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Tuesday, 15 March 2005

MR SPEAKER (Mr Berry) took the chair at 10.30 am, made a formal recognition that the Assembly was meeting on the lands of the traditional owners, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**Legal Affairs—Standing Committee
Scrutiny report 5**

MS MacDONALD (Brindabella) (10.31): I present the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 5, dated 14 March 2005, together with the relevant minutes of proceedings.

I seek leave to make a brief statement.

Leave granted.

MS MacDONALD: Scrutiny report 5 contains the committee's comments on 13 pieces of subordinate legislation and two government responses. The report was circulated to members yesterday when the Assembly was not sitting. Mr Speaker, this is a fairly basic report. It makes comment on only a few pieces of subordinate legislation. I commend the report to the Assembly.

Gaming Machine Amendment Bill 2005

Mr Quinlan, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming) (10.33): I move:

That this bill be agreed to in principle.

Since the commencement of the Gaming Machine Act 2004 on 1 November 2004, the Gambling and Racing Commission has identified a number of provisions that require enhancement or further clarification to ensure the proper operation of the act and the commission's regulation of gaming machine activity. The Gaming Machine Amendment Bill 2005 provides for a number of minor and technical amendments to the act. I will now take the opportunity to talk briefly to a number of the more important amendments.

The new Gaming Machine Act saw the introduction of a range of provisions that tightened the eligibility criteria for the licensing of gaming machine operators. In practice however, it has been indicated, the new provisions do not allow the previously acceptable practice of clubs having a majority of directors appointed by an approved

associated entity and will, by virtue of that, have a significant impact on the operation and good governance of clubs.

That is an unintended consequence of the act and this bill will reinstate the practice adopted by many clubs and therefore help maintain stability within a licensee's organisational structure by ensuring the original objectives continue through the nomination of a majority of directors by an approved associated entity. This amendment will also ensure that persons with appropriate skills or expertise are nominated or elected as directors. What this says, effectively, is that, where a club has been formed for, say, the purposes of promoting a football team or local set of football teams, it will not be taken over by the guys at the back bar or the fishermen's club because they happen to attend an annual general meeting.

A minor amendment has also been identified in the form of the club's licence. It will require that the gaming machine licence show the class of gaming machine rather than the kind. This simple measure will avoid the duplication of information already contained in the schedule to the licence being replicated in the detail of the actual licence that must be displayed by the licensee.

Finally, the bill proposes an amendment to the disqualifying grounds for attendants and technicians as well as to the grounds for the commission taking disciplinary action against a licensee. The proposed amendment will include that the grounds for taking disciplinary action against a gaming machine attendant, technician or licensee should also refer to a contravention of the criminal code 2002 as well as the existing reference to contravention of the Gaming Machine Act 2004 in relation to the conduct of gaming machine operations.

These provisions were included in previous gaming machine legislation but were relocated to the criminal code as part of the global development of the ACT criminal code and the consolidation of similar offences. This proposal will allow the commission to take disciplinary action or to take action against an attendant or technician, where appropriate, where unlawful activity such as fraud or theft has been involved in gaming machine operations. I commend the Gaming Machine Amendment Bill 2005 to the Assembly.

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

Cemeteries and Crematoria Amendment Bill 2005

Mr Hargraves, by leave, presented the bill, its explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

MR HARGREAVES (Brindabella—Minister for Disability, Housing and Community Services, Minister for Urban Services and Minister for Police and Emergency Services) (10.37): I move:

That this bill be agreed to in principle.

The Cemeteries and Crematoria Act 2003 and its regulations came into effect on 27 September 2003. Under section 10 of the act, the former Minister for Urban Services, Mr Bill Wood, was required to determine a suitable perpetual care trust—PCT—percentage for each cemetery and crematorium.

A perpetual care trust is a perpetual charitable trust established under the act to ensure that cemeteries and crematoria will be adequately maintained in perpetuity after they close for new burials, interments of ashes and memorials. Currently under the act, each operator of a cemetery or crematorium must open a PCT trust fund account at an authorised deposit-taking institution—an ADI—for example, a bank or similar. The PCT percentage is the proportion of income received by the operator for each burial or interment service that must be invested in the fund to guarantee that future maintenance costs are covered.

The Assembly resolved to ensure perpetual tenure by amending the act so that when someone is given a right of burial or interment of ashes, that right lasts forever. However, given that that right has been established, there are so far only limited guarantees that there will be sufficient amounts in PCT funds for maintenance once a cemetery or crematorium closes.

In 2003, Abraxa Management Consulting Pty Ltd was engaged to develop a long-term financial model and provide independent advice regarding perpetual care trust management, including calculating the percentages of income to be invested in the trusts to ensure that cemeteries and crematoria will be adequately maintained.

On 28 September 2003, at the same time as the act commenced, former Minister Wood determined the PCT percentages that included a component covering future capital costs of maintenance. Also, policy agreement was given for the act to be further amended to allow for operators to invest their PCT funds at higher rates of return and for a review of PCT percentages to be conducted at least every five years.

Mr Speaker, as the Minister for Urban Services, it gives me great pleasure to present this bill to further amend the Cemeteries and Crematoria Act 2003 to ensure that there is an improved, clear and consistent legal basis for the continued operation of the PCT funds and the PCT reserve. Significantly, this bill sets a new benchmark in Australia for the management of cemeteries and crematoria.

These amendments propose that the minister should also determine a PCT reserve percentage, equivalent to the PCT reserve amount, which is to be deposited into a separate account in each PCT trust fund. These amendments establish the way in which the PCT reserve amounts are preserved and managed, and how safeguards ensuring maintenance in perpetuity are to be achieved. They set out the legal obligations of the cemetery and crematoria operators, including how they contribute to, keep records of and manage the trust funds, as well as the responsibilities of the public trustee and the minister.

The bill will amend the act and provide that the PCT percentages apply to the total amount of money collected for each burial, interment of ashes or memorialisation by cemetery or crematoria operators for these services. Cemetery and crematoria operators

must use the ACT public trustee as the exclusive trustee of the perpetual care trusts under the Public Trustee Act 1985. Current operators will be required to relinquish their current roles as trustees of the perpetual care trust investments they currently have with ADIs—for example, banks. This will allow trust funds to earn higher rates of return, closer to commercial rates of return in pooled investments managed by the public trustee.

When the overall PCT percentages for maintenance are calculated, the percentages for the PCT reserve also will be calculated and determined by the minister. Operators must ensure that an amount equivalent to the PCT reserve percentage remains in the PCT fund at the end of each respective five-year, or shorter, planning period and that these PCT reserve deposit amounts must not subsequently be drawn down without the express approval of the minister. It is these PCT reserve amounts that will accumulate in the PCT fund and which will guarantee maintenance in perpetuity after a cemetery or crematorium closes.

The PCT percentages and the PCT reserve percentages for each cemetery or crematorium must be reviewed at least every five years and be redetermined by the minister, if necessary. This provides for the need to respond to overall changes in business conditions in the industry, to changes in maintenance regimes and for the purchase of major equipment. I commend this bill to the Assembly.

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

Legal Aid Amendment Bill 2005

Debate resumed from 17 February 2005, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo) (10.44): The Legal Aid Office in the ACT provides a high-quality service for the people of the ACT. It often runs on a relatively shoestring budget and, despite the constraints on it of both ACT and commonwealth finances, it manages to provide an excellent service to its clients.

To ensure better operations and flexibility, the commissioner has proposed a number of amendments to the legislation. These amendments should assist in improving the service to clients and also assist in allowing the commission to determine the limited finances it does have with greater certainty. It is important to ensure that the Legal Aid Office is able to budget more accurately.

The opposition is pleased to see that these amendments will allow legal assistance for discrete actions in the court process as well as for whole matters. This allows for greater flexibility by the commission and will assist the consumer. The provision by the commission of minor legal assistance for tasks such as filling in forms and letter writing will assist many of the clients of the Legal Aid Office. These are simple tasks, but they make a huge difference to a lot of the clients who would not be able to do so themselves.

The bill also ensures that the commission can have greater control over legal assistance in the rare cases that are likely to have a significant financial impact. It provides for applications to be referred directly to the commission in these cases. The bill also

clarifies a number of points, such as that legal assistance can be provided only after an application is received. It puts a stop to the potential for people to apply for legal aid after a matter has been finalised. It will also ensure that private practitioners invoice the commission within six months. That will ensure that private practitioners will get their money promptly and will help the commission greatly in managing its finances.

For many years, the commonwealth has not taken up the position on the commission that is available to it. The commonwealth no longer wishes to be represented on the commission and the bill accordingly ensures that the commonwealth representative is deleted. The bill also ensures that the commission can now allocate a particular solicitor for a legally assisted person. The bill takes account of a person's wishes that a certain solicitor be allocated to them. In practice, that is what usually occurs and the experience is that invariably, if a solicitor is prepared to do legal aid work and the clients wants them, that solicitor will be allocated to that person.

The opposition is happy to support this bill. It should make a positive difference to the work of the Legal Aid Office and it should provide additional practical assistance to the clients of that office.

MS MacDONALD (Brindabella) (10.46): I want to speak briefly on the Legal Aid Amendment Bill 2005. Mr Speaker, this bill contains a number of amendments that will assist the Legal Aid Commission to maintain better control over its liabilities and to provide a greater ranger of services to its clients.

I would like to highlight the provision that the commission may provide minor legal assistance. As Mr Stanhope said when he tabled the bill in February, this minor assistance could make the world of difference to a client. A large percentage of the population have little or no understanding of the intricacies of the law, but the Legal Aid Commission can now provide minor legal assistance, which could be contacting someone, writing a letter or helping a client fill out a form. In an already stressed situation, this added assistance could be a huge help to clients.

Each case involves huge amounts of paperwork. Overlooking or filling out a form incorrectly can make a big difference to the outcome of certain cases. While I have no doubt that the commission is already providing such assistance to its clients—in fact, I am quite certain of that from having had officers of the commission appear before the legal affairs committee for the annual reports hearings last Friday—this bill further expands the options available to the commission in providing assistance by clarifying that the commission may provide minor legal assistance.

Mr Speaker, I believe that it is also important that the bill clarifies that legal assistance may be granted only after an application is received. That will make it easier for the commission to manage its finances. These are all quite small amendments, but they will have a large impact on the way in which the Legal Aid Commission provides its valuable services to the ACT community and, as such, I commend the bill for the amendments it makes to the act.

DR FOSKEY (Molonglo) (10.48): Mr Speaker, this bill picks up on a number of fairly small restrictions in the act which, taken together, have acted as an impediment to the work of the Legal Aid Office. It makes the consequent changes that will allow the office

to operate more effectively and, I hope, show a little more flexibility in providing targeted support.

In effect, the bill provides the commission with more options for providing assistance, including the capacity to provide minor legal assistance without applicants needing to qualify, as they would if the commission were covering the whole of the matter. Applications for minor legal assistance, for example, now no longer need to be applied for in writing and the arrangements for contributing to the costs of providing such minor legal assistance are more flexible.

The general area of engaging private legal practitioners also has been simplified to some extent, including a requirement for such practitioners to give an invoice for services in a more timely fashion. This bill also makes clear that the commission is not obliged to pay legal fees for services provided before the person applies for legal aid.

There is a range of other amendments in the bill, several of which take account of changed practices, such as the deletion of references to legal aid committees and the delegation of the commission's power to make appointments. The work of legal aid is critical to our system of justice and we will be supporting the bill.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (10.50), in reply: I thank members for their support of this bill. The bill contains a number of amendments essentially aimed at helping the Legal Aid Commission to maintain better control over its liabilities and provide a greater range of services to its clients.

The Legal Aid Commission, through the Legal Aid Office, has a well-established role in the provision of legal assistance for those facing disadvantage in our community. The legal rights of those who are less well off in our society deserve the same protection as the legal rights of those who are better off. Access to justice should not be dependent on one's income. By providing services to people who are otherwise unable to obtain them, the Legal Aid Office is directly addressing this need.

The Legal Aid Office provides a high-quality service to the people of the ACT and these amendments will assist the Legal Aid Commission to improve that service. One of the ways in which the bill does that is through allowing legal assistance to be granted for discrete actions in the court process as well as whole matters. Legal aid may be appropriate to pursue general access arrangements in a family law matter, but not to pursue an unreasonable view on access.

The options available to the commission in providing assistance are expanded by clarifying that the commission may provide minor legal assistance, such as writing a letter for a client or assisting a client to fill in a form. The other important theme of these amendments is the enhancing of the ability of the Legal Aid Commission to maintain good financial control over its liabilities. The Legal Aid Commission has finite resources. These amendments will allow the commission to maintain greater control over the provision of legal assistance by allowing the commission to issue directions requiring that particular types of applications be referred directly to the commission for decision.

The amendments relating to billing by private practitioners are aimed at increasing control over the Legal Aid Commission's liabilities. These amendments clarify that the commission is not obliged to pay for legal services provided by a private legal practitioner before an application for legal assistance is made. However, it may pay if notice of the intending application is given to the chief executive officer. The amendments will also require private legal practitioners to invoice the commission for services within six months of the finalisation of a matter.

Mr Speaker, these amendments will have a substantive impact on the way in which the Legal Aid Commission provides this valuable service to the ACT community and I thank members for their support for these amendments.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

Residential Tenancies Amendment Bill 2005

Debate resumed from 17 February 2005, on motion by **Mr Stanhope**:

That this bill be agreed to in principle.

MR SESELJA (Molonglo) (10.53): The opposition will be supporting the Residential Tenancies Amendment Bill 2005. The bill makes a number of significant changes to the Residential Tenancies Act of 1997 and is the result of a review of that act by JACS. We do note that most people are quite happy with the existing legislation, although there are a number of areas where change is seen as desirable. There are a number of areas in this bill that the opposition will be watching closely to see how it pans out.

There are always a number of issues in relation to residential tenancies. Nearly 30 per cent of Canberra residents are tenants and over 10 per cent of properties are public housing. There are a number of issues that have plagued this area over the years, ranging from antisocial behaviour by a number of tenants in both public and private housing, through to issues around crisis accommodation providers. My colleague, Jacqui Burke, will also speak to this particular bill as it affects her shadow portfolio responsibilities.

One of the major reforms contained in the bill relates to the termination of residential agreements by prescribed crisis accommodation providers. This sits uneasily in the act because certain providers wish to impose a condition on a tenancy to the effect that it is conditional on the tenant continuing to use a particular service or on a comparative assessment of the others' needs in the community. The effect is that a tenant may be evicted with four weeks' notice. Currently, the provider must seek endorsement of the condition on a case-by-case basis by the Residential Tenancies Tribunal.

The bill provides for the minister to declare crisis accommodation providers only if they provide accommodation for people in crisis and if they provide information about alternative accommodation services. It provides that declared accommodation providers can terminate a tenancy with four weeks' notice if the premises are needed for crisis accommodation for someone other than the tenant and if the tenant has been given alternative accommodation information. This negates the need for crisis accommodation providers to seek endorsement each time before the tribunal.

The issue of databases is a controversial one and the bill provides for the restriction of public databases giving personal information about previous tenants. It allows an individual to apply to the Residential Tenancies Tribunal to have their personal information on the database omitted or corrected. The opposition notes that this is based on the Queensland provisions. Information on a database has to be timely, accurate and accessible. Practical effects of this are yet to be seen. While there are two national databases for the use of lessors, they tend not to relate to the ACT. Individual agents have their own databases and ACT Housing has its own database.

Whilst it is very important that information is timely, accurate and accessible, it is also desirable and only fair that difficult tenants—tenants who do not pay rent and cause damage—should have that recorded on a database so that some poor unsuspecting private landlord will not be lumbered with a tenant who would wreck their property. At present, ACT Housing is able to assess on its database and files which tenants are difficult when it comes to re-allocating public housing. There are some concerns in the industry and we will be watching it very closely to see how it operates. There are conflicting rights issues here but the right to privacy should not outweigh the rights of an innocent law-abiding citizen to be not lumbered with a person who will not pay rent and who will destroy the property.

The opposition notes that there are some good provisions in this bill, which will assist all parties specifically the provision to allow a tenancy of a lessor posted back to Canberra or a tenant posted from Canberra to be terminated following four weeks' notice. This is terribly important as a lot of Canberrans are posted from the territory from time to time and at present posting clauses can only be endorsed by the Residential Tenancies Tribunal. By being able to have a clause included in residential tenancy agreements, this will streamline the process.

The bill also allows ACT Housing to set rents at a rate that will reflect the additional costs of past debt which will reduce to their usual rate as it is repaid. This is a sensible provision, and I understand it is something ACT Housing has already been doing. The bill provides that the Residential Tenancies Tribunal has to endorse such arrangements. This seems reasonable.

The opposition welcomes the provisions dealing with evictions. The bill provides that the Residential Tenancies Tribunal can evict a tenant who has been seriously or continuously interfering with a neighbour's quiet enjoyment of their property. That is consistent with the existing standards in the residential tenancies agreement which states that a tenant shall not interfere with the quiet enjoyment of a nearby occupier's premises. The bill also clarifies when evictions can occur, which we have no problems with. Most of us in the Assembly would have been contacted by neighbours who have had huge problems with

tenants, be they public or private, making the life of neighbours an absolute misery. It is a sensible addition to the bill and has the opposition's full support.

