportions of students who are ICT literate and that we are doing very well against the national average.

In health, we should be happy that we have got a relatively healthy population. We should be celebrating the fact that in mental health services some of our most vulnerable members of the community are being followed up within seven days of leaving hospital—we are leading the way—and that we have very low re-presentation rates of psychiatric patients within 28 days of discharge. I know that is not as interesting as emergency department waiting times, but that is a very vulnerable population subset of a health patient or consumer group that is being dealt with very well by the ACT government. We have very high levels of satisfaction from people who receive ACT public hospital services and we have very good levels of childhood immunisation rates—again, something that protects the whole community from very nasty illnesses should we take our eye off the ball.

But, yes, in elective surgery wait times we still want to see improvement, despite this report actually showing significant improvements in our median wait times and the fact that the share of patients who waited a year for surgery has reduced. Those are the long-wait patients. That is something that we should be pleased about—the fact that we are seeing record levels of elective surgery, the fact that we have delivered, I think, over 11,300 operations, which is about 1,500 more on the previous year. Again, that does not sound very much, but it has a huge impact on those people who are waiting. It does not happen by accident. It happens because you see an issue, you inject the resources, you restructure the workplace, you look at your work practices and you start to focus or see those results improve, despite continuing demand.

On emergency departments, I think the discussion has been well articulated in this place. Mr Hanson will not be able to come in and say “worst emergency waiting times in the country” because this report actually shows that small jurisdictions struggle. So let us have a rational discussion about it, where you have two hospitals servicing an urban population like ours. Go and have a look at Perth. Have a look at the Perth hospital waiting times when an urban population is being serviced by a relatively small number of hospitals in WA’s CBD. Look at the Northern Territory. They have exactly the same issues. You have population centres and to some extent your primary health services are not as prevalent as in other major centres across Australia. You also do not have the small district hospitals that are servicing very small populations. There are some quite rational arguments—not that those ever get treated with any respect in this place. I am not using that to shy away from the fact that we do need to continue to invest in emergency department staff. Additional staff will help. We need the reorganisation of the emergency departments, the rebuild that is underway at both hospitals. That will help.

In relation to the Alexander Maconochie Centre, I really need to address some of the comments that have been made. The opposition joyfully ran to the media with news of the high rate of prison escapees, which is presented in this report as a rate per 100 detainees. The ACT’s prison population is very small, with just 259 prisoners. By comparison, there are around 29,000 prisoners nationally. The ROGS data showed the one unsuccessful attempted escape as an escape rate of 13.25 per 100 detainees, compared to the national average of 0.44. I know it is hard to get that, but it was one unsuccessful escape attempt that skews the data in this way. So instead of racing around and celebrating that because the AMC looked to have had a poor result in that area, you actually drill down and ask the questions about why it is doing that. When you look at cost, Tasmania’s prisoner population is also small but it has double the number of ACT prisoners, with just over 500 prisoners. Its rate is \$25 less than the ACT result. Our costs are coming down as the numbers of prisoners increase.

I would also say that philosophically we have a difference of opinion with the Canberra Liberals about the jail. Mr Wall called it a resort. I do not think he has actually been out there. You need to go out there and have a look. I do not think you would leave that place and say that it was a resort. I can certainly say it is not a resort I would be wanting to spend one night in. I have visited there a number of times. The philosophical disagreement is you guys never believed we should have a jail in the ACT. You believe we should ship off all these disadvantaged people—

Mrs Dunne interjecting—

MS GALLAGHER: That is the position you ended up having. You did change your position. I know you changed it. You did support it and then you did not support it. We strongly support the belief that we should rehabilitate and care for our prisoners in the ACT. They are our people. They deserve rehabilitation and education, and that comes at a cost because of the size of our jurisdiction. We strongly believe it. We will continue to believe it and we will continue to invest in those people. Our hope is that they come in and they do not come back, but when they do we will continue to invest in them. Because they are in Canberra their families can come and visit them. Do not underestimate the dislocation to a family when you have to take your kids to Sydney to visit your husband because he is in jail.

MRS DUNNE (Ginninderra) (4.37): Mr Assistant Speaker Doszpot, I thank you for bringing forward this matter of public importance today. The performance of the ACT in the Productivity Commission report is a matter of some concern to the Canberra Liberals, and I will highlight some of the issues. In doing so it may appear to be somewhat repetitive, because these are issues that I have highlighted in the past and they have not gone away.

From the outset I want to debunk the whole idea put forward by the Chief Minister that if we criticise government performance we are talking down public servants. What we are doing here today, and what we do regularly, is highlighting the failure of public service—the failure of the public service to provide the services that they set out to do for the people of the ACT. And by highlighting this, by pointing to figures in the ROGS and saying, “There are failures here,” we are not talking down public servants. We are—

Ms Gallagher: I did not say that.

MRS DUNNE: They are exactly the words you used. You said the Canberra Liberals are talking down public servants. We do not. We are highlighting the failure of service provision by this government.

On 31 January this year the Chief Minister issued a press release welcoming the release of the Productivity Commission’s report on government services for 2013. She said:

... the ACT leads the country in areas of high quality outcomes from government services.

But this media release is little more than spin. It is trawling through to find the good bits, the little bits, the little flecks of gold, to highlight them so that you can deflect the underlying programs.

The government talked about the NAPLAN results, but it did not acknowledge the contributions made by the intelligence of students or the efforts put in by students and

their families that make the education system work to their full advantage. It fails to contemplate the question of why the ACT has more students attending non-government schools by comparison to any other jurisdiction, and by a long mark.

