



Debates

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Wednesday, 17 November 2010

MR SPEAKER (Mr Rattenbury) took the chair at 10 am and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Economy—cost of living

MR SESELJA (Molonglo—Leader of the Opposition) (10.01): I move:

That this Assembly:

(1) notes:

(a) that, according to figures published by the Australian Bureau of Statistics, since the election of the ACT Labor government:

(i) electricity prices have risen by 69.96 per cent;

(ii) water prices have risen by 106.08 per cent;

(iii) rents have risen by 54.81 per cent;

(iv) rates have risen by 75.00 per cent; and

(v) public transport costs have risen by 31.15 per cent;

(b) that according to the Australian Bureau of Statistics, since March 2002 the median house prices in Canberra have risen from \$245,000 to \$550,000; and

(c) the threat to the cost of living by the government, including:

(i) continued wasteful spending in the budget such as spending another \$26 million on the arboretum;

(ii) the government's solar feed-in tariff scheme which will cost each household \$225 per year;

(iii) the cost blowout of the Cotter Dam project to \$363 million;

(iv) poor management of the land release program and planning and infrastructure which is reducing housing affordability;

(v) the surrendering of half of the ACT's GST funding to the Commonwealth, which equates to \$455.7 million; and

(vi) raising car parking fees in the city to \$10.50 per day;

(2) condemns the ACT Labor government for placing increasing pressure on the family budget; and

(3) calls on the government to:

- (a) consider carefully the cost of living in the ACT and include initiatives in the 2011-12 budget that put downward pressure on the cost of living; and
- (b) provide the Assembly with a cost of living statement each year in the budget which informs the Assembly and the community of key cost of living impacts of its policies.

It is my pleasure to bring this motion forward today. There is no doubt that the cost of living is one of the biggest pressures that families in the ACT face. There is no doubt that the cost of living in key, important services has been going significantly above inflation over the period of the Stanhope ACT Labor government. The figures are indisputable, and I will go through some of those figures shortly.

The reality is that Canberrans are continuing to pay much, much more and, unfortunately, getting much, much less from this government in terms of service delivery and other things. One only needs to go through some of the headline figures to know that. During the period of the ACT Labor Stanhope government, we have seen electricity prices rise by 69.96 per cent, water prices by 106 per cent, rents by 54.8 per cent, rates by 75 per cent and public transport by 31.15 per cent. The cost of purchasing a home in the ACT for a first homebuyer has got much higher and the burden of repayments has got much, much greater.

When we look at the issues that we as representatives of our community need to take care of, seeking to lift some of this burden would have to rate right up there with the most important of our duties. There are a number of cost burdens which an ACT government has little or no influence over, there are many where it has some or significant influence over, and there are others where it has exclusive influence. I want to look at those various cost pressures, because we cannot divorce these cost pressures which are put on the people of the ACT by the ACT government directly and indirectly from the other cost pressures that they face for which the ACT government does not have responsibility.

On the back of questioning from the Canberra Liberals last week, it was revealed that \$225 would be added to household electricity bills as a result of the government's solar feed-in tariff. The front page of the *Canberra Times* on the Saturday following that questioning showed interest rates going up and putting pressure on many families—an issue the ACT government does not control—along with the addition of \$225 as a result of the solar feed-in tariff—an issue the ACT government does control. The ACT Labor government is placing significant additional burdens on families in the ACT.

It is only the Canberra Liberals who stand in this place regularly and highlight these cost of living pressures, highlight what we can do differently and put forward policies for easing some of this burden. We argue against policies which deliberately increase that burden in an unreasonable way. We are the people who stand up here for middle income families. When we had the debate a while ago about a 40 per cent reduction in emissions, the reality is that it was only the Canberra Liberals who stood up and said,

“We care not just about the impact on low income families; we also care about the impact on middle income families. We care about the impact on all families.” The government should be looking to reduce these burdens, not add additional burdens, and that is, unfortunately, what we have seen.