The bill also contains some other provisions with relation to transferring public housing tenancy under a will. The bill provides that a new residential tenancy agreement may provide that a tenancy may not pass to a non-occupier on the death of a tenant and also enables the minister for housing to adjust the rent or terminate the agreement by seeking an order from the Residential Tenancies Tribunal. The courts have upheld wills that have enabled public housing tenants to transfer their tenancy on their death to a relative. Quite clearly, a restriction is needed in this area and the bill seems to do that.

The bill also provides a number of other things such as a penalty for failing to lodge a bond in the prescribed time. This is something we will be watching although we note the government has indicated there are some people who are late lodging rental bonds. The bill also makes a number of minor amendments, which the opposition will be supporting. For example it is common sense that tenants should not be required to notify the lessor of minor maintenance such as changing a light globe or fuse. This is something tenants could and should do themselves. The opposition will be supporting the bill, but there are a number of potentially contentious areas in it and we will be monitoring its progress.

DR FOSKEY (Molonglo) (10.59): Mr Speaker, the Greens will be supporting this bill in principle, but with some reservations because it makes a range of valuable changes to the Residency Tenancies Act 1997. These changes follow from the review of the act that culminated in a set of reforms in August of last year. Certain matters that were not dealt with at that time come before the Assembly today for approval. Extensive consultations were conducted last year, prior to the August reforms, and resulted in changes to the act that effectively balances the interests of landlords and tenants.

The bill before the Assembly today contains provisions that might be thought to be largely uncontroversial, but the issues addressed by the provisions are worthy of attention. However, it appears that the detail of the legislation has not been the subject of sufficient community input to ensure an appropriate or best practice resolution of some of the issues addressed. In particular, we are concerned that, one, the provision intended to allow for a change of lessee in a domestic violent situation is not broad enough to encompass most of the situations in which such a change might be required and, two, the provision which allows for the immediate removal of a tenant where there has been an infringement of a neighbour's quiet enjoyment, provides an unnecessarily harsh and immediate remedy for some of the circumstances which might fall under this legislation.

During the detail stage, we will be putting forward three amendments to the bill and suggesting some regulatory and administrative matters that should be attended to in support of the legislation. Clause 17 of the bill allows the occupant of premises to apply to become a tenant where a court has made an order to remove the tenant from the premises. This clause is particularly intended to apply in situations of domestic violence. Unfortunately, the clause in its present form only operates in circumstances where a court has a "kick out" order against a tenant. Many of the cases in which a change of tenant may need to occur, arising from a domestic violence situation, will not be picked up by these words.

It will not apply, for example, to a situation where there is a domestic violence order that does not address the residential arrangements of the parties. This will commonly be the situation where the relationship between the parties has broken down and one party has already left the premises. In these cases, the court will not make a kick out order against the perpetrator of the violence, but will make an order limiting contact between the parties, or regulating the contact that the offending party has with any children of the relationship. In this kind of situation, it is appropriate that the lease transfers to the occupant of the house, but the provision put forward, does not allow for this.

Our amendment has been constructed to allow the provision to operate at the discretion of the tribunal in this and other similar circumstances. Unfortunately, there remains to be addressed the issue which was raised by Kerry Tucker during the August 2004 consideration of the residential tenancies legislation. She said then:

The other major outstanding issue is for victims of domestic violence who are left with the tenancy and with liability for rent and possible damage to the house if the offending party leaves a residence or is legally forced to leave. The person who has been assaulted should not be left to cope alone with either the cost of the house or the cost of the damage.

It is disappointing that the government has not seen fit to address this matter in this round of amendments. Our other major concern with the legislation relates to the extension of section 51 (c) to allow a tenant to be immediately evicted where there has been serious or continuous interference with the quiet enjoyment of nearby premises. It is our firm view that the remedy of immediate removal should be limited to situations where the matters needing to be addressed are such that they require immediate action and involve some danger to person or property. If there has been continuous interference with the quiet enjoyment of a neighbour, this can reasonably be addressed by the usual remedies for breach, which allow for the tenant to be given notice of breach and four weeks in which to leave. There is here no real urgency that would warrant summary eviction of a tenant. The government here has taken a sledgehammer approach to an issue which could sensibly be addressed with a little more finesse and a greater recognition of the difficulty that an evicted tenant will have in obtaining a new home. Our amendment will provide an alternative approach to the protection of neighbours, which is more consistent with the schema of the act and the balancing of the rights of tenants and landlords.

I turn now to some general comments on aspects of this bill. We believe these issues need further action. The introduction of a postings clause has been on the cards for some years and reflects the number of applications that are made to the tribunal inserting a provision for postings to end leases. It will be inserted into the act so that it is an option rather than in the standard tenancy terms. It is important that tenants and landlords are aware that it will be an optional term. It is also important that the minister makes it clear that a posting is a mandatory relocation, not someone taking advantage of a career opportunity. While the term may well be understood commercially, in the context of law, there is no harm in being explicit. I trust the minister can also make that same point when he closes the debate.

There are some extensive provisions regarding crisis accommodation. The reality will be that in most crisis accommodation centres the occupancy agreement will be used and

these clauses won't need to be used. However, in situations of longer-term accommodation, tenants may need to be moved on once they have finished using the services. While the provisions in consequence might be necessary, it is important to monitor their use.

More contentious is the change in this bill to allow public housing providers—ACT Housing tenants, in effect—to have a tenancy tied to repayment of previous debts. An argument that has often been used by ACT Housing when tenants face eviction or cannot be re-housed, despite the fact that they have made an agreement to repay outstanding debts. ACT Housing has argued that their hands are tied by the legislation. This amendment will allow ACT Housing to take back tenants with outstanding debts.

It is important to note that the arrangement needs to be endorsed by the tribunal and will not, therefore, become a default. The tenant's union has argued that housing already has the ability to enter into an administrative agreement to repay debt rather than needing to tie previous debt to current tenancy. There is also a concern that tenants could be more vulnerable—facing eviction, for example—for failing to meet payments from previous debt, even if they were up to date on current tenancies.

I think it is important to take away the argument that ACT Housing has, that it is the legislation which prevents it from reaching mutually acceptable agreements and that, as long as the arrangements do require express endorsement from the tribunal and consequently remain in the public eye, I think it is on net effect a benefit. We will be supporting the bill in principle in the hope that proper consideration will be given by the Assembly to the amendments, which we have put forward.

Mr Speaker, I apologise that these amendments are being circulated now but, because of that and because we wish due consideration to be given to those when we reach the detail stage of debate, we ask that the debate be adjourned until this afternoon.

MRS BURKE (Molonglo) (11.08): In conjunction with my colleagues Mr Seselja and Mr Stefaniak, the opposition will support in principle the Residential Tenancies Amendment Bill 2005. At this point I would like to thank all those courageous tenants and other members of the community who have spoken out; they are the catalyst for some changes in this bill.

I would also like to thank the less senior public servants, if I can put it that way, on the front line who are in the best positions to give frank and fearless advice to drive change. I commend them and encourage them to continue to do so.

Mr Speaker, it is imperative to note at the outset that this is a positive step towards ensuring that the existing legislation is now regularly reviewed for shortcomings. I hope that all members of the Assembly can agree, in a unified manner, as to the best approach to protecting the rights and responsibilities of ACT tenants. The implementation of ongoing changes will continue to rely on help from the community and tenants alike.

One of the areas of challenge is that of debt. I believe the key instruments in the bill for recovering debt in a sensible and measured manner are a sound improvement, allowing for a tenant to meet their obligations in relation to outstanding moneys owed. In addition, the Commissioner for Housing is able to seek recovery of unpaid rent via the Residential

Tenancies Tribunal who can endorse a reasonable arrangement between the two parties—that being under section 15.

I am mindful of the change to the process of terminating residential tenancy agreements as arranged by crisis accommodation providers. I must express my concerns at this point. It should be noted in the Assembly that some crisis accommodation service providers have been placed under continued stress by an influx of requests for assistance, with few or no exit points currently available.

Mr Speaker, it is sad to say that of course the provision will work only if and when the current minister stops blaming people like the commonwealth and faces his ministerial responsibility to provide adequate crisis accommodation and adequate exit points for alternative accommodation. This is our responsibility as a territory, and we should not abrogate our responsibilities in this regard. If crisis accommodation service providers are having to provide three to four times the period of accommodation they are contracted for, one can only assume that there must be equal pressure on the medium to long-term providers of crisis accommodation also.

It is reassuring that the provisions of the bill relating to sections 12 and 36 will not impact upon the provision of short-term crisis accommodation where no tenancy agreement exists but rather concentrate on the medium to longer term, more formal arrangements where the declared accommodation provider, endorsed as being a crisis accommodation provider, can terminate the tenancy with four weeks notice if it is deemed that the premises need to be used by another client with high needs.

It is understood that there needs to be some form of fluidity in this form of accommodation option, and I believe that this is what this particular amendment is trying to achieve. However, I would be interested to be provided with further insight from the Chief Minister as to what form of information would be given about alternative accommodation options that could be made available to someone who is being asked to move on from crisis accommodation.

It certainly is a great pity that this government has squandered their massive \$54 million of windfall gains, when such critical needs are not being met in our community. It is all too easy, unfortunately, to blame someone else or something else, and this government seems to be very adept at that.

Mr Speaker, at this point in time, the minister for housing has made it quite clear that there is an enormous amount of pressure on the availability of suitable options for accommodation for people waiting for a transfer or, indeed, an initial tenancy. Given this level of pressure on the system, where will those removed from crisis accommodation be referred? Are they expected to enter the private market when they may not be fully capable or resourced sufficiently to do so? I will be closely watching the impacts of this provision upon the sector.

Of greatest interest to the opposition, further to section 51B, there is an insertion of a new section 51C, a provision that further powers be given to the Residential Tenancies Tribunal, or the RTT, to evict a tenant who is continually and seriously interfering with the lives of people who live around them. Members will know that I have been placing this matter before the Assembly and on the public record for at least two years now. This

is a matter of most concern to the many tenants who simply wish to live their lives with little disruption, as do those in private tenancy agreements or those who own their own homes.

I am pleased that my representations and certainly those more so from the general community have finally paid off and that they have been the catalyst for change. This is certainly not about singling out public housing tenants in a negative way, because the minister will know only too well that the majority of complaints to his office and mine are, indeed, from public housing tenants against other tenants.

I commend the Chief Minister for providing improved authority to the RTT to exercise evictions under section 40, when there is no other option—and that is the key here: when there is no other option—in line with an existing standard clause in residential tenancy agreements. It is particularly important also that if an eviction needs to be carried out it is done so, as stated in the amendment, at a reasonable hour, unless there are exceptional circumstances. This will occur after all reasonable efforts to encourage tenants to comply with their tenancy agreement, under section 51, have failed.

It is not acceptable, Mr Speaker, that a minority few can be allowed to continue to ruin the lives of the majority, and this is what we see over and over again. We are sending somehow a message to other people: “Come to the ACT and it is all right; you can just carry on; do what you want; disrupt the lives of people; and nothing will be done.” I am pleased that the government has put its foot down finally, that we may now see these people being sent a clear message. I commend the Chief Minister for that.

Further, it is my hope that every effort will be made to assist those who must be evicted, when no other option is feasible, to be able to access services to help them find alternative arrangements. That is also a key; you cannot just leave people on the street. We need to make sure that we give these people every opportunity to get their lives back on track and to live in some semblance of order.

The government must, of course, be focusing its attention on the appropriateness of housing in certain cases, that is, single women with children in housing complexes with a predominantly male population; and, indeed, people being released from prison or those with a mental illness set free into the community, within adequate outreach support network. This in turn would hopefully be an encouraging aspect in service delivery, installing a greater sense of confidence in the tenant to seek early assistance and intervention with any problems—be they financial, personal or social—in order for them to realise their responsibilities and that certain actions would be taken if there is evidence of persistent disruptive behaviour.

Once again, the amendments outlined in this bill are a step in the right direction. Whilst the opposition, including me, is tentatively supportive of the new measures outlined in the bill to assist tenants and landlords alike to continue to be held accountable, I will be monitoring the changes for their efficacy and efficiency.

Mr Speaker, at this point, the Liberal opposition notes that Dr Foskey has tabled some not insignificant amendments. I should also point out and note that it seems as if we have been given a draft copy that was tabled or produced by Dr Foskey’s office this morning at 9.43. Of course, because we have only just sighted these amendments, we will

certainly not be in a position to be able to support them today until we have had reasonable time to seek further advice. I hope that it will not be brought back on this afternoon but deferred to a date other than today.

MR SPEAKER: Members, conversations are disruptive to members speaking. If you need to converse, could you carry it on in the lobby please.

MS MacDONALD (Brindabella) (11.17): Mr Speaker, I am pleased to rise today in support of the Residential Tenancies Amendment Bill 2005. This is a bill that makes important changes to the Residential Tenancies Act 1997.

I would like to highlight the provisions relating to tenancy databases. While it may not be the case so much now, a few years ago it was very difficult to secure rental accommodation in Canberra, and competition was very fierce. I am sure many potential tenants missed out on properties but were given no indication of why.

The reason may well have been past information stored on a tenancy database. Tenancy databases were a significant privacy issue, particularly databases for the use of private lessors only. Private lessors who have access to these databases are afforded substantial information about potential tenants, completely unbeknown to the tenant. Applications can be declined, based on this information, without allowing potential tenants the opportunity to explain their side of the story. Tenants could remain listed for unacceptably long periods of time, where the issue of a tenant defaulting in their youth could come back to haunt them later in life.

Because substantial costs were associated with accessing databases, tenants were at a huge disadvantage, making it difficult to even find out what information had been stored about them on the databases. The information could be incorrect or completely out of date, but tenants have little chance of amending the information. Clause 18, part 6A of the amendment bill, removes these concerns by providing restrictions on public databases. These new provisions give tenants more control over what appears on the databases.

New section 107D outlines the clauses that must be adhered to before a tenant's personal information is included from a tenancy database. Information must be disclosed to ex-tenants and ex-tenants must be given a reasonable opportunity to review the information before it is included on a tenancy database. Mr Speaker, that is only fair.

The bill also provides for a greater opportunity for ex-tenants to have personal information on a tenancy database corrected or removed if it is unjust or misleading. If this is found to be the case, the Residential Tenancies Tribunal may order a person to pay compensation to a person who has suffered loss or damage by personal information being included on a tenancy database. This provides some assurance to ex-tenants that the information stored would relate to their agreement rather than personal attacks or malicious, vexatious allegations.

The bill also includes a number of amendments to provisions dealing with evictions. My colleagues in the Assembly would be as aware as I am that many complaints from constituents relate to their neighbours. Living beside noisy neighbours, especially those

who show little respect to the occupants of the surrounding neighbourhood, can make a person's life unbearable.

This bill provides that the Residential Tenancies Tribunal may evict a tenant who is seriously or continually interfering with a neighbour's quiet enjoyment of their property. Hopefully this clause will provide some relief to residents who have exhausted all other avenues in trying to reduce the noise of their neighbours. This bill is an important piece of legislation and one that will further safeguard and assist the thousands of tenants in Canberra.

I would like to, in finishing, refer to the amendments that have been circulated by Dr Foskey this morning. I would like to make the comment that Dr Foskey needs to give the Assembly time to consider her amendments properly. Giving notice of these amendments to the minister's office yesterday but providing the amendments to the minister's office only this morning gives the Assembly and the minister responsible virtually no time to consider these amendments.

Comments have often been made in this place—and I note that we have a different crossbench to what we have had—in the past, indeed by Dr Foskey's political colleague Ms Tucker, that the crossbench needs to be given plenty of time to consider amendments, to be given time to consider bills. That needs to go two ways. It cannot just be the case that we on the government side need to give as much time as possible or the opposition needs to give as much time when they put up a bill for the crossbench to consider it. In order for effective and considered debate to take place in the Assembly, we need to be given a reasonable amount of time.

I do not consider that being given the actual amendments now, as they stand—and we have here three amendments that are quite substantial—is sufficient time. We need to be given time to consider what the effect is and to take advice from departmental officials as to what these amendments would mean. So I would ask that Dr Foskey in future be considerate of the Assembly's need to have due time to consider her amendments.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (11.23), in reply: Mr Speaker, this bill is in response to a review of the Residential Tenancies Act 1997 undertaken by the department of justice. Although the review identified widespread satisfaction with the existing legislation, stakeholders suggested a number of desirable amendments. This bill contains amendments suggested by stakeholders.

The bill includes a number of amendments that will remove the need for specific conditions in residential tenancy agreements to be endorsed by the Residential Tenancies Tribunal. These conditions apply to the termination of residential tenancy agreements by prescribed crisis accommodation providers where the accommodation is needed for someone other than the tenant. I wish to reiterate that these provisions will not apply to short-term crisis accommodation where there is no residential tenancy agreement.

The bill also includes a clause allowing for termination of a tenancy when either a lessor is being posted back to Canberra or a tenant is being posted from Canberra. These clauses will benefit public servants, defence and diplomatic personnel who may be

posted in the course of their employment and people of that order—people with that degree and level of mobility.