The Chief Minister's media release talks about the improvement in clearance rates for civil matters in the ACT Supreme Court. That was one little fleck of gold. It fails to talk about the formal complaint made to the Attorney-General by the Bar Association about delays in the delivery of reserved judgements in the ACT Supreme Court. It fails to acknowledge the frustration and cost to parties whose matters, in some cases, are waiting years to see judgements delivered. It fails to talk about the need to recruit a temporary judge to give other judges time off from the bench to clear that backlog. It fails to acknowledge the call of the legal profession for a fifth, full-time, Supreme Court judge instead of a string of temporary arrangements which are like aspirin, providing only temporary pain relief. Perhaps it is time for the patient—in this case Mr Corbell—to see and listen to the doctor—the legal profession—and discover a cure for the affliction facing the delivery of justice services in the ACT. I would like to drill down into some of those.

The delays in court decisions are due in part either to a lack of resources or to gross inefficiencies in the administrative process and bureaucratic oversight. An indicator of this is the level of cost recovery for civil matters. In the ACT Supreme Court, for example, the cost recovery for the ACT is just shy of 20 per cent, whereas in other jurisdictions it is substantially higher. In New South Wales, for example, almost 38 per cent of costs are recovered, and in South Australia it is 38 per cent. In the Magistrates Court it is even less, at five per cent. For every other jurisdiction it is higher—as much as 37 per cent for cost recovery in Tasmania. That is a small jurisdiction.

Net real recurrent expenditure on criminal matters in the ACT Supreme Court has increased by 30 per cent compared to nine per cent nationally over the last five years. In the Magistrates Court these figures are 22 per cent and 13 per cent respectively. In civil matters the comparison is less stark, but in the Supreme Court the cost has increased by 35 per cent compared to a national increase of 24 per cent. In the Magistrates Court the ACT outperformed the national total, increasing by only seven per cent compared to 18 per cent.

Another indicator is the number of judicial officers engaged in the courts. The Supreme Court has 1.4 judicial officers per 100,000 head of population, which is pretty much on par with the national average, which is 1.2. However, a comparable jurisdiction in terms of population, the Northern Territory, has 3.6 judicial officers per 100,000 head of population. The Magistrates Court in the ACT has 1.6 officers per 100,000 head of population compared to 1.8 nationally and 6.2 in the Northern Territory.

Yet another indicator of court effectiveness is case backlogs. For criminal matters in the ACT Supreme Court, almost 24 per cent of appeal cases were more than 12 months old, by far the worst in the country. For non-appeal matters the ROGS indicates equally poor performance figures, with over 42 per cent of cases more than 12 months old and more than 16 per cent of cases extending over more than two years.

The record is just as bad for civil cases, with the figures for cases pending for more than 12 months being particularly alarming—50 per cent for non-appeal matters and 36 per cent for appeal cases. The Magistrates Court fares a little better across both its criminal and civil jurisdictions.

These are high-level indicators. Nonetheless they reveal cause for ongoing concern in the courts system in the ACT. It is about time that the government understood the frustration of people in our community who have to wait years for justice to be delivered. It is about time that this government saw the plight of people accused of crimes, often languishing in remand, having to wait up to two years for their cases to be heard. There was a case reported on the news last night where a person had been sentenced for a crime but their non-parole period almost equalled the time that they had already been on remand—over two years—and they were likely to be released when their non-parole period came up within the month. That person was not rehabilitated during their period in jail because remand services do not extend to rehabilitation. And that person was on remand for over two years.

It is about time that this government was honest and not spin-doctoring the data that is presented by the Productivity Commission. It is about time that this government took the bull by the horns and really focused on solutions rather than stop-gaps.

I will turn briefly to the issue of child care. It is one that is close to my heart. In the Chief Minister's media release she boasted that the number of childcare centres in Canberra had increased since 2007-08, which is not necessarily the result of government initiatives. Most of those are private or not-for-profit places.

The bottom line, as I have said many times before in this place, is that the cost of child care in the ACT is still the highest in Australia. This year's ROGS shows a further increase and shows that Canberra families pay \$69 per week more than the national average for child care, which is comparable to what it was last year and is fully \$40 higher than the next highest jurisdiction, which is New South Wales.

For the benefit of Minister Burch, this equates to about 10 cups of coffee a week. Minister Burch likes to equate things to cups of coffee. If you have a couple of kids, you can double the number of cups of coffee you forgo each week. For the benefit of the Chief Minister, \$40 a week is almost three times the weekly cost of the basic Foxtel subscription. I imagine the number of baristas around town and Foxtel in this town will be declining as a result of families having to turn off Foxtel and not buying a cup of coffee because of the spiralling cost of child care in this place.

The federal Liberal Party has promised to review the costs of the national quality framework for child care introduced by the federal government and adopted almost blindly by this minister. The federal Liberal Party has the guts to review the costs. The Labor Party, on the other hand, simply washes its hands by saying that childcare costs are not its responsibility.

I thank you, Mr Assistant Speaker, for bringing forward this matter of public importance today. I think that between us we have highlighted just a few of the areas where this ACT Labor-Greens coalition government is failing the people of Canberra.

MR GENTLEMAN (Brindabella) (4.46): Thank you for bringing forward this matter of public importance today, Mr Assistant Speaker Doszpot.

The Productivity Commission report is a useful resource as it contains data across a wide range of government services which can help inform policy responses and investment decisions. I congratulate the government on its strong performance and nation-leading services in many areas.

I would like to further highlight those areas where the government's work is making a difference and where we are planning to do more.