The figures are indisputable. We heard the Treasurer today on radio claiming that the figures are selective. Let us look at the fundamentals that people need to have a basic standard of living. They need a house, a roof over their head; that is fundamental, so we talk about the cost of housing, the cost of rent. They need electricity. They need water. They need to get around, and we have highlighted public transport. We have highlighted all the key cost of living pressures as they relate to the most important things that people use. The only thing not on that list is food, which we have not touched on. But if we look at these issues where the government either has direct control—as in the case of rates, which have gone up 75 per cent over the last nine years on average—the government cannot blame anyone else for that. I will get to some of the spending decisions the government has made which have put upward pressure on these areas. The government plays a part in all of these.

Let us look at rates, because when you reel off a figure like 75 per cent across the board, it is significant. It is well above inflation in that time. You can look at the breakdown of the burden on some individual suburbs across Canberra. Some have had extraordinarily high rate increases under this government, others not as high, with the average being 75 per cent. Conder, has gone from \$712 to \$1,249, a 75 per cent increase; Banks, a 136 per cent increase; Gordon, an 88 per cent increase; Fadden, 73 per cent; Monash, 88 per cent; Calwell, 99 per cent—someone in Calwell in 2001-02 was paying \$623 for their rates and in 2009-10 they were paying \$1,242; Holder, 87 per cent; Weston, 85; Evatt, 128; Dunlop, 132; Amaroo, 85 per cent; Ngunnawal, 99 per cent; Campbell, 28 per cent; Reed, 21 per cent; Mawson, 105 per cent; and Hughes, 59 per cent.

That is a sample of the direct impact on family budgets of this government’s decisions. The government cannot run away from the fact that it is increasing the burden on households. It is increasing the burden on families. I will look at some of the spending decisions that it has made which add pressure. We have highlighted wasteful spending time and time again. We see the millions spent a year on dead running of ACTION buses, the \$26 million extra in this budget for the arboretum, \$5 million for a busway that was never delivered, \$5 million for a communications system that was never delivered, millions of dollars lost through the mismanagement of Rhodium, \$20 million by not getting the GDE right. These numbers add up to hundreds of millions of dollars of wasteful spending. And who pays? Taxpayers in the ACT and ratepayers in the ACT. They pay directly through their rates bills, which have gone up 75 per cent.

If the Treasurer believes that rates and water and electricity, public transport and rents are somehow selective and therefore not the most important figures, I would be interested in her alternative list as to which of the far more important cost of living pressures have not gone up as much.

It is worth looking at just how this government goes about putting those extra cost burdens on households. I touched earlier on the solar feed-in tariff. Electricity prices

are rising, and there are a number of reasons why. There has been underinvestment right around the nation; governments have been gouging money out of their state-owned electricity providers. There is no doubt about that. We have got those factors, many of which the government cannot control. What they are saying in that context is: “Don’t blame us, because we can’t control it.” Well, fine. But they are placing an additional burden on Canberrans. Knowing that we are going to see a lot of pressure—we have seen significant pressure, we have seen a 70 per cent increase in electricity prices—they are saying, “Don’t not worry about that. We’ll give you a little bit more. Here’s \$225 extra on your bill.”

I believe the government should actually be saying, “What can we do to lift those burdens? What policies can we have in place that actually lift those burdens?” We see it in housing affordability. The government has a direct influence on that through its land release program, through its planning, through the delivery of infrastructure, through the way it structures land development in this town. It has made it a major burden, and the cost burden on young families who have had to purchase a home in recent years or, indeed, who have to rent in Canberra’s very expensive rental market, is the direct burden of poor planning decisions by ACT Labor—the failure to roll out infrastructure, the failure to get land supplied where it should be, the taxes that they are introducing. At a time when we have very high rent—and we have seen those rents go up—they propose a massive tax on units. What do we think that will do for rents and for those families who are already struggling?