I understand that in New South Wales there is case law on when a person is considered to be posted away for their employment. Usually this is when the posting is compulsory rather than a posting initiated by a tenant. I anticipate that the New South Wales case law on this issue will be utilised in the ACT.

The bill also includes important provisions relating to tenancy databases. The provisions provide a procedure to be followed before information can be put on a public tenancy database and allow an individual to apply to the Residential Tenancies Tribunal to have their personal information on a database omitted or corrected. The provisions ensure that the right to privacy is not interfered with unlawfully or arbitrarily.

The scrutiny of bills committee has queried why the provisions apply only to public databases. The legislation does not cover internal databases, for information is not released to external organisations, as this would cover databases that would not affect people's ability to get housing. Extending this provision to cover internal databases would cover internal databases that simply list the names of previous and current tenants on databases held by Housing ACT.

The bill also permits Housing ACT to rent premises at a rate that initially reflects the additional cost of past debt. These arrangements will be endorsed by the Residential Tenancies Tribunal. This will enable, in a small number of cases, the Housing Commissioner to offer new premises to a person, even though they may have an outstanding rent debt. The provision does not require that such an arrangement be entered into and the Commissioner for Housing may still, in the appropriate case, enter into arrangements for waiver or the partial repayment of the debt.

The bill includes a number of provisions dealing with evictions. The scrutiny of bills committee raised a concern about the regulations providing what is appropriate action to be taken under an eviction warrant. The regulations are included in the bill, for members. The regulations provide that it is appropriate action to evict a tenant between the hours of 8.00 am and 6.00 pm, Monday to Thursday, except on public holidays, unless there are exceptional circumstances. This will ensure that tenants are able to access emergency accommodation.

The bill also includes a series of other amendments such as permitting the Residential Tenancies Tribunal to adjust the tenancy agreement to take into account a court order and deal with the transfer of public housing by will.

I should also foreshadow at this point, Mr Speaker, that I will be presenting a small government amendment to the bill, flowing from discussions with stakeholders. The amendment makes a correction to clause 10 by replacing the word "lease" with the phrase "residential tenancy agreement".

I look forward to, in the first instance, taking further advice and also to debating the amendment that Dr Foskey has foreshadowed in relation to substitution of tenant in section 107A. The government has only just recently—I think in the last day—become aware of issues raised by the Women's Legal Service and the Welfare Rights and Legal

Service in relation to the operation of the proposed legislation as it affects issues in relation to domestic violence within rented accommodation. That is the issue that is at the heart of the amendment that Dr Foskey has foreshadowed that she proposes to move.

The government and I have an early view about whether or not it is appropriate for the Residential Tenancies Tribunal to have any responsibility for inquiring into whether domestic violence has occurred. I think there is a significant issue there for us to give some consideration to. We are more than happy to participate in a debate around whether or not the arrangements that are currently provided in the legislation are appropriate or whether or not the suggestion of the Welfare Rights and Legal Service—at, I must say, the 12th hour—that there is an issue here is correct, despite the fact that the position is included within the legislation; that there is as a very specific finding from the review and the recommendations from tenant groups that it was an appropriate amendment for us to proceed with. We have taken advice of tenants and have responded to the review of the act, which was quite extensive and took us almost two years to complete.

But there is, on the day that we are debating very much-consulted legislation, a proposal that we look at this particular issue. I am more than happy to do that. Dr Foskey did propose, as I understand, that we adjourn to a later hour this day. Mrs Burke, on behalf of the Liberal Party, has indicated that she would appreciate some additional time. The government will give consideration to the points that have been put to us, too. It is a very difficult and fraught area or issue, as all issues in relation to domestic violence are, and the government is happy to support the adjournment of the bill to our next sitting week. If that is the motion that Dr Foskey would now propose to move, the government will support it.

I thank members for their in principle support. It is important legislation. As I say, it is the culmination of a significant period of review and consultation, a review process that continued over a very lengthy period of time. The government's position in relation to that is that the bill very much reflects the advice we received from tenant groups and owners. I believe it is good legislation. It does respond to those points. It is a very important issue that Dr Foskey has raised today in her foreshadowed amendments, an issue that does require, I think, some detailed additional thought. We are very happy to be part of that. Again, Mr Speaker, I thank all members for their support in principle of the legislation.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Clause 1.

Debate (on motion by **Dr Foskey**) adjourned to the next sitting.

Standing orders—suspension

MRS DUNNE (Ginninderra) (11.31): Mr Speaker, I move:

That so much of the standing orders be suspended as would prevent private members' business being called on forthwith.

I propose that we should, as an Assembly, use the valuable time available to us. We have an hour here today. The government does not have any business for us. There is substantial business on the program that was provided last week that we were not able to get through. I presume that members are ready. There are other items of private members' business on the notice paper that members on this side are ready to debate.

The government has said that we need to cut back on our sitting times and impose discipline. They do not have any business, but private members do. Seeing that there is no present government business, I think that we should take this opportunity to bring forward especially those matters of private members' business that were not brought forward last week, perhaps because of the lack of discipline.

There are some substantial items that government members have here that I presume they are ready to speak to, because they were listed last week, and I think that we need to, in a sense, send a message to the government that, if they do not have enough business to occupy their time, the non-executive members of this place do.

I encourage members to suspend standing orders because there is plenty of business that we might do and, in doing so, perhaps not waste the resources of the Legislative Assembly, as the government is currently doing.

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (11.33): Mr Speaker, the government will not be supporting this motion today. The reason for that is simply the desirability of members being advised in advance of when business will be brought on so that they are ready to debate that business. It is not necessarily an objection to the process itself. If Mrs Dunne wants to flag for future sittings that that is the way she would like to manage this sort of situation, the government is happy to have that discussion and agree on a way forward.

But it is a little bit of a stunt, I have to say, Mr Speaker, just to bring the matter on now when members have not been advised that this may be coming up on the agenda and are not prepared to deal with their items at this time. It is simply a matter of courtesy. If Mrs Dunne thinks that this is an approach that should be adopted for future sittings, as I have indicated, the government is quite willing now to take that approach. But it is a matter of courtesy to members that they are aware when business is coming on so that they are ready to deal with it in a considered way. It is nothing more and nothing less than that.

Any assertion that in some way the government is wasting the time of the Assembly is simply wrong. The government is very efficiently and effectively dealing with its business. We have been able to progress a range of bills in a very timely way since the Assembly first met following the election. We are doing it in an efficient way of getting the business done. We are moving through the program and will continue to do that. We are happy to take the approach suggested by Mrs Dunne if members are aware that that is what is going occur. It is nothing more and nothing less than. But to spring it on

members is discourteous and not appropriate, and today the government will not be supporting this approach.

MR SMYTH (Brindabella—Leader of the Opposition) (11.35): Mr Speaker, it is quite clear that the government is not interested in dealing with not only their own private members' business but that of non-government members. It is interesting to see Mr Corbell's approach. I would be quite embarrassed if I had delivered the speech that Mr Corbell has just delivered, because we actually approached the government last week and gave them notice and gave them warning that we would like to bring on private members' business. Mrs Dunne raised this. The government has decided that it was not interested. That is simply the point: the government is not interested. So members were aware. We tried that approach last week; we tried to make members aware, Mr Corbell, and your government shut down the debate.

Mr Corbell says that it is a discourtesy. If it is a discourtesy, it was a discourtesy last week not to take the opportunity to use time available to the Assembly for the good of the public. I assume members' notices are put on the notice paper because they are worthy of consideration and that they are urgent and should be discussed at some time. But because of the way this government operates and the lack of time that we now have on private members' day to actually get through a solid agenda, it has been nobbled by the government.

So I think it is quite appropriate. There are still 55 minutes of the morning session, Mr Speaker, during which we could discuss these issues. If the government is not ready, we are quite happy to get one of our members to bring on one of their notices. We are quite willing to move ahead. But it highlights the lack of an agenda that this government has. Mr Corbell uses "timely", "considered" and "we are progressing though our work". Here we are again; it is 11.30; and the government work for the day is over. This is a part-time government, a go-home-early government, a government with no drive and a government with no agenda. I think it is more than appropriate to bring on private members' business at this time.

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

That the question be now put.

MR SPEAKER: There is no indication that the crossbencher, Dr Foskey, wishes to contribute to the debate. I am not prepared to accept the motion if Dr Foskey is prepared to speak to the matter.

Mr Mulcahy: Mr Speaker, I was on my feet also.

MR SPEAKER: I am prepared to accept the motion if everybody has had a chance to speak to the question. I am prepared to recognise Dr Foskey at this point.

DR FOSKEY (Molonglo) (11.38): Mr Speaker, while this proposal that we suspend standing orders to discuss private members' business is a surprise to me, I support the proposal. I do, however, feel that it would have been rather good, as it is often, to have been consulted. We need to now, I believe, do whatever is required to have a situation where, when government business has ended—especially an hour before lunch and in

other circumstances where we are left with quite a bit of time where we were all expecting to be sitting in this house—we can move into private members' business. This of course indicates that we need to be prepared to do that. I am not at the moment prepared to contribute to whichever bit of private members' business came first, and I do like the opportunity to be prepared.

So in this sense, while I am supporting the suspension of standing orders, I am also saying that I would like us to actually, as Mr Corbell suggested, formally establish that as a practice of the Assembly so that we can, in future, move ahead that way.

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

That the question be now put.

The Assembly voted—

Ayes 8

Mr Berry	Ms MacDonald
Mr Corbell	Ms Porter
Mr Gentleman	Mr Quinlan
Mr Hargreaves	Mr Stanhope

Noes 7

Mrs Burke	Mr Pratt
Mrs Dunne	Mr Seselja
Dr Foskey	Mr Smyth
Mr Mulcahy	

Question so resolved in the affirmative.

Original question put:

That **Mrs Dunne's** motion be agreed to.

The Assembly voted—

Ayes 7

Mrs Burke	Mr Pratt
Mrs Dunne	Mr Seselja
Dr Foskey	Mr Smyth
Mr Mulcahy	

Noes 8

Mr Berry	Ms MacDonald
Mr Corbell	Ms Porter
Mr Gentleman	Mr Quinlan
Mr Hargreaves	Mr Stanhope

Question so resolved in the negative.

Sitting suspended from 11.44 am to 2.30 pm.

Ministerial arrangements

MR STANHOPE: I wish to advise that the Minister for Education is absent for question time today as a result of pressing personal issues. I will be pleased to take any questions for the Minister for Education.

Questions without notice

Mr Rob Tonkin

MR SMYTH: My question is directed to the Chief Minister. Last week you told the Assembly, in regards to Mr Tonkin and the Office of the Special Adviser—and I quote:

Let me reiterate that Mr Tonkin did accept the secondment to the Prime Minister's department in November, or towards the end of, 2003. Mr Tonkin is a very senior, very experienced and extremely good public servant and I have to say I was very pleased that he was able to accept an appointment with the Prime Minister's department to head up the COAG inquiry into bushfires within Australia.

This is at odds with advice I have received from Dr Peter Shergold, the secretary of the Department of Prime Minister and Cabinet. I quote from a letter from Dr Shergold:

The ACT Government made Mr Tonkin's services available to my department to conduct the COAG Bushfire Inquiry. They have continued to make his services available. The details of Mr Tonkin's employment are a matter for the ACT government.

Chief Minister, whose version of events is correct—yours or Dr Shergold's?

MR STANHOPE: I must say, I struggle to discern the difference between my position and that of Dr Shergold in relation to Mr Tonkin's secondment to the Prime Minister's department. As I have said, Mr Tonkin has been on secondment to the Prime Minister's department for some significant period now. In that time, Mr Tonkin has, most assuredly, carried out his duties with his usual professionalism, capacity and verve and, as a result, produced a very significant report for COAG in relation to bushfires in Australia. He continues in that role in the Prime Minister's department performing a vital function for the people of Australia. He has done it through his work on the COAG bushfire inquiry, and he continues to do it in the work that currently engages him.

Having said that, Mr Tonkin is due to retire from that particular position, as I understand it. Unlike the Liberal Party in this place, I certainly wish Mr Tonkin a public service of enormous achievement all the best for the future.

MR SMYTH: Mr Speaker, I have a supplementary question. Why won't you just admit that you foisted Mr Tonkin onto Prime Minister and Cabinet to get rid of him because you did not like him?

MR STANHOPE: I did not.

Health—breast screening

MRS BURKE: Mr Speaker, my question, through you, is to the Minister for Health, Mr Corbell. I refer to comments by the ACT's representatives on the Breast Cancer Australia Network in the *Canberra Times* about concerns raised by women with them about delays in breast cancer screening:

They ask us why there is a much longer waiting time for appointments ... why they wait six weeks for results.

Minister, why are women now waiting much longer for breast screening appointments and waiting longer to receive results?

MR CORBELL: Mr Speaker, I am advised that the current waiting time from getting screened to getting a result is three weeks. That is the target we are aiming to maintain for women who have a screen through the breast cancer ACT program. It is a very important program.

We have, as I am on the public record as saying, experienced difficulties with recruiting and retaining sufficient radiologists and radiographers to perform this important work. In particular, we have had difficulty in contracting sufficient radiologists to read screens once they are undertaken. This is, of course, a concern for the government.

We have not sat idly on our hands in relation to this situation; we have worked hard to address it. That has gone to the extent of recruiting additional radiologists from Sydney who read the screens—which are sent to Sydney for those radiologist to read—interpret them and then provide advice back to the women here in Canberra who had those screens undertaken.

We have seen fluctuations in service delivery over the past 12 to 18 months. That has been the result of a lack of radiologists to undertake the service. There has not been a lack of money. There has not been a lack of intent on the part of BreastScreen ACT to deliver the services; it has been a work force shortage that has been difficult to counter. Other screening programs around the country have experienced similar problems.

I have to say that our figures, in terms of the number of people who are screened, remain the best in the country. Our figures are the best when it comes to the percentage of women who are able to access the program in the appropriate age cohort. The government is working hard to continue to maintain high standards of service delivery in BreastScreen ACT. As I indicated to members at the beginning of my answer, the current waiting time, I am advised, from screen undertaken to results received is three weeks.

MRS BURKE: Thank you, minister. Would you kindly clarify, firstly, where that information comes from; and, secondly, advise the Assembly why access to breast cancer screening services has worsened over the past three years?

MR CORBELL: I think I have answered the second part of the question. In relation to the first: the information comes from BreastScreen ACT.

National Zoo and Aquarium

DR FOSKEY: My question is to the Minister for the Environment. It relates to catchment management and the National Zoo and Aquarium. On 20 January 2005 the *Canberra Times* reported the offer of a land grant to the National Zoo and Aquarium. The process had taken several years to reach that point, which the Acting Chief Minister explained by the need to conduct a number of environmental reports. We have since been

advised that the ACT government has not conducted any environmental reports, but expects to see them during the preliminary assessment process. I learnt that some environmental analysis might have been conducted by the NCA as part of its master planning process.

What catchment management plans or policies are in place that inform and guide development decisions of the ACT government, specifically in regard to the National Zoo and Aquarium and the international arboretum.

MR STANHOPE: The first part of Dr Foskey's question goes to the National Zoo and Aquarium. It is the case that the ACT government has been working with the proprietors of the National Zoo and Aquarium around the provision of additional land to the zoo. An issue of significance to the existing zoo and to an expansion of the zoo is the potential impact on the catchment, which is actually on the Molonglo. It is an issue of the first order, an issue that we need to be absolutely convinced about in relation to the expansion plans of the zoo.

It is part of the reason why the decision has been drawn out to the extent that it has. The matter has been under consideration by the ACT government for some little time. That was, as much as anything, a consequence of a decision that the government took at an early stage to require a master plan for the proposed expansion. The master plan work that was undertaken by the NCA at the request of the ACT government did involve, to a significant extent, an environmental assessment of the potential impacts that would need to be addressed if the proposal were to proceed.

Yes, there has, through the master plan process, been some environmental work done, some assessment of potential environmental impacts. But, in the context of a decision by the ACT government to proceed with the granting of additional land to the zoo, we at this stage have taken comfort from the environmental investigations undertaken by the NCA through the master plan process. But that is not the end of it. There will now be a preliminary assessment process. Through that process, there will be opportunity for detailed consideration of ongoing potential environmental impacts from the expansion of the zoo on the catchment of that river system. Beyond that, I would need to take additional advice. I will do that, but I am not sure there is anything I can add to my answer at this stage.

Similarly, the international arboretum and gardens is very much at a preliminary planning stage. A future or potential design for the arboretum and gardens is yet to be decided upon. There is an exciting process, part way completed, including a national design competition that has attracted the best landscape and other architects and designers in Australia. There are five short-listed companies involved in the final consideration of an overall design concept for an international arboretum and gardens. That, of course, will have a significant bearing on some of the further consideration that we need to give to the environmental aspects of that particular proposal. There will be a preliminary assessment process to consider in detail environmental issues, in particular the catchment implications that Dr Foskey raised.

DR FOSKEY: I ask a supplementary question. Minister, could you advise me of the outcome of the meeting about other conditions, including water access, which, according to the article, would have occurred early in February between you and the zoo director?