In early childhood, the government has identified the need for more childcare places and placed considerable emphasis on early childhood education, investing heavily in child care and preschools. The results speak for themselves. The proportion of children aged 0 to five years in the ACT attending Australian government approved childcare services in 2012, at 44.9 per cent, was the highest in Australia. The proportion of children aged three to five years in the ACT in 2011-12 who were from non-English-speaking backgrounds and enrolled in preschool—that is, ACT government funded or provided—was the highest in Australia. Childcare places have doubled in the last decade thanks to this government's consistent investment in building more childcare centres and upgrading existing ones and a targeted land release program to support the construction of new centres by the private sector. The number of centres has grown from 102 to 127 over just a few short years.

In response to costs for child care in the ACT, it is worth remembering that the ACT is unique in being a city-state. In other jurisdictions, the high childcare costs in cities are evened out by lower costs of child care in regional and rural areas. The ACT does not have this effect as we have only city costs, which are naturally higher than rural.

Costs are not set by government; they are set by service providers, and significant variation occurs due to differences across jurisdictions in factors such as licensing requirements, award wages, charging practices and rental costs. By all means look at the data to compare across jurisdictions, but you need to think about all potential contributing factors before drawing conclusions. The Australian government childcare rebate enables families to recoup up to 50 per cent of their out-of-pocket costs.

The report on government services does not show yet the benefits of the initiatives in early childhood that continue in the ACT. The Franklin Early Childhood School is a new \$30.1 million state-of-the-art facility. Franklin is the latest addition to a highly successful early childhood school model introduced in 2009 offering both schooling and child care to young children from birth to year 2. It will cater for around 300 students from preschool to year 2 and offers a 120-place childcare centre.

Students are also enjoying stage 1 of the \$48.1 million Neville Bonner Primary School. When stage 2 is completed, the enrolment capacity of the north Gungahlin region will increase to 818 student places.

But it does not end there. We are upgrading existing ACT government facilities currently leased to community childcare providers to enable centres to provide up to

100 new places and assist with the transitioning of the national quality framework. We will release at least three additional sites for the construction of new childcare centres in areas of high demand.

We are also committed to fulfilling our election commitments to continue to improve our early childhood outcomes and give our children the best start in life. We will be providing 90 additional scholarships at a cost of \$740,000 to help early childhood educators gain a certificate III in children's services. And \$4.5 million over two years will allow the creation of up to 100 childcare places by upgrading childcare centres across Canberra. You will see the benefits of these new initiatives in future reports on government services.

I am also pleased to see some outstanding results for our police and emergency services. In 2011-12, satisfaction with overall police services, 75.6 per cent, perceptions of police integrity, 79.6 per cent, and professionalism, 89.3 per cent, all exceeded the Australian national average.

In 2011-12 community perceptions on safety, both at home and in public places, showed positive results for the ACT.

Results for road safety in the ACT were generally positive, with the proportion of drivers not wearing a seatbelt and the recorded number of road deaths per 100 registered vehicles below the national average. Road safety is an area to which the ACT government and ACT Policing are extremely committed. The government's goal is to alter the community's attitude when it comes to antisocial driving by developing strategies which aim to lower the road toll and limit the number of serious injury collisions.

The report highlights a number of areas for improvement in the ACT. As we have heard from the Chief Minister, we are working on that.

On emergency services, ACT Fire and Rescue was best in the country for containing structure fires to the object or room of origin. The report found that ACT firefighters were able to prevent fires from spreading beyond the room or item they started in 85.8 per cent of the time.

For 2011-12 the ACT Ambulance Service reported the best code 1 emergency response times at the 90th percentile for both statewide and capital city indicators despite continuing increases in the level of demand. The government has responded to these increases in demand, with an additional two 24/7 emergency ambulance crews introduced in 2011-12 to ensure that our services remain the best in the country.

The Emergency Services Agency finalised a strategic study of current and future locations of all emergency response facilities, to optimise the agency's responsiveness to the community. As a result, funding was allocated in the 2012-13 budget for the construction of new emergency service facilities in Charnwood.

On justice, the government has prioritised reducing the backlog in the Supreme Court through our Supreme Court blitz—you may have heard a bit of that earlier—the

introduction of our docket case management system and other initiatives. The results of these initiatives are expected to be further realised during 2012-13.

I am pleased to see, though, that the recent blitz on cases in the Supreme Court has produced a 40 per cent improvement in the clearance rate on civil matters. I again congratulate the government on its initiatives, including the \$9 million allocated over four years for a new courts ICT case management system, the appointment of two acting judges and additional support staff to conduct the blitz, and a range of legislative reforms.

It is important to note that it is difficult to compare courts across jurisdictions given their variations in scope. It is even more difficult to compare the ACT, Tasmania and the Northern Territory to other jurisdictions because, as small jurisdictions, they do not have a district court level.

Mr Assistant Speaker Doszpot, I would like to go to a few comments you made at the beginning of the discussion on the MPI. In regard to the NAPLAN tests, you reiterated that the report says that the raw scores show performance above the national average in that test. You also mentioned that in the ACT we have old schools and poky rooms. I know you have left the electorate of Brindabella, but I want to remind you of the new school that has gone up there, our Namadgi School. I would just like to quote from their website:

- The physical environment is inspiring, stimulating, and environmentally friendly.
- We have fun, play and achieve.

In conclusion, let me say that the report on government services is an opportunity to recognise our successes and thank staff for their efforts and achievements. It also confirms that we are on the right track and targeting our investments to those areas under pressure and in need of additional support. Overall this is an excellent report for the ACT and confirms that taxpayers are getting good value for money when it comes to government services.

Discussion concluded.

Leave of absence

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development) (4.55): I move:

That leave of absence be granted to Dr Bourke for this sitting due to family reasons.