There is a bit of a “let them eat cake” approach from this government. We get the approach: “What can we do?” You can manage your spending. That creates downward pressure and, therefore, you do not have to levy as many taxes. You cannot have policies which are the most expensive way of reducing greenhouse emissions. When you choose the most expensive way, we all pay. People in the ACT all pay. You can put downward pressure on house prices and rents. You can ease that burden for first homebuyers. You can manage your spending.

We have highlighted time and again areas where this government has chosen to engage in wasteful spending and has not managed its budget. Every year we see the TAMS budget blow out. That costs, and the rates people are paying directly reflect that fact. That is why this motion also calls on the government to be transparent and to put forward every year a statement around the cost of living pressures, around the cost of living impacts of its policies. That is a reasonable thing to do. Surely, in the interests of transparency, in the interests of getting a government that has placed massive extra burdens on households to focus on those impacts, a statement like this is reasonable. It would say, “We as an Assembly, we as a community, expect that you will have this at the top of mind in the development of policy.”

As we can see from the figures, they have not had it at the top of mind. When they have wasted money in the way that we have highlighted on so many occasions in this place, you can see that they have not had that at the top of mind. When they have mismanaged their planning policy and their land release, that has added burdens. When they have added 75 per cent to rates to pay for their wasteful spending, that has added burdens. When their environmental policies are adding significant extra costs to electricity bills over and above all of the other costs that Canberrans are facing, you

do need to ask the question: do they have it at top of mind? We do not believe that they do, and we believe that they should.

Any government, any representative, should have these factors at the top of mind, because, in the end, there are some things we can influence and there are some things we cannot. The things that we can influence as representatives should be about taking the burden from those whom we represent. Mrs Dunne will touch on some other areas of cost burdens—for example, childcare and water—and she will go into some detail on that. But if the Treasurer believes that rent and the cost of housing, water, electricity, public transport and rates are not core issues and are in some way selective, that demonstrates just how out of touch this government are.

They have become out of touch with their community; they are not listening to their community. They are not listening to the young families who already have a massive burden in terms of paying back debt. In some cases, they have large HECS debts and large debts on their houses, because that is the only way they can get into the housing market. They pay a lot in rent. This government are slugging them with an extra 75 per cent in rates. This government are adding to their electricity bills. This government are adding to their water bills. This government have pushed up rents. There is no escaping this conclusion. The figures speak for themselves; they speak very clearly and they speak very powerfully.

In closing, I commend the motion to members. We will continue to highlight these issues. We will continue to fight for these communities who are not getting the return on the massive increases they are paying in all of these areas. We will continue to fight. The Assembly should highlight these, and I also believe we should put in place some accountability measures for the government so that it takes these things into account in developing policies and that it is accountable directly and gives a statement on the cost of living. We have all sorts of accountability measures for the government. We have all sorts of things that we get them to do. There are very few more important things to the average Canberra family than their bottom line. I commend this motion to the Assembly. I commend the extra transparency, and we will continue to fight to take the burden from Canberra families. (*Time expired.*)

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (10.17): I move the amendment circulated in my name:

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

“(1) notes that:

- (a) electricity and water prices are set by the Independent Competition and Regulatory Commission;
- (b) rates are calculated based on known formula consisting of a fixed charge and a valuation charge using a three year rolling average of market values;

- (c) rents are determined by the private market;
 - (d) median house prices are determined by the private market;
 - (e) public transport costs are set by government and are aimed to achieve a broader sustainability policy;
 - (f) average weekly ordinary time earnings have increased by 54.6 per cent since 2001 (source—ABS);
 - (g) disposable incomes have increased since 2001 by 69 per cent;
 - (h) the percentage of medium income dedicated to loan repayments has declined by 0.6 per cent over the period 2003 to 2010 and currently stands at 18 per cent (source—REIA); and
 - (i) the ACT Government:
 - (i) has a comprehensive concessions policy and housing affordability action plan that targets those individuals and households requiring additional financial support; and
 - (ii) recently completed a Concessions Mapping Exercise and, based on the findings, is developing options for consideration that informs the adjustment of future concessions that target vulnerable households. The options will recognise that the major policy levers are not solely controlled by the ACT Government, but that the Commonwealth Government has income support and allowances as well as taxation; and
- (2) calls on the Government to advise the Assembly of any concessions policy adjustments when the 2011-2012 budget is tabled.”.