MR STANHOPE: Yes, I met in February with Mr Richard Tindale, one of the proprietors and a director of the zoo and aquarium. We discussed a range of issues in relation to the potential availability of additional groundwater for use by the zoo. We discussed a charging regime that would apply to the water that the zoo would require, were it to expand to the extent that is currently proposed. Water is, of course, a significant issue in that regard.

Those negotiations continue. There were also, Dr Foskey, other issues discussed. These included Mr Tindale's hopes and plans and vision for a significantly expanded zoo, particularly issues of landscaping and the repair and restoration of different parts of the land that is currently being considered for the expansion. Some of the issues relating to water have not been resolved. They are the subject of ongoing discussion between Mr Tindale and Dr Cooper from Environment ACT.

I am more than happy to see what additional information I can give Dr Foskey in terms of concluded outcomes from those additional consultations and considerations that I know are being undertaken by Dr Cooper, or at least by her staff, with Mr Tindale. If there is any additional information that I can give you about the outcome of the discussions that I had with Mr Tindale about the availability and pricing of water, I will be more than happy to provide whatever information I can.

Building and construction—certifier

MR SESELJA: Mr Speaker, my question is to the Minister for Planning. Minister, I refer you to a matter regarding building work to a private home in Holt, in which it has been alleged that a certifier licensed by ACTPLA had acted improperly and that this had been drawn to the attention of ACTPLA staff in August of last year. I note it appears that no disciplinary action was commenced against the certifier until late January of this year. Given the significant concerns raised against this certifier last year, why has it taken your department so long to commence action against the certifier?

MR CORBELL: As I am sure Mr Seselja is aware, there are thousands and thousands of building activities occurring in the ACT every year, all of which require certifiers. If Mr Seselja is able to provide me with the details of the particular case in question, I am happy to investigate it and report back to the Assembly.

ACTION bus service—Bustext

MR GENTLEMAN: Mr Speaker, my question is to the Minister for Planning. Minister, today you launched Bustext, the new SMS trial for ACTION. Can you please advise the Assembly how this system will be beneficial to commuters in the ACT?

Mrs Dunne: You are going to get a text message to say that the next bus will be so many minutes away!

MR SPEAKER: Order!

MR CORBELL: Thank you, Mr Speaker. I am glad Mrs Dunne thinks it is funny because—

Mrs Dunne: No, I don't.

MR CORBELL: I can assure her that the Hearing Resource Centre and the 83,000 hearing impaired people in the ACT think it is a wonderful initiative, and they said so at today's launch.

Today, I am pleased to have launched a new service for ACTION called Bustext. Bustext is a service where people can send an SMS message to a dedicated number and, from that number, get back the information they need on when the next bus is servicing their location and where that bus goes. This is a very valuable service for commuters. It means that you no longer have to carry around a timetable or try to remember the timetable. Equally, if you are a new user and you need to get bus information for the location you find yourself in, you simply dial the number, tell the computer where you are, where you want to go and the SMS message comes back with the rest of the information you need. It is a very effective service, one that will cost only 55c per message—the cost of an SMS message. I am pleased to say that it is being done at no cost to ACTION, apart from some promotional advertising. The provider of the service, Kukan Systems, will be running the service on a trial basis for ACTION.

Not only is Bustext good news for people who need bus information quickly and easily—24 hours a day, seven days a week—it is also very valuable for people who are hearing impaired because, if they do not carry the timetable with them, they have real difficulty in finding out when the bus service is coming along. I was pleased to have representatives from the Hearing Resource Centre at the launch of Bustext today because they were able to say publicly and openly that this is a very positive service for their members. It means that they can now get bus timetable information easily and quickly, 24 hours a day, seven days a week. For those of us without a hearing impairment, if we do not have access to a timetable, we can just call the ACTION inquiry number and they will tell you when a service will be by. But if you are hearing impaired, that is obviously not an option. It will be a very valuable service for the hearing impaired, particularly the profoundly deaf, and something that will make a real difference in the lives of those individuals.

I encourage all members to have a look at the new SMS service. You dial the dedicated number, text where you are and where you want to go and the message comes back within about 30 seconds telling you exactly what bus route, when it is coming and the bus stop. This is a very valuable service that I commend to all members.

Health—radiation oncology

MR MULCAHY: My question is to the Minister for Health. I am advised that, for some time, oncology patients who are unable to receive radiotherapy in the ACT within clinically acceptable time frames have been referred interstate for treatment. An example that you would be familiar with is the case of Mrs Heather Millar of Weston, whose permission we have to mention her name in today's proceedings.

She was diagnosed with breast cancer on 8 December 2004 and received an operation five days later. However, she was told that she would have to wait a further three months for radiation therapy in the ACT, a clinically unacceptable waiting time. Instead of

waiting, Mrs Millar chose to be treated in Wagga, a common destination for Canberra oncology patients.

Minister, what are the current waiting times for radiation therapy for breast cancer patients? How many patients have been referred to Wagga in the last 12 months? How is it possible for Wagga to be able to maintain a radiotherapy clinic that offers services within a clinically acceptable time frame when Canberra, under this government, is not able to?

MR CORBELL: The reason for that is that there is a radiation oncologist who has chosen to locate his business in Wagga and he has been able to attract a range of radiation oncologists to work with him in that location. We continue to work hard to recruit people for the ACT. Whilst members opposite may find it a little bit tedious or boring, the reality is that there is a range of work force shortages, including in radiation oncology.

The government is taking a range of steps to address this issue. For example, we have taken steps to recruit additional full-time radiation oncologists and we have recruited an additional full-time radiation oncologist in recent months. We now have three full-time radiation oncologists in the ACT. We recognise the need for a further oncologist position. That position is funded and an active recruitment program is under way.

Other issues that surround the delays in access to radiation oncology include the planning of radiotherapy treatments. At the moment, that process is quite slow and it is, of necessity, quite a complex activity. The current computerised planning system used for planning radiotherapy treatments is an old one and the government has committed funds to providing a new system, which will mean that the planning of radiotherapy treatments can occur more quickly. That will mean that more treatments can be provided within the same time frame.

This government is investing in the technology to make sure that more radiotherapy treatments can be planned more quickly, and that will mean that more actual treatments can be undertaken. We are recruiting more radiation oncologists and we have been successful in doing that to date.

Patients are classified according to the urgency of their requirement for radiotherapy. Urgent treatment means to receive treatment within 24 hours, semi-urgent within 23 days. Patients classified as non-urgent may wait up to eight or nine weeks. Arrangements are currently in place for approximately 12 to 15 non-urgent patients per month to receive radiation therapy outside the ACT. We are doing that to make sure that people get treatment within the clinically appropriate times. Only non-urgent patients are offered treatment outside the ACT. When such transfers occur, ACT Health is providing patients with support to ensure that those services are provided as smoothly as possible.

Our first priority is to make sure that people get treatment within the clinically appropriate times. If, for a range of national and international reasons, we are not able to recruit sufficient radiation oncologists, we will take steps to ensure that that treatment can be provided elsewhere within the clinically appropriate times. That must be at all times the first priority.

MR MULCAHY: I have a supplementary question. Minister, can you indicate precisely how many radiation therapy positions—that is, radiologists and radiation oncologists—are currently vacant in the ACT? When were the funds that you referred to appropriated for the new equipment outlays?

MR CORBELL: I think that the funds were appropriated before you became a member of the Assembly, Mr Mulcahy. I think that it is an ongoing capital program, but I am happy to get the details of that for you. In relation to the vacancies, as I have indicated, we are planning for four radiation oncologists and we currently have three. In relation to radiation therapists, I will take the question on notice and provide the information to Mr Mulcahy.

Environment—lower Cotter catchment

MRS DUNNE: My question is to the Chief Minister and Minister for the Environment. I refer to the CSIRO's rejection of your claim in a media release of last Friday that one of its senior scientists, Dr Peter Hairsine, offered support to your government's management of soil and water quality in the lower Cotter catchment. I refer more specifically to your claim that Dr Hairsine had criticised his former colleague Dr John Williams. To use the words of your own press release, did you indulge in "mischievous reporting" and "post facto" commentary to deliberately foment dissension between colleagues at CSIRO in order to cover up your inadequate handling of the lower Cotter catchment?

MR STANHOPE: No.

MRS DUNNE: I have a supplementary question, Mr Speaker. Since it is evident from the press reporting that Dr Hairsine did not give permission to broadcast his words, would it be fair to infer that political point scoring was your highest priority in your press release?

MR STANHOPE: No.

Policing—motorcycle gangs

MR PRATT: Mr Speaker, my question, through you, is to the Minister for Police and Emergency Services, Mr Hargreaves. Given the level of community concern expressed about the Rebels motorcycle gang and its activities in recent days, why have you failed to show leadership in tackling outlaw motorcycle gangs in the ACT?

MR HARGREAVES: I did see this coming. Clearly Mr Pratt's utterings on this issue are merely designed to further scare people of the ACT. The facts clearly did not get in the way of a good story by Mr Pratt about the alleged dispute involving some members of the Ulysses motorcycle club and the Rebels motorcycle club. Indeed, I would suggest this: if Mr Pratt has evidence, facts that he can put before the police, to back up his assertions, then I challenge him to do so. In fact, I would remind him that it is an offence to withhold that sort of information.

Mr Speaker, this is a popular theme—of reporting unfairly, criticising the police for perceived inaction. This is not the case. I have had a number of conversations with senior police officers about this issue. The information I have received is this: the police have supported, and will continue to support, members of the community and visitors who wear their badges or any other item of clothing. I must emphasise that the issue of wearing patches is not a new one. It was factored into the risk planning for the Ulysses event. Police intelligence and planning well in advance of the event placed them in a very confident position to address any incidents that could reasonably be anticipated. Police ensured strong and open lines of communication with all parties, and they were established and maintained well before the event.

Canberra, by virtue of its status as the national capital, attracts tens of thousands of visitors annually to major events such as Floriade and Summernats. The capital also hosts a range of heads of state and high-level business meetings. The planning elements of ACT Policing responsible for coordinating and producing the operational plans to ensure these sorts of major events are staged with the appropriate level of security and safety measures are professional, highly experienced and extremely well versed in contemporary counterterrorism methodology.

The Canberra community generally, including the media, is often unaware of the resources that are poured into major event planning, often many months in advance of the actual occasion. That is the way it needs to be in a climate where information, intelligence and preparedness are crucial to the overall success and security of the event. Whether it is a Brumbies or a Raiders match, New Year's Eve celebrations, SkyFire or Summernats, there are a host of factors that police planning operators consider when formulating their operational plan.

Mr Speaker, it is disappointing that such negative publicity was generated for motorcycling in the ACT and the police force. For the record, 5,000 motorcyclists travelled to Canberra without a single arrest requiring to be made by the police. I believe this is due to good planning, preparation and policing. I might also add, finally, that there were no incidents reported to police where people were prepared to stand up and give those facts to police and then say they would go to court to do it.

Mrs Dunne: I wonder why.

MR HARGREAVES: I will remind the vacuous Mrs Dunne that—

MR SPEAKER: Direct your comments through the chair.

MR HARGREAVES: there was, in fact, action taken by the police against an outlaw motorcycle gang only recently, which resulted in two people being put before the courts.

MR PRATT: Minister, given what actually did happen, if you cannot ensure that police are in charge of policing the Rebels on the relatively minor issues of bullying and intimidation, how can you assure your community that you are serious in tackling the outlaw motorcycle gangs' organised crime impacting on Canberra and the region?

MR HARGREAVES: Unlike Mr Pratt, the community and I have complete faith in our policing services.

Women's sport

MS MacDONALD: Mr Speaker, my question is to the minister for sport and recreation, Mr Quinlan. Minister, the women's sport and recreation grants program was announced today. Could you please inform the Assembly of the successful recipients of the 2005 women's grants?

MR QUINLAN: Thank you, Ms MacDonald, for the question. It has been my pleasure to announce \$61,350 in funding for 23 local sport and recreation organisations, successful recipients of assistance from Sport and Recreation ACT's 2005 women's grants program. The funding is about creating greater opportunities and encouragement for women to participate in sport and physical activity. Women's participation opportunities are a key priority of our sports policy.

Funding also aims to contribute to the development of women in leadership positions within the sport and recreation industry, particularly in administration, officiating and coaching. For individual sportswomen and women's sporting teams for recognition and media coverage, funding and sponsorship can be a battle. This program, now in its third year, continues our commitment to redressing a clear imbalance.

A total of 29 applications were received from a wide variety of sporting, recreation and community groups, with 23 of these projects earmarked for funding following a detailed assessment process being carried out. Recipients of funding from the 2005 women's grants program include:

- \$5,000 to the YMCA of Canberra for women's "living large and active" program, designed to assist large women to become physically active in a safe and supportive environment;
- \$1,500 to Brindabella Callisthenics College to develop a program for young coaches;
- \$5,000 to the Community Programs Association to educate female staff members, who provide support to people with a disability, in swimming programs;
- \$2,000 to Orienteering ACT for the establishment of a women's orienteering series.

Our commitment to women's sport also extends to the national teams such as the Capitals, Eclipse and Strikers who, I have to say, under previous governments were treated as second-class citizens. We have assisted those teams to participate at a national level and we rank them along with the men's teams, where they were not ranked under a previous government. Individual women and women's teams have brought great success and credit to the ACT. They deserve our support and are getting our support. They deserved our support before we came to government and they did not get it.

Classical music grants

MS PORTER: My question is directed to the Chief Minister. Is the Chief Minister aware of the media reports that Canberra's classical music scene is to receive an influx of

funding from a private philanthropic source, and possibly from the Commonwealth? What impact will this funding have on the local arts community? What assistance has the ACT government given to classical music in Canberra?

MR STANHOPE: It is a very important question. Today is a very exciting day for people involved in music and the provision of music in Canberra. Yesterday and today there have been media announcements regarding additional funding to classical music in Canberra. They signify a vote of confidence in the quality of music produced within the Canberra community.

Members of the Assembly will be aware of the story on the front of today's *Canberra Times* concerning a most generous gift from Mrs Barbara Blackman to the local music community. I personally—and I think I speak for other members—thank Mrs Blackman for her generosity: a gift of \$1 million to Canberra's arts to establish Enterprises for Contemporary Music Audiences to be centred in Canberra. This is obviously one of the most substantial philanthropic gestures that our local arts community has ever seen—if not the most generous.

I understand that Mrs Blackman's connection with Canberra goes back nearly forty years with the National Library and the National Gallery. She recently returned to Canberra to live. Mrs Blackman has enthusiastically embraced contemporary music since first hearing a piece that she says inspired her almost sixty years ago. I understand that she is eager to pass on her thirst and thrill for contemporary music as a patron of audiences. Her gift to the ACT music community is a gift to audiences yet to experience what Canberra has to offer.

I was very pleased to meet Mrs Blackman last week at the time of listening to a solo cello performance by Julian Thompson at the launch of the International Chamber Music Festival, at which Mrs Blackman was the honoured guest.

The status and role of the Canberra Symphony Orchestra has been acknowledged in the federal government's review of orchestras, which has recommended that the Canberra Symphony Orchestra receive annual funding from the Commonwealth of \$100,000. This recommendation is very welcome. I certainly hope that it will come to fruition. The ACT government has, for many years, sought federal funding for our professional orchestra and to place it as part of the national network of orchestras. In the past it has been left to the ACT government and other organisations from within the Canberra community. I think most especially the Canberra Labor Club provides support to allow the Canberra Symphony Orchestra to continue.

The ACT government has made strong representations to the review. We would like to continue talking to the federal government about its financial commitment and hope, at the very least, that the Commonwealth will match the ACT government's funding of the Canberra Symphony Orchestra.

The government is very committed to classical music and has supported this art form for many years. For example, the ACT government is supporting the Canberra Symphony Orchestra with three-year funding of \$675,000. This is to present an annual series of four subscription symphonic concerts at Llewellyn Hall and a prom concert at Government House.

Canberra Youth Music receives three-year funding of \$365,000 to provide young Canberra musicians with opportunities to participate and learn about classical music. Music for Everyone receives three-year funding of \$280,000. This organisation enables people of all ages, backgrounds and abilities to participate in music making.

The government supports some other great innovative classical music activity. This year, the government is supporting the 11th Canberra International Chamber Music Festival, Stopera's chamber opera production of *Jane Eyre*, the Hayden Band's two classical concerts, Canberra Choral Society's choral concert and many others. This represents a government commitment of more than \$195,000.

Additionally, the government is committed to music in schools. We fund the Australian National University to provide tuition to students at college and primary level. The government also supports the ANU in providing a program of music concerts and community access to the School of Music's quality staff and facilities. This is a significant commitment to the community and is funded at more than \$1.3 million a year.

In addition, the landmark funding from Barbara Blackman and the Commonwealth will have an everlasting impact on the quality and experience of classical music for Canberrans. It will ensure that some of our local music initiatives can be shared with new and growing audiences.

Don Aitkin, Pro Musica's president, says that the Blackman gift to the International Chamber Music Festival will ensure that Canberra will quickly become a national centre for contemporary music in intimate settings. It will enable the festival to grow quickly into a truly national event—something I am sure we all hope for.