Dr Bourke is absent from the Assembly today as he is interstate attending a ceremony where his daughter, Sarah Bourke, is being awarded a John Monash Scholarship by Her Excellency the Governor-General. I am sure that other members will join with me in congratulating him and his daughter on this very significant achievement.

Question resolved in the affirmative.

Standing orders

Statement by Speaker

MADAM SPEAKER: Members, I would like to make a statement in relation to the application of standing order 178A. Standing order 178A requires that amendments be delivered to the office of the Clerk 24 hours prior to the sitting at which the amendments are proposed to be moved. The intent of the standing order is to ensure that all members have sufficient time to consider proposed amendments prior to them being debated in the Assembly.

The standing order as worded presently, however, does raise some ambiguity as to when an amendment is to be lodged with the Clerk. Unless otherwise directed by the Assembly, I intend to rule that amendments comply with standing order 178A if they have been lodged with the Clerk by 10 am prior to the day of sitting, 10 am being 24 hours prior to the commencement of the sitting day.

Accordingly, as Mr Rattenbury's proposed amendments to the Public Unleased Land Bill 2012 were not delivered to the Clerk before 10 am yesterday, I rule the amendments do not comply with standing order 178A.

MR CORBELL (Molonglo—Attorney-General, Minister for Police and Emergency Services, Minister for Workplace Safety and Industrial Relations and Minister for the Environment and Sustainable Development), by leave: Madam Speaker, with your indulgence I would like to respond to your ruling. I agree with you that there is some ambiguity in this standing order, and I think it is reasonable for you to interpret the standing order in the way you have just outlined in your ruling.

However, I think that there is a need for the Assembly to reflect on whether or not 10 am is an appropriate time. Therefore, I would take the opportunity to indicate to members that I have placed on the notice paper a proposed amendment to the standing order to clarify that the relevant time should be midday on the day prior to the relevant sitting day. But that would be a matter that the Assembly can debate at a later time.

MADAM SPEAKER: Thank you for that advice, Mr Corbell. This is becoming a discussion, but I think it is appropriate because it is a new standing order. I was advised that the strict interpretation could be that the standing order would not be complied with unless something had been received by one minute past midnight on the day before, because it does say "the sitting day". I think that it is something that needs clarification. In the meantime I propose that 10 am should be the time, because it is logical.

Mr Corbell: I understand.

Public Unleased Land Bill 2012

Detail stage

Bill as a whole.

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

Mr Richard Stalker—retirement

Statement by Speaker

MADAM SPEAKER: Before I call the minister to move the adjournment motion, I would like to inform the Assembly that during the Christmas break one of our long-serving attendants, Richard Stalker, known as Dick, retired from the Legislative Assembly. At the time of his retirement I was asked whether there was going to be any function, farewell morning tea or whatnot.

I was informed that Dick had specifically asked that there not be a farewell function and we complied with that. But I would like to place on the record my appreciation as Speaker and as a long-serving member of this Assembly for Dick's service as an attendant. He has been here in various capacities as an attendant since 2002, becoming a permanent attendant in 2007.

For those of us who have been here for a long time, we always relied upon Dick, especially on Monday mornings, as we all became Monday morning quarterbacks and mulled over the sporting successes and failures of the previous weekend. I was one person in particular who, when I was having particular trouble with my football tipping, would always go to Dick for advice.

I would like to pass on to Dick and his family the very best wishes of the ACT Legislative Assembly.

Adjournment

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

That the Assembly do now adjourn.

Menslink

MR WALL (Brindabella) (5.01): I rise this evening to acknowledge the great work of Menslink, a local charity which raises awareness about the challenges and issues facing young men today. I, along with many of my Assembly colleagues, including Mr Doszpot, had the privilege of volunteering for Menslink at the Prime Minister's XI cricket match held at Manuka Oval on 29 January. I thank Martin Fisk and Scott MacFarlane for inviting me to take part. Menslink has been part of the Canberra community for over 10 years and over that time has helped over a thousand young men through troubled times—to avoid isolation, depression, crime, drugs and suicide.

I was very pleased with the generosity of Canberrans as I made my way through the crowds accepting donations on the day. I am told that the day at the cricket raised almost \$5,000 and, very importantly, raised the profile of the organisation to an all-time high. Six new volunteer mentors got involved as a result of the day and at least

four new young men and their families got in touch with Menslink. This is a great affirmation of the work put into the day by the team of dedicated people involved with the organisation.

I would like to put on the record an acknowledgement of those involved with Menslink in an official capacity, such as the board—Peter Clarke, Phil Gouldson, Jim Rice, Jenny Henderson, Simon Wallace and Clare MacKenzie—and, of course, in the office itself—CEO Martin Fisk, Finn Liddy, Garry Starling, Ben Triglone and Fiona Brammall.

Menslink is supported by a number of Canberra businesses, including: ActewAGL, Brumbies Rugby, bankmecu, Canberra Raiders, Cricket ACT, Canberra Southern Cross Club, Fire Systems Solutions, Optus, PricewaterhouseCoopers, ThinkPlace, DLA Piper, Limelight Cinemas, Ricoh, Talk Affects, Upmarket Constructions and Komunity Project.

I would also like to place on the public record my thanks to Scott MacFarlane for all his work behind the scenes organising volunteers for the day. I also acknowledge James and Katrina Milligan and the many others whose names I do not know for their ongoing support for this very worthwhile cause.

I encourage those of my Assembly colleagues who have not already had the opportunity to have a look at the great work being done by Menslink to investigate, and I commend the organisation to the Assembly.