This is a classic of its genre around the use of statistics. Motions such as this always bring up that old truism of “lies, damned lies and statistics” and their use and misuse. Quoting increases in utility prices as the Liberal Party do in this particular motion, including transport and housing costs, and doing it over an extended period as this motion does, is essentially meaningless when the numbers are looked at in isolation. What is needed to make any assessment of changes is the overall context—comparisons, say, against national averages, comparisons against relative prices in other jurisdictions and comparisons on issues like movements in inflation, the consumer price index and relative household incomes; in other words, wages.

We need to look at this motion in a broader context. There needs to be a framework. So we start, in the context of Canberra and prices here, by looking at the consumer price index. Quarterly and annual inflation here in Canberra has in 2010 remained below the national average. In the September quarter 2010, Canberra’s annual inflation was the lowest in Australia. So here we have a motion berating and beating up this government here in Canberra and what do we find when we do a comparative analysis? We find the lowest inflation in Australia. Where is the lowest inflation in Australia in 2010? It is in Canberra, ACT—the lowest inflation so far in 2010.

Canberra's annual inflation rate in the last quarter was 0.7 percentage points below the national average—just under one per cent below the national average. This can be ascribed to lower than average growth in costs around food, alcohol, tobacco, housing, transportation and education. So the lower than national average CPI here in the ACT—what is it attributable to? According to the ABS, lower prices of food, housing, transportation and education and larger than average decreases in the cost of clothing and footwear. Food's contribution was relatively high nationally due to higher positive contributions from bread and cereal products. The description is there for all to read. Those are the facts—and the facts, of course, that this motion of the Liberal Party and the leader declines to provide a context for.

Based on the data that is available, living costs in Canberra are, in fact, below the national average. It is incorrect to suggest that Canberra is more expensive than other jurisdictions. In fact, ABS data shows that Canberra is the jurisdiction with the third cheapest average retail prices behind Sydney and Melbourne. The data demonstrates that the same basket of goods bought within Canberra is around two per cent cheaper than what would be found across the rest of Australia. Those are the facts.

When you provide some context to shifts and changes, you find in relation to the most particular and most important of indicators—the CPI and cost of living—that at the moment the ACT is by and large cheaper than anywhere else in Australia. In any discussion around the cost of living, the CPI and movements in all of these indicators, it has to be borne in mind that the ACT enjoys relatively higher income levels than the national average. It would be useful for the Leader of the Opposition and the Liberal Party in this debate to note that gross income per capita increased by 66 per cent over the period in which Labor has governed Canberra and that disposable income has increased by 69 per cent.

In any discussion of these headlight numbers that the Liberal Party seeks to actually focus on today, add those extra numbers just for the sake of comparison and transparency and for an honest and open debate and conversation around these issues—that in the same period per capita income has increased by 66 per cent and disposable income has increased by 69 per cent—just to give us some comparative analysis that we can rely on.

In the May quarter 2010, average weekly ordinary time earnings in the ACT, for example, were 17 per cent higher than the national average. Moreover, growth in average weekly ordinary time earnings in the ACT over the period from February 2002 to May 2010 was 54 per cent, compared to national growth of 46 per cent. Let us, for the sake of this conversation, include those numbers and those facts in the debate—a significantly higher increase in real time ordinary time earnings over that particular period.

Going to electricity prices, I think my colleague with responsibility for the environment will speak on this as well in relation to some of the comparative analyses. In percentage terms, the rise in electricity prices over the period of almost a decade has been lower than the national average. You cannot just go out there and say: "This is the situation in the ACT. How dreadful, and how dreadful the government's role

and responsibility has been in relation to this.” The fact is that over the last decade the increase in the ACT has been lower than the national average. So rather than condemning us for the increase in electricity prices, you might note that we have managed, here in the ACT, to keep electricity prices—

Mr Seselja: He wants congratulations on 70 per cent increases.