It is obvious that the classical and contemporary music scene has a special place in the lives of Canberrans. That is understood and appreciated by a most outstanding patron of the arts, Barbara Blackman, and the other substantial patron of the arts, this government.

Mr Speaker, I ask that all further questions be placed on the notice paper.

Leave of absence

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

That leave of absence be given to Ms Gallagher (Minister for Education and Training) for this sitting.

Motion (by **Mrs Dunne**) agreed to.

That leave of absence be given to Mr Stefaniak for this sitting.

Executive contracts

Paper and statement by minister

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the

Environment and Minister for Arts, Heritage and Indigenous Affairs): For the information of members, I present pursuant to sections 31A and 79 of the Public Sector Management Act 1994, copies of contracts in accordance with the list circulated. I seek leave to make a statement in relation to the papers.

Leave granted.

MR STANHOPE: Mr Speaker, I present another set of executive contracts. These documents are tabled in accordance with sections 31A and 79 of the Public Sector Management Act, which require the tabling of all executive contracts and contract variations. Contracts were previously tabled on 8 March. Today I present one short-term contract. The details of the contracts will be circulated to members.

Paper

Mr Stanhope presented the following paper:

Water Efficiency and Labelling Standards Bill 2004—revised explanatory statement.

Casino Control Act 1988—review Papers and statement by minister

MR QUINLAN (Molonglo—Treasurer, Minister for Economic Development and Business, Minister for Tourism, Minister for Sport and Recreation, and Minister for Racing and Gaming): For the information of members, I present the following papers:

Gaming and Racing Control Act, pursuant to paragraph 13 (2) (f)—
Review of Casino Control Act 1988—policy paper, dated October 2004.
Review of Casino Control Act 1988—policy paper—government response.

I seek to leave to make a statement relating to the report.

Leave granted.

MR QUINLAN: Mr Speaker, under the Gaming and Racing Control Act of 1999, the functions of the ACT Gambling and Racing Commission include the requirement to review legislation and to make recommendations to the minister. In December 2004, the commission, as part of its ongoing program of legislative reviews, presented its policy paper titled Review of the Casino Control Act 1988 to me as Minister for Racing and Gaming.

The commission's review included a wide range of recommendations that could be adopted by government to enhance the regulation and operation of the casino in the ACT. I can announce that, of the 37 recommendations, there appears to be no issues of concern and the government is pleased to be able to support recommendations 1 to 36 of the commission's recommendations and has also agreed to the preparation of draft legislation to give effect to these reforms to the ACT's casino control laws.

As to recommendation 37, dealing with gaming machines in the casino, the government has a stated policy of not supporting the operation of gaming machines in the casino. The government therefore notes the commission's recommendation relating to those matters that should be taken into account if machines were permitted in that casino. However, the government does recognise that, as it would ultimately be a matter for the Legislative Assembly to decide whether gaming machines should be permitted in the casino, the issue raised by the commission in this regard should be considered by the Assembly if the matter is ever considered in the future for debate.

The commission's review report and the government's response to the recommendations will form the basis of a revised Casino Control Act that will be presented to the Assembly for consideration in the near future. Accordingly, I am pleased to present concurrently the commission's policy paper entitled Review of Casino Control Act 1988 and the government's response to that review.

Papers

Mr Corbell presented the following papers:

Calvary Public Hospital—Information Bulletin—Patient Activity Data—January 2005.

The Canberra Hospital—Information Bulletin—Patient Activity Data—January 2005.

Petition—out of order

Embassy Motel site, Deakin—proposed redevelopment—Mr Seselja (445 citizens).

Canberra plan

Ministerial statement

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (3.16): Mr Speaker, I ask for leave of the Assembly to make a ministerial statement concerning the Canberra plan.

Leave granted.

MR STANHOPE: Almost exactly one year ago I had an opportunity given to very few individuals—the opportunity to set out my government's vision for the future of this city.

In October last year, the people of Canberra gave me another opportunity—to spend the next four years making that vision a reality. They gave me that chance because they share my hopes for this city and my confidence in its future. Importantly, they gave me that chance because the vision set out in the Canberra plan is a vision that was given shape and direction by Canberrans themselves. It is a vision that will endure beyond the political lifetime of those in this Assembly, a plan whose social, economic and spatial legacy will be felt by our children and grandchildren.

Today, as I promised a year ago at the launch of the Canberra plan, I report back to the people of Canberra. Today is a chance for me to tell Canberrans what the government has done to turn their vision and our vision into reality.

Canberra's greatest asset is its people. Most cities are defined, to a greater or lesser extent, by the thing that brought them into being: the coal they mine, their factories, wheat or wool. Since its establishment 92 years ago, Canberra has been defined by its major resource, its people. It is the responsibility of government to invest in that asset, to give every member of the community the opportunity to reach their potential, socially, intellectually, professionally, financially and physically.

That means understanding how failure or disadvantage in one area of an individual's life can materially affect every other aspect of that person's life. Poor mental or physical health, illiteracy, an unstable family life, homelessness and a lack of training—any one of these things can blight an individual's capacity to reach their potential. That is why the support my government is giving under the Canberra plan is integrated, rather than piecemeal.

One of our proudest investments of the past 12 months has been in our first integrated child and family centre. The Gungahlin Centre is a hub for developmental programs, health and education offerings and parenting and family support services. It is staffed by social workers, psychologists, child and maternal-health nurses, speech pathologists and early-childhood educators. In just eight months, more than 1,000 Gungahlin locals have sought information on its programs; 250 have attended sessions on starting school, fathering boys, and building resilient children.

The centre runs a healthy eating program. There is a babysitters club for adolescents to teach childcare skills and positive parenting behaviours. There is an outreach paint and playgroup that sets up on the footpath or in the park, spreading parenting tips and putting families in touch with services. The centre is part of my government's commitment to help Canberrans develop the personal skills they need to be healthy and happy.

Of course, in any community there will always be individuals at greater risk of exclusion from community life. Those with disabilities are particularly vulnerable. About 15 per cent of the working age population carries a disability. It can be a lonely burden; most disabilities are invisible. It can mean exclusion from the workforce or from other areas of community life, such as sport.

This year, under its community-governed innovation grants program, my government has given Canberrans with disabilities a chance to participate more fully in community life. About 100 Canberrans with visual impairments have been helped to participate in mainstream sports, for instance, with plans to help about 500 over the life of the program. Another program encourages women who use mobility aids to join exercise classes.

My government wants to see a permanent cultural change towards disability. In the first year of the Canberra plan we have invested \$23 million in wheelchair-accessible buses. In the area of employment, we are taking the lead, adopting a public service-wide employment framework for people with a disability that commits us to ambitious, but

achievable goals. The talents of many Canberrans with a disability lie waiting to be discovered. In many cases, the price of unlocking that talent is simply a little flexibility and creativity in job design and a consciousness of the dividends that flow from workplace diversity.

Employment is a big issue for Canberrans with disabilities. Housing is another. Every Canberran is entitled to living arrangements that are comfortable, safe and dignified. Labor's Centacare Linc project, launched last December, is helping Canberrans with disabilities live in group houses on their own terms. The aim is to maximise independence, without compromising on support. Five houses in Belconnen are already occupied, managed by a community living worker based nearby.

The investments I have mentioned so far are mostly about strengthening the capacity and resilience of individuals. But individuals are also members of communities and communities need to be kept strong and cohesive, too. Strong communities are ones that rejoice in their diversity, even as they celebrate their unity. Strong communities celebrate endeavour. Strong communities share stories.

Last weekend I presented Canberra Gold Awards to residents who have given 50 years or more of their lives to this city. More than a thousand Canberrans were nominated for the inaugural awards. That is 50,000 years of collective memories, 50,000 years of raising families, building the economy and shaping the city.

In the first year of the Canberra plan my government has created many new ways for Canberrans to work, socialise and learn together. Our community inclusion board has the pulse of the local community. It is giving the government a vivid picture of our community and clear advice about how we can strengthen it. For the coming year, for example, the board has identified personal and household debt as one of the big issues it wants tackled. A pilot household debt project has just kicked off, helping low-income families break free from the debilitating cycle of consumer debt.

Over the past year our community inclusion fund has helped community organisations run such innovative programs as an early morning drop-in centre where homeless Canberrans can check mail, get a meal and access health services. Our first focus when it comes to homelessness will always be to put roofs over heads. But this centre is a recognition that homelessness is a complex phenomenon, requiring lateral thinking and lateral action.

Through the Canberra community grants program, more than \$200,000 has been distributed over the course of the past year to fantastic community building projects, such as the Citizens Advice Bureau information expo at the multicultural festival. The Citizens Advice Bureau knows that a strong community is an informed community, a community that knows what services exist and how to get hold of them. I believe that an informed community is also an engaged community. It is a community that has a say. Communicating with the community about important issues is a duty the government takes seriously and we are exploring ways of doing it more effectively.

Over the past few days every household in Canberra has received a copy of the first City Report, an update on some significant government activities. It contains stories on important Canberra plan initiatives, including the appointment of a Small Business

Commissioner and plans for a bushfire memorial. At a cost of about 35 cents per household, we believe this newsletter could develop into a cost-effective way of keeping the community informed and engaged.

My government wants to reach people where they live, but we also want to use the language they speak. That is why, last November, we published a *Plain-English Guide to the ACT Human Rights Act*. We do not want Canberrans to feel that this is a law comprehensible only to lawyers. We want them to know it is protecting the basic rights of people just like them and their neighbours and their workmates.

A strong community is informed, but it can also be informal. It can let its hair down. Over the past year the government has played host to some of the best parties in town:

- Christmas in the City
- a New Year's Eve that Canberrans are still talking about
- an Australia Day that brought record crowds out into our streets and parks, and
- just this weekend, an unrivalled birthday party in Commonwealth Park.

Of course, people will only come to the party if they feel safe on the streets or in a crowd. The government is helping people feel safe. In the year to December 2004, motor vehicle thefts in Canberra dropped by a third. Reported assaults were down by nearly a quarter. In May and August 2004, the ACT had its lowest burglary rates for four years.

Just last week, we announced the design consultants for a state-of-the-art ACT prison. By 2007 we will at last be in a position to take responsibility for our own prisoners. We will do so in an environment where a human rights culture prevails and where rehabilitation is a priority. It has been said before, and it is worth repeating: our offenders are sentenced to imprisonment as punishment, not for punishment. It is a distinction the ACT government is determined to preserve.

Just as people need to feel safe, they will only be in a position to participate fully in the celebratory aspects of community life if they enjoy good health, physical and mental. In the past year, the government has been developing the highly successful Canberra After Hours Locum Medical Service, CALMS. We have also negotiated with the commonwealth an extension to the Outer Metropolitan GP incentives scheme, which will help local GPs recruit overseas-trained doctors. Elective surgical procedures in the six months to the end of January 2005 were the second most numerous on record—evidence that our additional funding is yielding results.

Education and training are two other areas where it is utterly crucial that Canberrans are given the opportunity to reach their potential, not just in their formative years, but again and again over the course of a lifetime. The youngsters just starting out in kindergarten in Canberra's schools this year are being prepared for jobs that have not even been given names yet. Over the course of their working life, most people will now change career a number of times. Our schools need to equip Canberra's young people for this future.

That is why the ACT government has just conducted a major review of curriculum, the first in a decade. The result is a new curriculum framework covering every year from preschool to year 10. Every year 10 student now benefits from pathway planning and

every senior secondary student must formally plan a transition from school to further study or work. For the vast majority of young Canberrans, this transition will be smooth. For the small minority who encounter difficulty, the government's training pathway guarantee steps in, easing them into formal training, keeping them focused on the future.

Strengthening our community means strengthening our entire community, from our youngest members to our oldest. This is another theme running through The Canberra plan—a city for all ages.

Our ageing community will need a different mix of housing and health services. Through our new building for an ageing community strategy, we have put in place planning and other processes that will deliver 1,000 beds and roughly the same number of independent living units over the next five years. Since December, six blocks have been sold to service providers and another two are under consideration; two projects have commenced construction; another two are imminent; another greenfields site will be released this financial year and 12 projects are in the design and application phases.

In an Australian first, the ACT and commonwealth governments have just agreed to a Belconnen lakeside development that will deliver another 100 beds and 150 self-care units. The challenges of our ageing demographic are complex and extend beyond health and housing. The government is developing a population strategy to tease out the implications for workforce planning and potential future skill shortages.

There has been talk in recent days of the ACT's narrow revenue base. This is an historic legacy. But it is not one we need to endure in perpetuity. Nor will we. That is why the fourth focus of the Canberra plan is this city's knowledge future.

Under the plan we have launched a business springboard program, giving budding entrepreneurs access to the skills and know-how of successful business people. We have invested \$10 million in a new School of Health Science at the University of Canberra and supported a new Construction Industry Training Centre. Both will deepen our pool of skilled workers, ready to turn ideas and knowledge into assets for the territory.

We are also reaching out beyond our borders, exploiting the expertise of others, building contacts and creating new markets. The Canberra-California bridge program, launched in July, is opening the door to global markets and to global finance.

Last August, we set up screenACTion, the ACT Office of Film, Television and Digital Media, to galvanise the local industry, help it to a bigger slice of the lucrative production and post-production markets and encourage the development of an industry cluster. Clustering and other forms of collaboration are transforming the economy and partnerships for growth is a theme running through the Canberra plan.

In the past year we have put in place:

- a Canberra partnership board, bringing together business, researchers and government to identify opportunities for growth and export;
- a \$30 million super venture capital partnership, which will take great local ideas and turn them into commercial realities and jobs; and

- a one-stop-shop home to BusinessACT, the Canberra Business Advisory Service, Austrade, screenACTion and the brand new Small Business Commissioner.

Canberra's tourism industry also stands to benefit from more effective collaboration. Initiatives such as the recently announced \$1.5 million SCAN project are letting us marshal the resources of the entire region to boost our collective profile and get the best possible return on our promotional dollar.

Partnerships are also critical to the sixth strategic theme of the Canberra plan—a dynamic heart. My government is spending \$1.5 million over four years to attract greater financial, social and cultural investment in Civic. Our aim is to make Walter Burley Griffin's vision for this city a reality.

In the west, the Childers Street urban design project is creating a cultural precinct seamlessly linking the university and the city centre. The ANU recently signed a 10-year deal to develop several more parcels of vacant land in the area. Just a few metres away from where we sit today, work has begun on the Civic Library and Link. Consultation on the new Multicultural Centre will begin in July and the redevelopment of Currong Apartments is poised to begin. Just last week a new vision for City Hill was released.

The renaissance is not confined to Civic. The redevelopment of Fraser Court in Kingston and Burnie Court in Lyons will begin within months. This is urban renewal on a once-in-a-generation scale. Yet it is renewal that is also visually, philosophically and practically in tune with Canberra's image as the bush capital. It is odd that "the bush capital", a phrase that originally had a hint of the pejorative about it, should have become a badge of honour for this city, but it has. That is why the final theme of my government's plan for this city focuses on our capacity to live with, rather than in opposition to, our environment.

We need to balance the demands of an affluent and growing population against the subtle, but insistent, demands of our environment. As far as possible, we must strive to be a compact city. We must be energy smart and water smart. We need to preserve our bush corridors, where we can, and leave as small a footprint as possible wherever we tread. This means confronting the sorts of issues governments find it easier to put off. My government wants to help secure the future, not condemn it.

That is why, before the end of the year, we hope to have decided on a clear way forward on the city's future water supply. It is why, through our subsidised home energy audit program and our \$1.2 million energy wise program, we are helping householders make changes that will conserve the planet's dwindling fossil fuels. It is why we have passed water efficiency labelling laws that will save us 1.4 billion litres of water a year. It is why we want to get Canberrans out of their cars, wherever possible.

Creating an efficient public-transport system for a dispersed population is not easy, but last April's sustainable transport plan is navigating a way. Construction of a Gungahlin-Civic bus way begins this year and we are exploring the possibilities for a Belconnen-Civic route.

Attitudes are changing. Last month, for the first time in Canberra's history, ACTION adult passenger numbers reached 20,000 in a single day, not once, but several times. Campaigns such as TravelSmart are encouraging even more people onto the buses. We are improving bus frequency as part of a \$4.6 million investment in system-wide improvements; \$100,000 is being spent to give passengers certainty about waiting times; \$400,000 is being spent on the design of a new interchange at Woden and forward design is also underway for Belconnen.

In isolation, each of the initiatives I have outlined today is worthy. They are investments that change the lives of individuals for the better. Combined, they are changing our entire community for the better. These are integrated initiatives that fit together with the strength of a monkey grip. They are unified by my government's vision of this city and aspirations for its people.

Over the next five years we are investing \$600 million in the realisation of the Canberra plan. Our vision is a city that represents the best in community living and sustainable development. One year on, we have begun to shade in the contours and sharpen the topography of the Canberra plan. One year on, Canberra is closer than ever to being the city it is capable of being. I move:

That the Assembly takes note of the paper.

Question resolved in the affirmative.