National Multicultural Festival

MRS JONES (Molonglo) (5.04): Over the weekend I had the pleasure of attending the 2013 annual Multicultural Festival held here in Canberra. As the shadow minister for multicultural affairs, it was great to see how vibrant the multicultural community in this city is and continues to be. There were more than 400 stalls across the weekend and hundreds of different ethnic groups represented. I had the opportunity to speak with many stallholders, and I would like to take this opportunity to thank each of them for their commitment to the success of this festival.

I thank Mr Sam Wong in his official capacity and his wife, Chin Wong, for their tireless work for the multicultural community; Wayne McGinness of Aboriginal Steel Art; Aunty Agnes Shea from the Aboriginal Elders Council; Li Fuyin, Australian School of Contemporary Chinese Medicine; Chin Wong as well in her position with the ACT Chinese Australian Association and Aged Care Information Service; Dorothy Lam, ACT Chinese Australian Association and Aged Care Information Service; Andrew Yan from FCA ACT; Hai Song Wang from the Capital Health Centre for Traditional Chinese Medicine, for the work he is trying to achieve for traditional medicine; Dwayne Cranfield, NEDA, dealing with people with a disability from different ethnic backgrounds; Mostafa Esmaeilpour from the Iranian information stall, who looked very hot on the day and was doing the best that he could to promote his beloved background; Shu Lan Li and Mei Li from the ACT Chinese Women's Cultural Association, and I particularly loved the artworks that they had on display; Ane Sitauti Tongan from the Niumate Scholarship Foundation and Maryanne Ahokava Tongan, her daughter, who were raising money for the Niumate Scholarship

Foundation; George Cocker from the Tongan High Commission and other members of the Tongan High Commission in attendance.

I thank Clarence Kikolo from the Solomon Islands High Commission; Ogen Nam-Gay from the Australian Bhutan Association of Canberra; Mariette O'Connell, representing the ABS and the great work that they do for understanding and information gathering for the community; Dadi Xiong from the Australian Chinese Culture Exchange and Promotion Association, and also Wang Cunde from the same association.

I thank Liana Xirakis from the Greek Community Language School; Hselin Marsap from Gourmet Gozleme; Daniel Haymer from Fusion Brewing; Marco Balzanelli from Balzanelli Smallgoods, and his father, Jonathan Balzanelli. I thank Alex Tine from the Croatian Monaro Panthers Club; and Sonam Dagboo, Atishe Tenzin and Ngodup Gyultsen from the Tibetan Culture Centre.

I applaud Alex Lumsden, Andrew Stackpool and Malcolm Buchanan from the Scottish Australian Heritage Council, who very bravely wore their kilts to the festival and added a great deal of colour and vibrancy; Carlos Ramirez from the Peruvian street food stall; Susma Maharjan from the Australian Nepal Friendship Society of Canberra and ACT, and from the same organisation, Surya Maharjan and Sam Maharjan.

I thank Kristijan Ivancic, Ivan Peric and Ante Mrkonjic from the Australian Croatian Club; Alexandra Morozow and Glina Amelina from the Russian Church School of Canberra; Mirree Louise Bayliss from the Red Earth Gallery; Mariee Kerr from the AFS Intercultural Exchange; Haci Akgol from the Ottoman Turkish Military Band, and Engin Ibal; Mevlad Cifci from the Turkish Lokma; Zheng Li from the ACT Community Language Schools; Mai Layehtaw Savannabuhmi from the Mon community food stall; Ron Hackney from the German Language School; Lisa Stephen Spielwelt from the German Parents Association; Mandy Scott from the ACT Bilingual Education Alliance, Meredith Box from the ACT Bilingual Education Alliance and Telopea Park School; Shubhra Aurita Roy from the Integrated Women's Network; and Tom Butler from the Aboriginal art stall.

The festival runs on the commitment of these people and the various community groups that they are a part of. Thanks to the many participants. It was wonderful to see them all involved for many hours in the heat for the sake of their cultural groups, our city and our nation. I thank them from the heart for work that would have seemed unimaginable to my grandparents and my mother arriving on a ship from Italy in the 1950s. Thank you so much.

National Multicultural Festival Pacific Women's Parliamentary Partnership Forum

MS PORTER (Ginninderra) (5.09): I wish to take this opportunity to congratulate the minister and all those involved in the very successful Multicultural Festival on the weekend. Unfortunately, I was unable to attend. Being the ACT representative of the Commonwealth Parliamentary Women's Steering Committee I attended the inaugural Pacific Women's Parliamentary Partnership Forum in Sydney.

The forum was funded by a grant through AusAID. This was supported by the federal government and requested by the steering committee. It attracted 18 women parliamentarians from across the Pacific who worked hard with a number of members of the steering committee and other women parliamentarians from Australia and New Zealand, to examine and focus on the needs of women members of parliament in the Pacific and the needs of those seeking office. In addition, we examined how to support parliaments themselves and the staff.

The AusAID support enables a five-year program of which the forum is the first step. On the second day, the forum drew up a six-month forward plan with some specific outcomes. The next forum will be held in the Pacific in approximately 12 months. In the meantime, according to the six-month plan, work will be carried out in individual Pacific countries as well as across Pacific countries, together with the continuing twinning arrangements.

Participants also affirmed their support of the twinning arrangements and requested more Pacific countries to be included. There were a number of presentations, including an academic presentation from a professor at Harvard University, from AusAID, and also from the ANU. As members would know, we are twinned with Kiribati. Indeed, a number of women members from the Kiribati parliament joined us at the forum. A full report of the forum, its participants and its outcomes will be provided in the very near future.