MR STANHOPE: Well, you might note it.

Mr Seselja: You want congratulations on a 70 per cent increase.

MR STANHOPE: What do you think about the fact that it is lower than the national average? So you think that is irrelevant? You are not concerned about that. You are not interested in the fact that you put a number out there and what the number reveals under closer analysis is that it is a lower number than most other states have been able to achieve and it is lower than the national average. It is relevant that prices for electricity in the ACT are not set by this government.

Opposition members interjecting—

MR SPEAKER: Order! Mr Stanhope, one moment, please. Members, Mr Seselja gave a passionate speech as well and was heard in silence. I expect the Chief Minister to be afforded similar respect.

MR STANHOPE: Thank you, Mr Speaker. The point needs to be made that, yes, there have been increases in prices, but in any sensible, intelligent discussion around these issues, you have to look at the context. You have to be able to compare it. You have to look at what else has happened in relation to other movements in wages and salaries, CPI and inflation, and if you want an intelligent debate you have to compare it with what is happening in other places.

In relation to electricity, which the Liberal Party go to, as I say, over the last decade increases in electricity prices in the ACT have been lower than the national average. There has been some focus on water and, of course, we are all very sensitive to issues around water in the ACT—after a 10-year drought, the water restrictions that we faced, the pressure that we faced and the major concern expressed within this community in relation to water and its availability and the sustainability of our city. We have moved to address those issues, those concerns, to ensure a secure future in relation to water.

Once again, of course, it does have to be remembered, recognised and acknowledged in any sensible debate or conversation around these issues that it is the ICRC—it is not the government—that sets the price. The price is set by an independent regulator and that is a relevant consideration in any conversation around issues relating to water and electricity. To not do so really does not provide an appropriate context. It remains the case that, in relation to water, there are relativities between the price here and other cities. On average, a water bill in the ACT does relate very closely to prices that are being charged in other places. Indeed, it is lower than in some major cities and major centres around Australia.

Mr Seselja also raised issues in relation to the increase in the private rental market and rents in the ACT. Over the period December 2001 to September 2010, rents increased by 53.4 per cent in Canberra, lower than in Brisbane, Darwin and Perth. It is worth noting that the ACT government, again, does not have control over the private rental market. It is, of course, determined by the private market. But in relation to issues around relativities and comparisons—looking at what is happening in the ACT as compared with others—the increase in rents in the ACT is lower than in three of the other capital cities around Australia.

Again, it has to be repeated and reiterated that, according to the Real Estate Institute of Australia's housing affordability report, the ACT is the most affordable jurisdiction in which to rent a home, with the proportion of family income required to meet repayments in the ACT being 16.5 per cent, significantly lower than the national average of 25.1 per cent. In any intelligent, reasonable conversation around these issues, you must provide a comparative analysis—what is happening here; what is happening elsewhere—and then look at the difference and make your judgements.

The Real Estate Institute of Australia's market facts report stated that in the June quarter 2010 Darwin reported the largest growth in median house rents, up 14.7 per cent. Median weekly house rents for Canberra, Sydney, Melbourne, Adelaide and Perth remained unchanged, while they declined in Hobart and Brisbane.

In relation to public transport, again an issue that is highlighted in the motion, some comparative analysis once again is required. What are the costs here? What is the base from which any increase in the ACT should be measured? The cost of travel on the ACT's buses—in other words, the cost of public transport in Canberra—has, of course, increased in recent years, as it has everywhere throughout Australia. However, the ACT's public bus system is still very competitive when compared with the cost of similar travel on buses for distances longer than 10 kilometres in other cities.