Celebrate Canberra

Discussion of matter of public importance

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

The importance of the Celebrate Canberra celebrations, the success of Canberra's big birthday party on 12 March and the need to highlight the contribution the Canberra citizen of the year and the Canberra gold certificate recipients make to the community.

MS MacDONALD (Brindabella) (3.36): We all know that Canberra celebrated its 92nd birthday on Saturday—and thousands came out to wish our city a happy birthday. Our city has come a long way in 92 years. What was once a few farming properties is now a beautiful and vibrant city, the capital of Australia and home to more than 320,000 people. The Celebrate Canberra celebrations kicked off on Saturday and will run until Monday, 21 March 2005. The 10 days of celebrations are an important opportunity to recognise those who have made valuable contributions to the Canberra community, as well as to get out and experience all that Canberra has to offer. They allow Canberrans to enjoy and explore our city, its people, attractions, diversity and, most importantly, its sense of community.

The “celebrate in the park” event on Saturday 12 March marked the beginning of the 10 days of celebrations. This inaugural event was a wonderful success and offered Canberrans a huge variety of entertainment, acts and activities. More than 35,000 people attended the event throughout the day, which began with the announcement of the Canberra citizen of the year award—or should I say Canberra citizens of the year. The entire staff of Clare Holland House were recognised for the countless hours of service they provide to the Canberra community. The palliative care centre, positioned on the shores of Lake Burley Griffin at East Basin, has served our community since December 2001.

The Clare Holland House palliative care team delivers comprehensive, coordinated, compassionate and excellent care to people and families who live with advancing illness. The team, which consists of doctors, nurses, social and palliative care workers, clerical and kitchen staff, physiotherapists and occupational therapists, have specialised knowledge and skills. Their approach encompasses the whole person—not only the management of pain and other complex systems but it also acknowledges and addresses the psychological, spiritual and social aspects of individuals. The environment is made as home-like as possible, where families can remain close and are encouraged to participate in care and decision-making.

Services provided include the in-patient palliative care unit, where people are admitted for a number of reasons; the home-based palliative care unit, which provides nursing care and support to people with an advancing illness whose families are caring for them at home; and the hospital consultancy service, which includes palliative care specialist advice to patients in hospitals, hostels and aged-care facilities. Clare Holland House is a deserving recipient and I would like to congratulate manager, Pauline Green, Medical Director, Dr Margherita Nicoletti, and all of the staff at the centre.

Thanks must also go to last year’s citizen of the year, Mr Geoff McPherson, who was recognised for his major contribution to the Canberra community in refugee support. Mr McPherson has served our city impeccably as Canberra citizen of the year in 2004 and I am sure the staff of Clare Holland House will do Canberrans just as proud in 2005. I was very interested to hear the comments Mr McPherson made on Saturday just before Clare Holland House was announced. He talked about how things had not necessarily improved, but how very pleased he was to have received the award in 2004.

Five community protection medals were also awarded on Saturday to five people from across the ACT emergency services, including ACT Policing. The ACT community protection medal was established in 2002 to reward people who have given sustained, distinguished or outstanding service to the ACT community through their involvement in ACT emergency services. ACT Ambulance paramedic Mr Trevor Stohr; State Emergency Service volunteer, John Hill; president of the ACT Rural Fire Services, Molonglo Brigade, David Tunbridge; Australian Federal Police negotiator, Therese Barnicoat, and the ACT Fire Brigade’s Joseph Murphy all deserve our thanks and congratulations. These five recipients have worked tirelessly in our community and have proven their commitment to Canberra.

I was pleased to be able to attend the events on Saturday morning and to help present the inaugural Chief Minister’s Canberra gold award to those Canberrans who have lived in

this city for the past 50 years. The Canberra gold awards recognised the 1,000-plus qualifying recipients, as a way of thanking these residents for their long-term commitment and contribution to the Canberra community. Canberra's social plan, launched by the Stanhope Labor government in 2004, noted the importance of recognising this special group of residents.

Just 50 years ago, Canberra's population numbered only 30,000 people. In June 2003 an estimated 322,850 people lived in the ACT. As we continue to watch this city grow and develop in the future, it is important that we celebrate the contribution these Canberran pioneers played in years past and remember that the Canberra we know today was built by people who came from all over the nation and, indeed, from all over the world. This special occasion was also marked by the cutting of a gigantic birthday cake with the impressive measurements of 91 centimetres by 45 centimetres. I was lucky enough to have a slice of the cake, which was made by Annie's Cakes, and can report that it tasted pretty good.

One of the things that struck me on the day was the general feeling of excitement and wellbeing. Everyone was there to have a good time and celebrate Canberra's milestone as a community. The recipients of the Canberra gold award were thrilled to be recognised as long-time residents. Many stopped to tell me about when they first came to Canberra, or that they were second generation Canberrans. In fact, one lady pointed either to her grandson or her great-grandson—I was not sure—and said, "He's eighth generation in this area." I find that amazing, I have to say. The gold awards are a wonderful way for long-time residents to meet other long-time residents and share their experiences with the community. As somebody who has just celebrated her 10th year in this area, I have to say I look forward to the day when I can receive my Canberra gold award in 40 years time!

Celebrate in the Park brought together the culinary, artistic, social, musical and cultural diversity of Canberra. It featured the best culinary variety Canberra has to offer, with Canberra restaurants and wineries providing food galore for all. There was a fantastic array of food available, from Asian dishes to smoked meats and Italian cuisine and, of course, plenty of Australian fare. This was complemented with sounds from some of Canberra's and Australia's top live bands, including the Whitlams and Killing Heidi. These bands and other local talents, such as local Australian idol, Hayley Jensen, Zooster, Los Capitanes and the Diane Mason Band, attracted thousands of people. In fact, I know the Chief Minister enjoyed Killing Heidi very much.

The children's stage was also an extremely popular area, with an estimated 7,000 children and their parents packing the lawns to see performances by George from Playschool—who I am quite sure would have given Killing Heidi a run for their money—Active Kidz, Humphrey B Bear and Canberra's top magician, Tricky Nick. The spectacular fireworks display over the lake was a fitting way to end the day.

The celebrations have not finished. Over the next seven days there are many upcoming attractions that offer fun and excitement to all Canberrans, young and old. I look forward to the Lunar Festival, which will light up Tuggeranong this Saturday. It will provide for children and adults alike to watch and interact with Samoan and Croatian dancers and listen to Latin music. There will also be South American puppetry and lantern workshops.

A balloon fiesta each morning of the 10 days will festoon, and has already festooned, Canberra's skyline, with over 50 balloons of various sizes and shapes from across the world. All of us, I am sure, would have seen the spectacular photo in this morning's *Canberra Times* of the balloons over the lake and the National Museum. The Canberra Connect community bike ride will give the opportunity for hundreds to participate in a leisurely ride around the city. The Circus of the Air, presented by the ACT government and ActewAGL, will create a 19th century carnival feel, reminiscent of Jules Verne's *Around the World in 80 Days*. Held from March 19 to 21, the circus will complement the balloon fiesta and provide more entertainment to spectators.

The Canberra Museum and Gallery is holding a Craft ACT exhibition, which showcases the very best craft artists and designers in the Canberra region. On a personal note, I have my own interest in craft and, in fact, participate in craft activities. I look forward to that particularly. There will also be a bridge-to-bridge model yacht race from 19 to 20 March on Lake Burley Griffin. There are dozens of other events, exhibitions and activities taking place over the next seven days—unfortunately, too many to name.

I urge everyone to get out there and enjoy our beautiful city and experience something new—there is literally something for everyone. So check out the Celebrate Canberra website and help celebrate our wonderful city as part of the community. Now an annual event, Celebrate Canberra has begun the countdown to Canberra's centenary year. We are well on the way to making 2013 a spectacular and joyous occasion. Every year can only get bigger and better, and I look forward to future celebrations.

I will finish by acknowledging my Assembly colleagues who were also at the presentation of the Canberra gold certificates on Saturday. There were hundreds of certificates—far too many for the Chief Minister to hand out on his own. It was a great pleasure for us to assist in handing those out. I know that Ms Porter had a great time meeting lots of people and handing certificates out as well. I look forward to future celebrations.

MR SMYTH (Brindabella—Leader of the Opposition) (3.48): Thank you for the opportunity to speak to this matter of public importance, or supposed matter of public importance. It is interesting that it says in the *House of Representatives Practice*:

The requirements of the House are that a proposed matter must be definite—that is, single, specific and precise in its wording.

I think that, instead of backslapping, self-congratulatory motions from a government member on achievements that the government has supposedly carried out, perhaps we need to question some of the matters of public importance that have been brought to the attention of the house recently. A matter of public importance is, for example, something like the length of hospital waiting lists, the inability to get treatment for breast cancer, or the inability of the police to protect the 5,000 Ulysses members. We have a matter of public importance that, one, is not definite in its application; and, two, we have heard from the member a succession—

MR CORBELL: Mr Speaker, I rise on a point of order. Have you ruled this matter out of order?

MR SPEAKER: No. It is perfectly in order.

Mr Smyth: Thank you, Mr Speaker. It may well be perfectly in order but I am just raising—from looking at *House of Representatives Practice*—the real purpose of matters of public importance and highlighting the fact that all we have had from the member is a litany of something that the government did, in the supposition that it is somehow something new.

Mr Stanhope: Don't you think it is important?

MR SMYTH: Celebrating the birthday of Canberra is certainly important but I am looking at the *House of Representatives Practice* and just pointing out that it does not necessarily match the criteria for how it might work. It is an important motion. We on this side of the house think it is an important motion because it highlights the dearth of activity in the last three years from this government.

The Chief Minister, in his speech on implementing the Canberra plan, spoke about how this year—or in the last couple of months—we had celebrated Christmas, New Year, Australia Day and Canberra Day. The question would be, “So?” Other governments have done that, except that this government, from 2001 through to 2003, cancelled New Year's Eve celebrations; and fireworks were cancelled on days like Australia Day and Canberra Day. Indeed much was cancelled, including car races and other celebrations. It was only after 2½ years of consultation that the Chief Minister finally woke up to the fact that the public enjoyed those celebrations and finally admitted that in his social plan.

Some of the components of this are, in fact, important issues. I thank the Chief Minister and join the others in congratulating the Canberra citizens of the year—the staff of Clare Holland House. This highlights that we as a community should appreciate Clare Holland House—I think we all join with the Chief Minister in wishing them well on the receipt of their award. But I think that, on one hand, to congratulate somebody for the job they have done and say, “Well done”, but on the other hand not to give them the resources to do the job properly is a bit of a backhander.

In the lead-up to the last election the opposition brought to light the fact that there is a waiting list to get into our hospice. There is a waiting list of people who do not receive proper palliative care. They are either cared for at home by their loved ones, by the palliative care nurses who visit, or they are in hospital. Most hospital clinicians will tell you that palliative care should not be delivered in the hospital setting for a number of reasons: one, it is inappropriate; and two, it puts additional pressure on the hospital system, particularly when it is short of acute care beds.

Obviously there will be days when people are admitted to hospital and, unfortunately, that is where they will die; but we need to have in place a process to ensure that they are quickly moved to Clare Holland House, where they will receive more appropriate care. The problem is that they cannot get a bed because Clare Holland House is inevitably full. It is my understanding that they feel the need for an additional 10 beds. It is my understanding that those 10 beds will cost—

Mr Corbell: Mr Speaker, I rise on a point of order—relevance. Mr Smyth is talking about access to palliative care.

MR SMYTH: No. I am talking about Clare Holland House.

Mr Corbell: I cannot see how that relates in any way to the MPI on the notice paper today. Even on the subject of congratulating the staff of Clare Holland House for their work as Canberrans of the year, he would be stretching it to then enter into a discussion around the adequacy or otherwise of palliative care services in the ACT.

MR SMYTH: What standing order?

Mr Corbell: The standing order is the standing order that relates to relevance.

MR SMYTH: What number?

MR SPEAKER: The “relevance” standing order is standing order 58, and it goes on to say that the member shall not digress from the subject matter of any question under discussion. This is not a question; this is a discussion of a matter of public importance. But I think anybody discussing a matter of public importance should remain relative to those matters under discussion. Clare Holland House of course is at the centre of one of those. I do not think you have a point of order in relation to it.

MR SMYTH: Thank you, Mr Speaker. We praise them on one hand and, if we really want to help them do their job, then I think we need to make sure they are adequately resourced. I think it is a shame to praise them on one hand and then have Mr Corbell try to stop a discussion about how we would help the winners of the Canberra citizen of the year award to do their job even better. I think it is a shame that Mr Corbell wants to take that approach but, then again, that is the approach he always takes—always the lack of courtesy that we hear from Mr Corbell.

The staff at Clare Holland House have told me that they would like to provide more palliative care, they would like to do more and better of that which earned them the title of Canberra citizens of the year, and I agree with them. I am told that they probably need something like an additional \$1 million dollars to extend the services inside the building, were they able to be extending it by those extra 10 beds, and also to extend the palliative care services when they visit out in the community. We on this side of the house think that is an important service. We would ask the government simply to look at it in the context of the coming budget. I note the comments that the budget will be tight but hopefully we can put those who are in their final moments here, as Canberra citizens, at the top of the list.

I think the whole day is wonderful. I think celebrating Canberra’s birthday is a great thing. The celebrations have been ongoing for years and years. I can remember attending the old food and wine frolic as a 17, 18 and 19-year-old. You also might remember it, Mr Speaker. The community does indeed like to celebrate its birthday, and I think it is appropriate and good to do so. It builds community spirit and gets people out. But I think we also have to concentrate on how we celebrate that birthday.

I was lucky enough to receive an invitation to some of the functions, but I understand that other members were not. Perhaps all members of the assembly should have been invited to the functions instead of some being selectively invited. They could have enjoyed things like the community protection medals, which went to some tremendous Canberrans. I know particularly of the work of John Hill in emergency services has done for years; and Dave Tunbridge and I have shared a few fire sites. Indeed I think he shared a few with Minister Corbell as well over the 2003 fires, when he was out there with his Molonglo unit. I think it would be fair to say that Dave is a long-term icon inside some of the brigades, because he has always been there.

The work of Joseph Murphy of the fire brigade I think is well known amongst his colleagues. Therese Barnicoat is perhaps less well known to the community, but her work in the AFP is something I have certainly been aware of for a long time. I congratulate all of them on the work they have done. I am sorry; I have missed Trevor Stohr from the ACT Ambulance Service, another individual who is well known inside his profession. That is probably the problem with each of these awards. The purpose of the awards is to bring these people outside the fold of their own organisation or their own service, because often these people are just not known outside the community in which they reside.

Some of the other events on the day I think were quite good. Sandy Hollway gave quite an interesting address about cultural cringe at the national library, and talked about some of his adventures as the CEO of the organising committee for the Sydney Olympics. Indeed I even attended a Young Liberals function on the day, celebrating Canberra Day, which was quite interesting as well. There is a huge range of things that go on. As to the success of the big party, I think a lot of people attended. I have had a number of people query the fact that 35,000 reportedly turned up. It does seem a big number across that day, but who is to know? Estimating numbers is always difficult.

I think it is appropriate that we celebrate Canberra Day. I make the point that, for almost three years—indeed the first term of this government—the celebrations of this city were allowed to slide. It is good that the government has at last acknowledged that these celebrations are important in building up the community; and it is good to see that they have reinstated fireworks for events on days like Australia Day and New Year's Eve, and for the Christmas Party in Garema Place. All of those events were held under the former government, and indeed under the government before the former Liberal government.

Let us put this all in context: the celebrations are welcome. The work was good. Congratulations to those who organised the event, particularly the staff from Chief Minister's, who did a very good job on this. But I think, in terms of the matter of public importance, I would be raising with you how we do these things in future. I think that just putting up things that acknowledge the day-to-day work of the government and things that governments, not just in this city but governments across the country, do is really stretching the issue of a matter of public importance. As you have probably found in your copy of *House of Representatives Practice*, there is quite a lot of history on how these matters are determined. Perhaps it is time we looked at them a little more closely.

MR MULCAHY (Molonglo) (3.58): I think this was an important event. Canberrans traditionally like to get out and celebrate different things; we see it with Floriade and

New Year's Eve activities and the like. I took an interest in the citizens receiving the gold recognition award—I put somebody up for one of those categories. I was not aware of the final outcome of the process, and whether the event was contained within material that was distributed on a mass basis or not, I am not sure. I did not receive an invitation to that particular set of proceedings, although I understand the Leader of the Opposition did. It would have been nice to have been there for part of that, knowing that that was on. I think that, if we are going to try and create some areas of recognition on a bipartisan basis, we should try to do that.

I have a particular interest in the needs of our older residents. That has been the focus of my activities since I was elected, and prior to the election. It is very important that governments do more than just recognise, for instance, duration of living in the city and so forth. It is fine to put out certificates, medals and the like but, when it comes down to it, it is the quality of life people enjoy. Sadly, there are areas for the older people in Canberra that have not been well met. Particularly in the area of aged care accommodation, the territory appears to be constantly playing catch-up through its failure to get things done.