Church service Majura Women's Group

MR DOSZPOT (Molonglo) (5.11): I rise to speak about yesterday's church service to mark the opening of the parliamentary year for the Legislative Assembly for the ACT. It was a resounding success. All who attended would be able to attest to the sanctity, serenity and gravitas that it was conducted under.

I think due thanks go to the various members of the faith and spiritual traditions who attended, including the Christian denominations present. Presbyterians, the Salvation Army, Christian Science, Russian Orthodox, Australian Christian Churches, Wesley Uniting and Catholics were all present. Special thanks also go to the non-Christian denominations who attended. The Tibetan Buddhists, the Jewish community and the Baha'is all made their presence felt. Their representatives gave some moving greetings in the service and filled the pews with their members.

Madam Speaker, may I commend you most sincerely for your initiative and note that you are well deserving of the praise you have received from the community for your belief in this service. I applaud your perseverance and courage in the face of threats from some of those opposite. I really do think that this was an entirely appropriate forum for some interfaith dialogue and a coming together of very many of Canberra's faith and spiritual traditions.

Multifaith services are not controversial anywhere else in Australia and it speaks volumes about Labor and the Greens' radical agenda that they would politicise such

an important event. I commend Mrs Dunne once again and hope that such a service, with even greater representation from other, and hopefully all, faiths would be an entirely appropriate opening to the Assembly year in the future.

Madam Speaker, I would also like to congratulate the Majura Women's Group on their excellent display in the first floor reception area of the Legislative Assembly building. The Majura Women's Group is a self-run volunteer organisation providing opportunities for women in Canberra at home with young children to meet and participate in stimulating and creative activities. Meetings are held each week during the school term at the Downer community hall, Frencham Place, Downer.

The photographic display was their community arts project for 2012 and depicts 100 years of Canberra fashion, a most suitable theme for this year's celebrations. The exhibition showcased fashions in Canberra over the last 100 years and features photographs depicting each decade from the 1910s through to the current day.

The best thing about this exhibition was that the group created the project from the ground up. They studied hair and make-up techniques of the various eras. Members collected vintage outfits and objects from across the decades. They learned some photography tricks and the photo shoots using members of the group as models looked to have been very enjoyable events.

The Majura Women's Group committee for 2012-13 is: president, Victoria Sutherland; vice-president, Jen Brown; secretary, Karen Hubbard; treasurer, Irene Whiting; website manager, Thea Young; program coordinator, Natalia Gomez; project coordinator, Bron Palaskas; and news editor, Ayesha Fahd. It is an excellent display and a credit to all people involved.

Menslink
Lakecare ACT
Debt of Honour
Electric vehicles

MR RATTENBURY (Molonglo) (5.14): I would like to acknowledge a couple of recent community events that have taken place. Mr Wall has already spoken about it today, but I want to speak about Menslink being the charity of the official PM's XI cricket match recently. I appreciate that the Prime Minister's partner, Tim Matheson, chose Menslink as the official charity; and whilst he was in a bit of a controversial position on the day, it was an excellent choice to promote Menslink.

Menslink provides free counselling and volunteer mentoring to young men aged 15 to 25 to give them the necessary support and life skills to get through troubled times. Over the past 10 years Menslink has helped over 1,000 young men across the region to avoid isolation, depression, crime, drugs and suicide.

Menslink has a very good approach. They take a strengths-based approach which means that, rather than focus on what is wrong, they work with young men to identify their positive resources and abilities. Their programs and services support young men in making positive personal life choices, building self-confidence and building stronger, engaging and meaningful relationships.

I know that both Mr Doszpot and Mr Wall were part of a team of volunteers. I was very happy to go and help out for a couple of hours and really try and help raise the profile and some money for Menslink in the ACT. It was a very successful day.

In November last year I joined a group of volunteers from Lakecare ACT at a working bee on Springbank Island in Lake Burley Griffin, tackling invasive woody weeds on the island. The activity was supported by the Canberra Yacht Club, who helped transport the team to the island. The working bee was organised by RiverSmart Australia, who are a not-for-profit organisation supporting the effective management and restoration of our river systems.

Their local chapter, Lakecare ACT, is doing a great job raising community awareness about the state of our lakes and waterways here in the ACT. They are organising hands-on activities such as the working bees as well as community information and education resources such as the outdoor and floating classrooms which they launched last year.

The event at Springbank Island was very successful; I dare say there will be some more. In the course of about three hours, with 20 or so volunteers, we only cleared a few metres of the shore of the woody weeds, so there is a big job left to do out there. But some who have noticed Spinnaker Island, just across the way, which has been cleared and is now in the process of recovery from the invasive weeds, will know that there is a visible difference and one that will make a contribution to improving the water quality in the lake over time.

Also last year I was happy to host an exhibition at the Assembly called *Debt of Honour*, a tribute to Australia's commandos in Timor in World War II and the debt owed to the Timorese people who courageously supported them. It was put together by the Canberra Friends of Dili with the support and sponsorship of the Australian War Memorial and the Victorian Department of Veterans' Affairs. Assistance in staging the exhibition was provided by the Radford College Parents and Friends Association, and it was officially launched by Reverend Richard Browning, chaplain of Radford College.

It was a very fascinating exhibition for anyone who managed to see it while they were passing through the Assembly at that stage of the year. Certainly I learnt something about Australia's military history that I had previously been unaware of—the significant contribution by Australia's commandos in Timor in World War II and the difficult tasks they faced. It was a fascinating piece of history.

I was very pleased to host the exhibition following on from my predecessors in the ACT Greens who have supported the people of East Timor—with Kerrie Tucker, in particular, sponsoring the establishment of the Canberra Friends of Dili group and supporting the Dili-Canberra friendship city relationship which was entered into by the former Chief Minister, Jon Stanhope.

Finally, I want to note that on 1 December, along with Mr Gentleman, I helped to launch the fourth Canberra International Electric Vehicle Festival in Civic. I think this

was the most successful yet. It is a showcase about promoting awareness and early adoption of electric vehicles in the ACT and region and it featured all of the production electric cars now available on the local market. It certainly made me realise how many options there are out there in terms of electric vehicles.

Even with the unfortunate withdrawal of Better Place from the Australian market in the last few days, I think there is a very positive future in this country and a real enthusiasm for electric vehicles. I was pleased to be able to take along the Mitsubishi i-MiEV, which is part of the TAMS Directorate fleet, and put that on exhibition for the day. But the orange Tesla there was probably the one that caught most people's eyes.

The festival was arranged by the Canberra International Electric Vehicle Festival Inc, a joint initiative of Canberra EV and the ACT Electric Vehicle Council. I congratulate them for an excellent community event.

Church service

MRS DUNNE (Ginninderra) (5.19): I want to take some time today to thank those who participated for their participation and attendance at the service of prayer and worship to mark the opening of the 2013 parliamentary year of the ACT Legislative Assembly. It was a fantastically successful event, members from Canberra's community coming together from different faiths and spiritual traditions to pray for the activities and the people in this place. In doing so, the community filled St Paul's church in Manuka.

There are quite a few people I would like to thank. Chief amongst them is of course the Right Reverend Stuart Robinson, Anglican Bishop of Canberra and Goulburn. His support and his enthusiasm for this service really made me believe that it was possible, and I hope, along with many other people, that such services will continue in the future. Bishop Robinson gave me, as Speaker, and my staff full disposal of his resources. And without the passionate assistance of his associate priest, the Reverend Susan Bridge of St Paul's parish, this service simply would not have happened. The rector of St Paul's Anglican Church in Manuka put the church at our disposal, and I thank the Reverend Dr Brian Douglas for his generosity.

I would also like to thank the organist, Mr Christopher Erskine, who performed incredibly, as anyone that attended could attest to, on the new organ. He gave the trumpets royal a bit of a going over.

The occasion was enhanced significantly by a wonderful performance by the Radford College Camerata Choir, ably led by the Radford College music director, Mrs Leanne McKean, and their organist, Mrs Bronwyn Brown. For the help of the Radford choir I would like to thank the Radford College principal, Mr Phillip Heath, and the Head of Senior School, Mr Allan Shaw. Radford College also provided students to act as acolytes and side people.

The service dwelled largely on the participation of leaders from Canberra's faith communities. To the following Christian leaders I offer thanks for their participation:

the Reverend Joy Bartholomew, the Senior Minister of the Presbyterian Church of St Andrew; the Reverend Gregor Henderson, Wesley Uniting Church; Captain Dale Murray, Communications and Public Relations Secretary, Salvation Army of ACT and southern New South Wales; Ms Deborah Packer, reader, Christian Science Canberra; Priest Seraphim Slade, the Acting Rector of the Russian Orthodox Church of St John of Shanghai and San Francisco; Pastor Sean Stanton, Senior Pastor of the Canberra Christian Life Centre and the National Secretary of the Australian Christian Churches; Monsignor John Woods, the administrator of the Catholic Archdiocese of Canberra and Goulburn. Also present were representatives from the Church of Christ, the Greek Orthodox Church and the Church of Jesus Christ of Latter-day Saints.

These leaders of the Canberra Christian community spoke wisely about the important place of religion in public life, and all members who attended, I am sure, would extend my thanks to them for their participation.

I would like to give particular thanks to the representatives of Canberra's non-Christian faith and spiritual communities who participated: Mr Bill Arnold, a committee member of the ACT Jewish Community; Lama Choedak Rinpoche, the founder and spiritual leader of the region's Tibetan Buddhists; and Ms Shephalie Williams, vice-president of the spiritual assembly of the ACT Baha'i Community. These leaders in our community spoke from their diverse cultural and spiritual backgrounds to truly pray for the wellbeing and good work of this Assembly. I would like to wholeheartedly thank them for their participation.

From the very outset I claimed that on this occasion this was to be a service in the Anglican tradition, but I dearly hope that other faiths and spiritualities or Christian denominations will host similar services in the future. I have commenced discussions with Dean Sahu Khan, the president of the Canberra Interfaith Forum, so that we may meet and discuss how future services might celebrate further the diversity of faith and the role that plays in our community and the lives of the people of the ACT.

This service, for those who attended, was an uplifting experience and gave a whole section of our community access to members of the ACT Legislative Assembly, or at least to those who chose to attend.

Atlas of Living Australia Bosom Buddies

MR GENTLEMAN (Brindabella) (5.24): I rise tonight to advise the Assembly about a recent visit I had to the CSIRO, where I was introduced to a new open resource there called the Atlas of Living Australia. It is a web-based resource. Members of the community or scientists can log onto the resource and look at and study individual species right across Australia. You can explore by species, by location and by natural history collections. You can map the species and find analysis there. You can look at data sets and field data software. It was Dr John La Salle, the Director of the Atlas of Living Australia, who introduced the program.

As I said, it is an open source environmental encyclopaedia. Prior to the atlas, the data was stored in many different organisations and had not been collated. That created a

major barrier in Australia's biodiversity research efforts. By aggregating biodiversity information and making it more available online, the atlas aims to assist scientists, planners, managers and others to create a more detailed picture of Australia's biodiversity, its threats and its future.