It seems that the tardiness that has been a feature of this government's capacity to make decisions has resulted in older people in our community losing facilities. Prior to my election there was the closure of centres at Narrabundah and Dickson, and we have seen extraordinary delays with new aged care beds being built for our older people. I know there was an announcement today of more aged care beds, but it is typical of the promises that come out. It often seems to divert attention from criticism for doing so little. If I could quote from the article today, it tells the story of, among the criticisms levelled at the government, waiting lists of hundreds.

Ms MacDonald: I wish to raise a point of order. Mr Speaker, you ruled before on standing order 58. I understand your ruling with regard to Mr Smyth, but Mr Mulcahy is referring to aged care provision. That has nothing at all to do with this matter of public importance. Could I ask that Mr Mulcahy please come back to the matter of public importance.

MR SPEAKER: Yes. I think one should remain relevant to the matter under discussion.

MR MULCAHY: Thank you, Mr Speaker. I was talking about the older people and making sure that not only do we give them certificates and medals but that we also cater for their broad collection of needs and that, if we are going to recognise them, then we have to look at the total package of their needs. That is the scope of my remarks.

It has been recognised today in the press in the wake of these events on the weekend that, although these people might get measures of recognition, there are still hundreds waiting for accommodation at our 23 aged care facilities. My message to this government is that you ought to look more broadly at their needs. Those things are more complex but I believe that they in fact speak far more loudly about one's genuine commitment to the needs of older citizens than do festivals, recognition and announcements of that ilk. Another example of where our older people could be better looked after, rather than simply through some of the public relations initiatives, is an issue I have pressed previously.

Ms MacDonald: Mr Speaker, I rise on a point of order. Yet again Mr Mulcahy strays off the point of the matter of public importance before the Assembly today.

MR SPEAKER: Mr Mulcahy presents alternatives to the Canberra gold certificate recipients. I think that is in the context of the debate.

MR MULCAHY: Thank you, Mr Speaker. I do not intend to go down the long road of policy debate; I just want to illustrate what would, I think, impress so many more of our citizens. They would be impressed if we took their needs seriously enough to ensure that they have aged accommodation; if we ensured that the older people around the inner parts of the city are less prone to injury and falls by ensuring that footpaths and lighting are of a satisfactory standard; and if, in the course of tax policy, we addressed the issue of escalating value in real estate, which is not necessarily supported by cash flow. I know the government has looked at ways of assisting older people through rates concessions, but anyone who has dealt with older people knows that many of them have a preoccupation about not wanting to leave debt.

MR SPEAKER: I think you are stretching it a bit now, Mr Mulcahy.

MR MULCAHY: Yes, Mr Speaker; I hear you. I think it is important that we all recognise the contributions of our older residents. People who have had a long life in the territory have seen dramatic change. They have seen some tremendous investments in facilities in this territory, initially through the commonwealth when it had broader responsibility for the activities of the territory; and we live today to enjoy many of those facilities. If you talk to older citizens you will hear them relate what a very small and localised town this was not that many years ago, when just about everybody knew one another. The territory still has many of the dynamics of a smaller community but, obviously as we grow up and expand in numbers, that familiarity diminishes.

Whilst I do not want to denigrate in any way the recipients who have received these awards and I do not criticise the Chief Minister in making those awards—I accept that it was a good initiative; I was moved enough to suggest people who would be appropriate—my strong feeling is that we need to be fair dinkum about what we are doing here with older people. Give them greater priority; they are a growing part of our community. Governments of all levels in Australia, and in other countries, know that we will have a crisis on our hands if we do not move pretty quickly now to cater for the retiring baby boomers. I think it behoves the Assembly and the government to tighten up the priority we are giving to the needs of that section of our community.

DR FOSKEY (Molonglo) (4.06): There is no doubt, as Ms MacDonald pointed out, that some wonderful people live and work in Canberra. A percentage of them received recognition last weekend and I congratulate them and commend them for their work. I think that the move away from awarding just one Canberra citizen of the year is a good one, because it recognises that we are a community, not just a bunch of individuals. However, we need to be sure that awards of any kind connect and not divide us. A number of events associated with the Celebrate Canberra and big birthday were and are being held. I am sure that these events were and are enjoyed by many families and other groups.

I wonder, though, whether many isolated and marginalised people attended them. These are not events that one can easily attend without a companion, I suspect. I know that Canberra is not an easy place for people new to this place to meet other people. I am not sure that we cater well for newcomers and that these events provide the community development that will draw the new, the single and the introverted into our broader community. I believe that we should put some thought into bringing these people in. Do not misunderstand me: the Greens are very happy that so many people find the mass events associated with Canberra Day enjoyable. I would like to raise a few points though.

I would like to see more connection between the Multicultural Festival and the Canberra festival, or whatever its name is in whichever year. Separated as they are by just a few weeks, there is a sense that they are for different groups of people, and I am sure that is not the intention. I would also like to see these events emerging more from the community, developed over a period, perhaps by steering committees. The point of this is that the events should not be one-offs but should grow out of and reflect community desires. In so doing, they could assist us in developing the arts community in Canberra, providing music, drama, dance and other performance groups with the opportunity to develop new shows and events over a period of time.

Another thought: these events could give young people the chance to work with more seasoned performers, improving their skills and their sense of belonging. We could bring in young people that do not normally see themselves as part of this circuit. What about, for instance, involving skateboarders by having a rolling—excuse the pun—event which includes all the skate parks in the community?

Each celebration could assist in the development of our cultural identity and this would involve developing our sense of history, our heritage and our place in the region. Just an aside: about 10 years ago, with another person, I ran an event in Yarralumla, which is where I live and which is, as you know, a place rich in heritage—some of which we are losing by inappropriate development. I forget what we actually called it, but it was a “getting to know Yarralumla” event and we had photographs by Ann Gugler, who is a historian with a fantastic collection and a really good knowledge of the area, which we showed in a local hall. We had walks run by Ann and other people. It was just a very small local event but it really did reach a lot of people who did not know that they lived in a community that actually had a history.

We could also develop our sense of our place in the region through these events. We could bring people in. There are arts in our surrounding towns and communities, for instance, and they could have a larger and a new audience to present their events to. For many performers the problem is finding an audience. They could work with Canberra groups, thus building our sense of being in the region and their sense of being considered by the national capital. We could move events around Canberra. Not everyone likes to join the traffic jam to and from the centre of Canberra for Skyfire or for big concerts. Some do not like to move too far from their town centres, which, by the way, would benefit from a bit more cultural activity.

These are just some ideas. I think we should be wary of self-congratulatory approaches to events we organise, whether we are a government or a community organisation. Let us

reflect then and see how we can improve and make those dollars go further by using them to develop our arts, sports, intellectual and other groups and, with them, the broader community.

MS PORTER (Ginninderra) (4.11): I am pleased to be able to join with Ms MacDonald in supporting the celebrations that we experienced over the weekend in recognition of Canberra's 92nd birthday and the way we celebrate Canberra. Among the events that occurred to celebrate Canberra's birthday and which took place in Commonwealth Park, on Saturday morning I, along with Ms MacDonald, the Chief Minister, Senator Lundy and Ms Ellis, the member for Canberra, had the privilege and honour, as Ms Macdonald was saying, to present the gold awards to Canberrans who had lived in Canberra for over 50 years. There are over 10,000 people currently living in Canberra who are eligible to receive these gold awards. However, sadly, only a little over a thousand were nominated. I certainly hope that many more of those who are eligible will be nominated so that next year we will be faced with an even bigger task of presenting the certificates because of the large number of people that have been nominated.

The pride and joy on the faces of the people and the warmth of their handshake as I presented them with their certificates and congratulated them was palpable. I met one family who had two generations collecting their certificates, who were fifth generation Canberrans. Their forebears had arrived in the area that we now call Canberra in 1838. Many of those who were standing in line to receive their certificates were chatting and swapping stories about their family histories and about their experience of living in Canberra.

Prior to the presentations of the certificates, those of us present witnessed the awarding of the citizen of the year for 2005. As Ms MacDonald said, this year this award went to the staff and volunteers of Clare Holland House. Members of course are aware of the work of both the paid and volunteer staff of Clare Holland House. I wish to add my personal congratulations to all those who have worked so tirelessly and selflessly over so many years. Such wonderful services as provided by Clare Holland House would have been wonderful had they been available to my own mother, who died some 11 years ago in Wollongong. I would also like to congratulate the recipients of the community protection medals.

I would have welcomed the opportunity to be present at the afternoon's entertainment. I understand that over 20,000 young people rocked away to the sounds of many popular bands, including Killing Heidi. I would have, as I said, welcomed the opportunity to join with young Canberrans as they enjoyed that, but I was spending the afternoon and early evening with the people of Charnwood at the Charnwood Community Carnival, at which the Chief Minister also joined us in the afternoon. I am sure that he was glad, along with me, to enjoy the Charny idols, 12 young Charnwood residents aged from seven to their mid-teens, who entertained a crowd of thousands. This carnival is another fine example of how Canberrans join together to celebrate. I hope to have the opportunity to advise the Assembly further on the success of this carnival at a later time but, as I said, I can report that in its second year there were thousands of happy people in the crowd, and I am sure that the contribution of \$10,000 by the ACT government to this event was very well spent.

The government is to be commended for supporting events such as Canberra's birthday celebrations and the celebrations to follow in the next 10 days. I wish also to recognise the financial assistance provided by ACTTAB to make our 92nd birthday one to remember. As I said, the weekend events were a great success and we have more to follow. I am sure that all of us are enjoying, as Ms MacDonald said, the balloons that greet us each morning; they are such a wonderful sight. So I am happy to join Ms MacDonald in congratulating all those who organised the events for the day and I join with her in saying it was indeed a wonderful event.

MR STANHOPE (Ginninderra—Chief Minister, Attorney-General, Minister for the Environment and Minister for Arts, Heritage and Indigenous Affairs) (4.16): I am very happy to speak to this matter of public importance, too, and I thank members for their contribution to it. I thank, in particular, Dr Foskey for her very thoughtful commentary on the issues we face as a community, in celebrating as a community and acknowledging the role that community celebrations can play in providing some opportunities to enhance social capital within the territory.

It is notable that Dr Foskey touched on a significant number of issues that I think are very important and are important for us to debate. To that extent, I reject the position put by the Liberal Party in this debate, that this is not a matter worthy of consideration. Dr Foskey raised issues around community connection and the potential that people that are disadvantaged or on the edge do not have many opportunities to participate in the life of the community. Those particular issues can be sought to be addressed through a determination to provide a framework around which we as a community can come together.

Social isolation and disconnection are very, very much at the heart of our capacity to participate in the life of communities. One incidence of disadvantage is, of course, an inability or an incapacity to join with fellow residents, fellow citizens, and to get from life, society or community many of those things that others of us take for granted. That was part and parcel of the rationale for an enhanced program of community celebration and community coming together, represented through the social plan and now being brought into some reality through the program for celebrating Christmas in the heart of the city, the enhanced New Years' Eve celebrations, a thoughtful and broad program of events around Australia Day, leading into the Multicultural Festival, and at this stage culminating through the Celebrate Canberra 10-day festival. But it should not end there and it does not end there.

The points that Dr Foskey makes are points, I have to say, that are very much alive in my thinking around the extent to which we have come full circle in relation to a potential divide between the Multicultural Festival and Canberra Day. Longer-term residents of Canberra will recall the history of these two events. They did have a coming together some years ago, and then a separation. I, too, have been aware of the fact that the Multicultural Festival only concluded some two or three weeks ago and here we are launching into a significant additional festival. I am also conscious of the potential to create a division and that it not be seen that there is a festival for people that identify as having an ethnic or multicultural heritage or background and then another festival for the rest of Canberra. I think that would be a real pity and something to be avoided. We need

to work to ensure we do not create a festival for them and a festival for us; that we continue to understand that we are one community.

The other issue that Dr Foskey raised and that I have touched on is the extent that we tend, through a public program of celebrations or community events, to ensure that we do reach out to those people within this community who have difficulty accessing different parts of community life, accessing entertainment or accessing the arts. We seek and have sought to achieve that through this range of events by ensuring that they are free.

I believe there were—and I was there—at least 20,000 people in Commonwealth Park at the time that Killing Heidi performed, and it was a wonderful performance. I was there with my family and my daughter said; “Dad, how many of the teenagers that are in the mosh pit tonight, having a fantastic time, would otherwise have had an opportunity to attend a concert by an Australian leading band of the order of Killing Heidi?” It was not something that I had thought about, but I am sure that was the case.

Dr Foskey raised the point that there are those who are so disconnected from community life that they might not attend an event such as that, through a range of other factors, including that they would feel alienated in not having somebody to attend the concert with. But these are all part of a deliberate design to make the life of the community more accessible. There was an opportunity to attend a wonderful concert, a free concert, with bands of the order of the Whitlams and Killing Heidi. They are very, very significant, an expression of our national music talent and an occasion to enjoy the arts in a more public or popular sense than perhaps in the context that Dr Foskey was speaking of, but nevertheless an important opportunity for a much wider group of people within the Canberra community to attend a joyous, happy occasion, full of life and community spirit, where there was a fantastic display of the talent of Australian music on show, as well as, of course, a range of other events.

It is important, though, that we do not forget the more localised, individual community-building capacity that there is through festivals, events and community celebration. Ms Porter raised the holding of the Charny festival on Saturday afternoon, in competition. It is an expression of the confidence and a growing spirit within the Charnwood community that they were completely unfazed that that they were holding a festival, including an idol competition, in competition with a major public resource festival in Commonwealth Park. It was a wonderful success, and it did reach out to another group of people, a local community—essentially a festival for the people of Charnwood, addressing some of the issues that the Charnwood community have faced over the years. It was a wonderful example of community building and a determination to increase the social capital of the people of Charnwood.

In addition to that, on Sunday was the Tuggeranong Luna Festival. It does behove us, in a discussion such as the order that Dr Foskey generated in her contribution, to acknowledge the range of other opportunities that were presented just over this weekend—a major Canberra celebration, a Charnwood festival, a Tuggeranong Luna festival—all giving an opportunity for expression of the arts, a chance and opportunity for the community to come together for genuine community building, reaching out and enhancement of opportunities for social intercourse. I think there is much food for thought there.

There are improvements we can make. Once again, Dr Foskey raised the capacity or the potential for a community-based steering group or advisory group to provide some community connection to the range of events that the government is now committed to support, and I agree with that as well. It is something we already have in hand. From now and into other major community festivals or events, we will underpin them or support them with a community-based advisory or steering committee or some group that can connect those in-house organisers of these events from within the Chief Minister's Department directly with the community to ensure that we can realise the aims and understand truly what it is that we are seeking to achieve.

This is not just about having a bit of fun; it is about ensuring that we as a community do create an atmosphere and a life but that we also meet a range of our aims around community connection and community support and the building of social capital and the strengthening of communities and the building of communities that we believe we can achieve through an events or festivals program of the sort that we have now developed in a coherent and very, very strategic way.

I also am particularly pleased that Clare Holland House were the winners of the citizen of the year award. There is no more worthy award and I think we should simply celebrate with them rather than taking the opportunity to make some political point about resourcing. I think that is tacky in the extreme and it certainly detracts from the great excitement that those people who received that award felt at its giving.

MR SPEAKER: The discussion is concluded.

Adjournment

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

That the Assembly do now adjourn.

Ulysses motorcycle club

MR GENTLEMAN (Brindabella) (4.26): Media attention on the 2005 Ulysses motorcycle club's AGM held in Canberra last week was hard to miss. I would hazard to suggest, though, that it was harder to miss the 5,000-plus crowd that made it into Canberra at the beginning of last week and spent the week delighting in Canberra, enjoying their bikes and revelling in the festivities and occasion of the Ulysses AGM.

The more than 5,000 participants reported a fantastic week in Canberra. People I spoke to at the events on Saturday commented on the friendliness of Canberrans and the strength of the warm welcome our visitors from around Australia and from overseas received from our local community. The same sentiment of visitors was reported in the *Canberra Times* on Saturday—"absolutely fantastic" certainly sums up the experiences of Canberra during the week-long event that I heard.

The beauty of our surroundings in Canberra was a recurring comment, as our local Ulysses Club members will testify. The beauty of Canberra's streets makes motorcycling in the city a joy. Our interstate visitors echoed this over the weekend. We had an

opportunity to enjoy the scenery during the grand parade on Saturday. Starting from Anzac Parade, the parade presented a great sight, with both sides full of parked motorcycles of all models and makes, from the US imported Boss Hoss to those bikes that have sentimental rather than crowd-pleasing value. The parade wound its way along Limestone Avenue, Majura and Phillip avenues to Dickson.

The ride was trouble free and was one of the most enjoyable two hours of motorcycle riding I have had in Canberra. The parade was warmly received by hundreds of spectators and it was great to see the community welcoming the riders and enjoying the spectacle of motorcycles. Nearly 6,000 people attended the reception of the riders at Dickson Oval and delivered a warm round of applause for the reception provided to visitors by the people of the ACT and for the work done by ACT Tourism to promote the event.