It is available on your smart phone. You can actually go to a location—mine is in Calwell; I used to walk up past a little house there in Calwell hill—find a species that you cannot identify, take a photo on your smart phone, upload it to the atlas and somebody of interest, either a professor or someone studying that species, will identify it for you and log it in that particular area. So you can help on the mapping for those species.

You can create species lists for the area. You can create species maps. You can find more information about the species and combine species information with over 350 mapping layers. It is an absolutely fantastic resource, and of course it was developed right here in the ACT at CSIRO. I congratulate Dr John La Salle, the CEO of CSIRO, Megan Clark, on her efforts there and, of course, the federal government on funding some of that work.

Another visit I had recently was to a fundraising event at the one-day cricket match. Thank you for the invitation from the Tradies club. We went there to support Bosom Buddies, which is a local group that provides cancer support for women suffering breast cancer or in need of assistance. A number of our members went as well. Brendan Smyth was there. Dr Chris Bourke and Minister Burch were there. A few of our staffers came along as well. We had some fantastic entities there to keep us entertained. Maxi Walker was a great supporter of the fundraiser.

I would like to congratulate the CFMEU and Dean Hall—all of those there—for organising that event; also Rob Docker and Phil Lynch. I will just let the Assembly know that the CFMEU, or the Tradies club now, is sourcing all of its wine from only Canberra and local regions, so none from any other states. One of the suppliers there was Graham Shaw from Shaw vineyards, who was at our event last night, Mrs Jones. So congratulations on that exercise. There was \$25,000 raised for our local cancer support group here, Bosom Buddies.

Hawker College

MS BERRY (Ginninderra) (5.27): This evening I rise briefly to talk about my attendance late last year at the Hawker College graduation, where I gave the graduation speech. I would like to thank the students, teachers and staff of Hawker College for the opportunity to say a few words of wisdom to the graduating cohort. I would especially like to thank the acting principal, Mr Frank Keighley, international student coordinator Fiona James and teacher Fay Matthews for making me feel welcome.

It has been 26 years since I graduated from Hawker College and, contrary to the opinion of those who know me well, I actually enjoyed my time there. I loved the relaxed atmosphere of the school. The teachers were wonderful and I made many lasting relationships with my fellow students that remain strong today. It is fantastic to see that that inclusive culture remains at Hawker College to this day.

I have an immense feeling of pride in the quality education that Hawker provides its students. I was impressed to learn about its successful international student program, where for the last 10 years it has invited students from all over the world to be part of our community.

Hawker College also has fantastic programs in visual and performing arts and it takes a committed approach to its involvement in the west Belconnen community. A great example of this is the relationship that the college has built with Kangara Waters, where students go to teach residents computer skills, volunteer to the dementia unit and share stories as part of an oral history project. Hawker College is a testament to the fantastic public education system we have in the ACT.

MusicACT

MR COE (Ginninderra) (5.29): I understand that time is pressing. As per my speech of 18 October 2011, when I commended MusicACT, I would like to put on the record that they had their awards on 7 December. I would like to acknowledge the winners: New Acton ACT artist of 2012, Super Best Friends; Kazar Slaven ACT youth artist, Natalie McGee; Palace Cinemas live performer, Super Best Friends; O'Connor Refrigeration ACT live venue, the Phoenix; best ACT orchestra/concert/brass or big band, Canberra City Band; Kazar Slaven contribution to ACT music industry, Pro Musica; best ACT engineer/producer/studio, Duncan Lowe, best ACT choral vocal group, the Pocket Score Company; Duratone best classical solo ensemble, Matt Withers; the international songwriting competition ACT song of the year, *Broken Bird* by the Wedded Bliss; Australia's best ACT country artist, No Hausfrau; Trinity Bar best ACT electric dance music producer, the Aston Shuffle; New Acton best ACT folk artist, Xavier Dunn; the George Best ACT jazz/blues artist, Dorothy Jane Gosper; Blumers Personal Injury Lawyers best ACT rock/alternative artist, Tonk; and Groovin the Moo best ACT urban artist, Kayo Marbilus.

The Canberra Symphony Orchestra was inducted into the MusicACT hall of fame, as were Winterman Goldstein/Ivy League Records and Pete Lusty, Andy Kelly, James Roden and Andy Cassell.

Finally, I would like to place on record my appreciation for the following sponsors: Elite Sound and Lighting, Giraffe Visual Communication Management, National Australia Bank, Prime 7, 104.7 Canberra, Lion, Quest Apartments, 5th Gear Motoring, ACT government, April's Caravan, Bidvest Foodservice, Blackhawk Logistics, Canberra Hummer, Canberra Milk, Country Pride Sausages, Financial Integrity Group, Kennards Hire, Lou's Catering, Pankhurst Wines, Peter Blackshaw, RiotACT, Simply Living, the Abbey, and the George Harcourt.

Question resolved in the affirmative.

The Assembly adjourned at 5.31 pm.

Schedule of amendments

Health (National Health Funding Pool and Administration) Bill 2012 (No 2)

Amendment moved by the Minister for Health

1

Proposed new clause 15 (3), (4) and (5)

Page 10, line 16—

insert

- (3) The Financial Management Act, section 34 (3) (Directorate banking accounts) does not apply to the opening or keeping of a bank account under this section.
 - (4) To remove any doubt, the Financial Management Act, section 34 (7) does not apply to the opening or keeping of a bank account under this section to the extent that it requires compliance with that Act, section 34 (3).
 - (5) The ACT Treasurer may enter into an agreement with the Reserve Bank of Australia in relation to the state pool account.
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