During the reception, the Australian motorcycle apprentice of the year award for 2005 was presented to Townsville resident Sharine Milne. Ms Milne was presented with a \$9,000 Aprilia for her work as an apprentice with the Motor Trades Association of Queensland. I had the great opportunity to meet Ms Milne at the dinner on Saturday night and congratulate her personally on her achievement. In a time of skills shortage, young apprentices like Ms Milne who are just getting started in the trades should be supported and encouraged.

The work of the Ulysses motorcycle club and its members in supporting young motorbike mechanic apprentices is fantastic. The community commitment of the Ulysses Club extends beyond the fantastic contributions to the communities and industries that make their own activities possible. Events held during the week fundraised to support arthritis treatment in Australia. Dr John Hewson from the Arthritis Association received a warm welcome from the crowd at Dickson.

Our local Ulysses chapter have been active in fundraising for local charities, demonstrative of their commitment as a club to the community they are so active in and bring such life to. Not only do Ulysses make a valuable contribution to our community through charity work; their very presence in our community provides the people of Canberra with an opportunity to get involved in a fun activity, to meet people and to stay involved.

During the celebrations on the weekend, I was honoured to meet 83-year-old Stephen, the national founding member of the club. He was one of the first members to ride as a Ulyssian more than 30 years ago and now, as the lesson of Ulyssians shouts loudly to us, he is still on his bike, still riding.

I would like to take this opportunity in the Assembly tonight to thank the organisers of the Ulysses AGM for 2005 for their work and for their contribution to the club and our Canberra community. ACT President Graeme Rule and the national executive worked tirelessly to organise such a successful event and I thank them for their work and their commitment.

I would also like to thank ACT Tourism and the Australian Federal Police for their work and support during the event. The positive impact on our local community, the boost for

accommodation services and tourism, the warm friendships built across the country through the club, all make a fantastic contribution to our local community.

Tuggeranong Valley Band

MR SMYTH (Brindabella—Leader of the Opposition) (4.31): The Tuggeranong Valley Band Inc currently operates two brass, woodwind and percussion band programs that perform regularly at community events in and around the Canberra region. The organisation is proudly sponsored by the Tuggeranong Valley Rugby Union and Amateur Sports Club.

This year is the Tuggeranong Valley Band's 25th anniversary and members are excited about celebrating the history of their organisation and the many transformations it has undergone since its humble beginnings back in 1980. Known originally as the Erindale band, it began as a small "adults learn to play" class at Erindale College with Bert Ansell as the founding conductor. After several years, and dwindling numbers, some of the musicians—in particular Jim Batey, Chris Graham, Fred Salt and Jim Shelton—decided to form their own group and started rehearsing at the Wanniassa Community House. Three of these players are still with the band today; one left the band due to moving interstate. Their continuing dedication to the band over a 25-year period is outstanding. In addition to being a founding member, Jim Batey has also been an instrumental and driving force in the band during his many years as band president.

In 1987 the band changed its name to the Tuggeranong Valley Band and became the first community organisation to hire a room in the newly constructed Lake Tuggeranong College. In 1991, a junior division of the band was formed, providing a music avenue for young beginner players. The junior band has recently been renamed the intermediate band and expanded to include adolescents as well as adults. The Tuggeranong Valley Band continues to hold its rehearsals at Lake Tuggeranong College.

Both bands have seen conductors come and go. In addition to Bert Ansell, Peter Smith was also a conductor who played an important role in the earlier development of the band. Peter subsequently returned in later years for a second appointment as conductor. The current conductors are Rupert Williams for the intermediate band and Mark Biggs for the concert band. Both conductors are talented musicians who study at the Canberra School of Music and play in the Canberra Youth Orchestra.

Both bands have a varied repertoire including movie themes, jazz, classical pieces and big band music. At all times, the primary aim of the bands is to play together for fun and enjoyment while also striving to develop the technical and practical musical skills of their members. At present, there are around 20 members in the intermediate band and 35 members in the concert band and numbers are continuing to grow. The bands are well known for their performances at local events such as Floriade and the Lanyon Christmas carols by candlelight.

A special public performance to celebrate the 25th anniversary of the band will be held on 13 August. I will open the "Concert Bandstravaganza"—as they have called it—as I have agreed to be patron of the organisation. Plans for this big event are currently under way and full details will be provided to the community at a later date. The Tuggeranong

Valley Band Inc is very proud of its band program and looks forward to sharing its special year with the residents of the Tuggeranong Valley and the Canberra region.

Shaping our territory

DR FOSKEY (Molonglo) (4.34): In the *Canberra Times* on Tuesday 8 March this year, Sandy Hollway, chair of the shaping our territory working group, stated:

... rarely does good public policy come out of sniping, bickering, misrepresentation and emotion. We should be led instead by dispassionate expert analysis of options, costs and benefits.

He also stated:

The Steering Committee wrestled intensively with the re-vegetation options in the catchment.

We are all aware that this issue of catchment management has been burbling away for a little while and there is no doubt that this is a very important conversation that we are having. I agreed with the Chief Minister when he acknowledged last week in this Assembly that this is a complex and difficult issue. I do not agree, however, with this ongoing slanging match about which scientist is right or which one is wrong or which one did not speak up earlier and which one is speaking up now.

We need to be building our community of scientists, not assisting in the setting up of divisions. There are enough of these already, as scientists compete for the dollars they need for research grants. Indeed, science is most useful when it is collaborative and scientific advice is most useful when scientists can advise governments without fear of politicisation or backlash.

Nor do I think we should just concur that a consensus was reached and so it is all okay. Most of us know that, in the process of reaching consensus, some opinions hold more weight than others. Often, those who do not get heard, or whose viewpoints are not considered in the resulting decisions, feel aggrieved. If the process is not done well, they may speak up later on outside that process. I think that is what we have seen happening.

Yes, this is a complex issue, and we have an obligation to get it right, not just for ourselves but also for future generations. I am told it will be 20 years before that catchment is okay again and that is only if we do not have any severe water, rain or fire events. It is important that we understand why we choose certain paths. I suggest that the appropriate way forward would be to have all the information on the table. Similarly, it may be useful if scientists involved, of all persuasions, could come together to discuss their various issues and concerns.

I think it would be very pleasing if the government could facilitate that as part of the process of developing a community of scientists, with the potential result of better-managed catchments.

Walk Against Want

MS PORTER (Ginninderra) (4.38): Mr Speaker, members would be aware that last Sunday was the Oxfam Community Aid Abroad Walk Against Want event. It was my privilege to be present at that to represent the Chief Minister and officially commence the walk. Along with my Assembly colleagues Mr Gentleman, Mr Pratt, Mr Smyth and Dr Foskey, I joined hundreds of fellow Canberrans in helping to raise much needed funds for projects throughout Asia, the Pacific and Central America, as well as for indigenous Australians.

This year is the 39th year of the Walk Against Want and symbolises the daily walk of many women from developing nations around the world to collect fresh water. As the former CEO of Volunteering ACT, I am well aware that, in addition to the dedicated paid staff at Oxfam, there is also the involvement of a large number of volunteers who worked so enthusiastically in the lead up to the Walk Against Want and who also came along on the day to make sure it ran smoothly. In addition, there were many performers who volunteered their time to entertain walkers after the walk.

Without the support of all those volunteers, activities such as Sunday's walk would not be possible. A not-for-profit organisation such as Oxfam would not have the resources to employ sufficient paid staff to organise and conduct such events. Were it not for the dedicated work of these volunteers, considerably more than the current 10c in each dollar raised would have to be spent on administration and logistics. As a consequence, much less would be left to spend on the important projects that this money is designed to fund.

It is also important to recognise those who volunteer their time to come out to walk and, prior to that, work to sign up sponsors to support their efforts. Many of the walkers on Sunday were from our multicultural community, and it was fitting that we all participated, representing the diverse community that is Canberra. In addition, the public sector got right behind this event. Many government agencies were represented with teams participating as part of a workplace challenge. I am sure many of you would have seen the great photo in yesterday's *Canberra Times* of staff of the National Archives walking with their red setters.

Canberra has the highest level of volunteer involvement in any capital city in Australia and I believe that this level of involvement contributes significantly towards making Canberra such a great place to live. Canberrans were significantly overrepresented on Sunday's walk across Australia. It is estimated that some 10,000 Australians walked in over 100 different locations. In Canberra, there were close to 1,000 participants, which, as you can see, was significantly above the proportional representation.

Since the commencement of the Oxfam Community Aid Abroad Walk Against Want 39 years ago, it has raised over \$10 million. The funds raised help provide school buildings, pay teachers' wages, feed disadvantaged families and work for real solutions to poverty and social injustice. Some of the communities that Oxfam assisted have been recipients of their help for many years, and they rely heavily on the support provided. In many cases, these same communities also have been severely affected by the distressing events of the Boxing Day tsunami, and that makes this year's effort even more important.

In addition to Walk Against Want, people choose to donate separately to Oxfam's overseas and indigenous Australian programs and many support Oxfam's work regularly by donating through various credit facilities. I would encourage people to think about exploring that opportunity.

Canberra Hospital—constituent feedback

MRS DUNNE (Ginninderra) (4.42): Mr Speaker, last week in this place the Minister for Health, Mr Corbell, read out part of a letter which described the experience of one of his constituents at the Canberra Public Hospital. As members will doubtless recall, Mr Corbell's correspondent told a heart-warming story of the wonderful treatment her six-year-old son had received at the emergency department after falling off the monkey bars, an interesting parallel to the story that I heard in the corridor the day before.

Among other things, the correspondent referred to "the horrible things the opposition has been saying about the state of the health system". Whatever his reasons, Mr Corbell, for his intervention, got me thinking about historical antecedents to such activity because, there can be no doubt about it, in bringing this reading matter to the attention of the Assembly, Mr Corbell was following in a noteworthy tradition. There are many examples but I will cite just a few.

One thinks, for example, of the Zenoviev letter that played such a significant role in the 1924 British general election. Admittedly, the style of Mr Corbell's correspondent was not quite as magisterial as that of the then chief of the Comintern. While singing the praises of a triage nurse and a radiographer is not quite as inspiring as a call to armed class warfare, the general idea had the same ring of truth about it.

A few years earlier, there were the so-called black diaries of Sir Roger Casement that added greatly to the gaiety of British politics. As with the Zenoviev letters, there is doubt, even today, about the authenticity of the documents but no doubt about their crucial role in ensuring Casement's complete disgrace and subsequent execution. Again, the Corbell letter did not reach quite the same level of drama, but the minister has plenty of time to get the hang of things and come up with something a little more exotic in future.

Far closer to Mr Corbell's heart and soul are certain Australian precedents, particularly the letter his illustrious ALP forebear HV "Doc" Evatt solicited from Soviet foreign minister Molotov in 1954 asking for confirmation that the Petrov documents were forgeries. To the absolute amazement of everyone in the House of Representatives, when asked whether the Soviet government had stationed any spies in Australia, of course Comrade Molotov assured the good doctor, who then assured the House of Representatives, that they would never dream of doing such a thing. Yet, 51 years later, Mr Corbell tried hard but he could not generate the same gales of laughter from both sides of the House that greeted Dr Evatt's revelations. But, as I say, Mr Corbell has time on his side.

There is also the example of the famed Ralph Willis letters of February 29 1996, which were shown to be forgeries. They were purported to be letters between Jeff Kennett and Peter Costello over opposition funding for the states, but unfortunately the forger had

failed to keep up to date with Mr Kennett's stationery. We start to wonder what correspondence Mr Corbell will read us next—perhaps a detailed report of the magnificent treatment of one of his staff member's wayward poodles at the pound, or an account of the protocols of the elders of the Lions Club complaining of the number of New South Wales Rotarians clogging up the camp hospitals, or perhaps a do-it-yourself guide to automatic writing. That would explain some of the quality of most Labor Party prose. Subterfuge is a well-established tradition in the ALP. As Zenoviev himself might have put it, and comrades Lenin and Stalin most certainly did, morality and ordinary decency are bourgeois concepts, forms of false consciousness.

The Corbell letter of last week will not go down in history at all. It was a childish attempt at scoring a political point that was not even particularly cheap. It was, and remains, indicative of the contempt in which the Stanhope government holds this Assembly and the people of Canberra, and one can only hope that in the future the children of government staffers keep away from the monkey bars.

Planning system—constituent feedback

MR SESELJA (Molonglo) (4.47): Mr Speaker, I would like to read a letter from a constituent:

Dear Mr Seselja, I am writing to you today to voice my concern about the present state of the ACT planning system. In my professional capacity I regularly deal with letters and phone calls from members of the public affected by the decisions of the ACT Planning and Land Authority, the Land Development Agency and other government agencies. While Mr Corbell continues to preside over these agencies, I am worried that the government's lack of direction and inability to make decisions in a timely manner will be further prolonged to the detriment of all Canberrans.

My purpose in writing this letter is to enable you to stand in an adjournment debate, read it out to the chamber and on to the Assembly record, present it as a legitimate letter from a concerned constituent, and then refuse to table it when you are caught out representing letters from your own party's staff as genuine, independent community correspondence.

I wonder whether this new practice of using letters written by members of staff was what the Labor Party had in mind when, in their 2001 election plan for "good government" they spoke of "having the courage to allow themselves to be closely scrutinised." Perhaps Mr Corbell's refusal last week to table the letter from one of the Government's own staff members indicates just what "close scrutiny" means in Stanhopeese.

This whole affair is yet another example of an arrogant, tired government that believes it is now "untouchable", thinks it can do whatever it likes, and has forgotten its role is to serve the people of the ACT, not to try deluding them with schoolboy subterfuge.

Best regards,

Your very own adviser

Justin De Domenico.

Mr Speaker, I seek leave to table this letter, if I could?

Leave not granted.

MR SESELJA: That is very disappointing and I would also call on the planning minister to table his letter. I am prepared to table this to show where it comes from. I call on Mr Corbell to do the same thing. The reason I read that out, and the reason I raise this issue is that I wanted to highlight the credibility problem that Mr Corbell has brought upon himself by reading a staffer's letter to the Assembly and passing it off as just another grateful constituent.

Mr Corbell was saying to us, "Look don't take my word for it; the hospital is doing really well and I have this independent constituent writing to me." Of course, when he got found out he was very embarrassed, and rightly so. I would be embarrassed, too, if I had done the same thing.

I think this raises the bigger issue of credibility. We had Mr Corbell present a ministerial statement here last week and he spoke—I can only assume, quite genuinely—of the feedback that the government had had from constituents about the ACTION bus services, in particular the Xpresso bus service in Weston Creek.

How are we to believe this is true, when we see him reading letters from staffers of Labor MLAs? How do we know where this constituent feedback came from? Was it at a Labor Party branch meeting? Was it a caucus meeting? I mean, who knows? I think Mr Corbell has brought on himself an unnecessary credibility problem and I just highlight that for the house. Once again, I call on Mr Corbell to table the letter.

Canberra Hospital—constituent feedback

MR CORBELL (Molonglo—Minister for Health and Minister for Planning) (4.50): Mr Speaker, I would like to read to members a letter I recently received from a constituent regarding the service at the Canberra Hospital. It reads:

Dear Minister

I am very aware that people are quick to contact you when they have some problems or bad news but not so quick with good news. Recently I had to spend some time in Canberra Hospital. That is not good news. On Saturday, 4 April I was transferred by ambulance from Queanbeyan Hospital to Canberra Hospital at about 11.30 pm. From the time I arrived until I was discharged on Thursday I received nothing but wonderful treatment. The team in emergency provided me with timely and professional care and, indeed, showed a great deal of patience with me. I have nothing but praise for all the doctors and especially the nurses that provided me with the care and attention in all areas of the hospital during my time with them. At all times, I was treated by caring, cheerful, sympathetic professionals.

I would appreciate it if you would pass my thanks to the management at the Canberra Hospital.

I raise these issues in the adjournment debate simply to highlight to members the diversity of experiences that people have in our health care system and the many

legitimate letters that I receive from people thanking me on behalf of all the staff at the Canberra Hospital for the very important services they provide to the community.

In closing, I received a letter today from a registered nurse which reads:

To Mr Corbell

I am a registered nurse currently working in the Child, Youth and Women's Health Program and have recently received the long awaited pay rise and back pay. I am very grateful for this remuneration and feel that our profession is at last becoming more valued within the community. So, thank you. It has been grateful appreciated.

That is of course in marked contrast to the work of the previous government under the Liberals that delivered real wage decreases to ACT public sector workers.

MRS DUNNE (Ginninderra) (4.52): Mr Speaker, in accordance with standing order 213, can I ask that the minister present the documents that he has just read from?

MR SPEAKER: Are you going to move a motion?

MRS DUNNE: In accordance with standing order 213, I move:

That the document quoted from by Mr Corbell, Minister for Health, be presented to the Assembly.

The Assembly voted—

Ayes 7

Noes 8

Mrs Burke

Mr Pratt

Mr Berry

Ms MacDonald

Mrs Dunne

Mr Seselja

Mr Corbell

Ms Porter

Dr Foskey

Mr Smyth

Mr Gentleman

Mr Quinlan

Mr Mulcahy

Mr Hargreaves

Mr Stanhope

Question so resolved in the negative.

MR SPEAKER: Order! The time allotted for the debate has expired.

The Assembly adjourned at 4.55 pm.