Analysis conducted in relation to the cost of public transport in May 2010 compared the costs of trips in Canberra with those in other major capital cities. Similar trips in Brisbane, Melbourne and Perth cost \$6.70, \$5.80 and \$4.50, against a cost of \$3.80 here in the ACT. The ACT has, in fact, recorded the lowest increase in public transport costs since March 2002 to now. Public transport costs in Canberra increased 19.5 per cent against a national increase of 33 per cent. There you have it again. In relation to public transport and the cost of public transport in the ACT, the increase in costs over the period in the ACT was the lowest in Australia at 19 per cent, compared to a national average of 33 per cent. We have maintained those prices and that level of cost increase in an environment where there has been a massive increase in investment in public transport in the ACT in recent years—some hundreds of millions of dollars.

In relation to house prices, the median price of established house transfers in Canberra increased from \$245,000 to \$555,000, or by 124 per cent, over the period March 2002 to March 2010, much lower than the national average of 138 per cent. There you have it again. Put the figure out there in isolation and certainly it is a very challenging number. But compare it with the average across Australia. The national average

increase is 138 per cent. It is 138 across Australia and 124 in the ACT. Yes, they are challenging numbers; yes, they create very significant issues for some people within our community; and, yes, it is an issue that needs to be addressed. But what are the real numbers? The real number in the ACT is 124 per cent. The number across Australia is 138 per cent. The result here in the ACT is much better than the national result or the result across the rest of Australia. We have again, of course, the Real Estate Institute of Australia's numbers in relation to housing affordability in the ACT, consistent with their particular index.

The Canberra Liberals cannot resist having another shot that none of these numbers or increases would have occurred if we had not established the arboretum. It appears that the illegitimate, unacceptable expenditure is, of course, down to the arboretum. So we would not have had increases in public transport costs and increases in electricity, water, housing or median prices if it had not been for the arboretum and the expenditure that that has attracted over the last four to five years.

I have iterated, and I will continue to iterate, the value of projects such as the arboretum. Indeed, I have to say it was a view shared by the 250 or so members of the veterans community and their families who gathered there with the Governor-General last Friday to plant a memorial Anzac forest within the arboretum, a significant event that was broadly applauded by the veterans community, embraced by 250 of their members, each of whom was thrilled and proud to plant a tree. I have to say it was very disappointing to note that not a single member of the Liberal Party accepted an invitation to be involved in that particularly significant, symbolic occasion. (*Time expired.*)

MRS DUNNE (Ginninderra) (10.32): I thank Mr Seselja for bringing forward this important matter today, because it goes to the heart of how our families live in the ACT. It is interesting to note that Mr Stanhope has introduced, as usual, a range of self-congratulatory and alternative figures rather than addressing the real issue. It is also interesting to note that Mr Stanhope leads this debate today. After the Treasurer had a go at leading the debate in the media today and obviously did such a bad job, they thought they had to bring out the big guns to protect her again.

The whole response of the Labor Party is pretty much Marie Antoinette's response. It is a shame the Treasurer could not bring herself to say, "Let them eat cake," but left that job to the Chief Minister. His response is: "Let them eat cake. It is expensive everywhere, so it is all right for it to be expensive here."

I note the Greens, again, are proposing to snuggle up to the government with an amendment which is surprisingly similar in much of its tone, but it shows that the Greens are not in touch with the people who live and work and play in Canberra. I acknowledge that the proposals, for instance, for a poverty impact statement are important. But, as it is with everything with the Greens, they leave out the middle. I would like to talk about the sorts of families that are affected by the cost increases that Mr Seselja has outlined in his motion.

The Canberra Liberals put forward an assumption about a middle income family: Mick and Melinda live in Giralang and Mick earns \$80,000. His wife works part time,

and she earns \$40,000. They have a \$300,000 mortgage. They have two children—one who is in part-time childcare and one who goes to the local Catholic school. Mick is also repaying his HECS debt. They have private health insurance and one car with a small car loan. Their family income is about \$120,000 and they pay tax between them of \$30,800. Mick also pays a HECS debt of \$6,400. They pay Medicare to the tune of \$1,200. Their mortgage is \$27,000. They pay approximately \$10,000 a year in childcare and another \$13,000 a year to pay for and run their car. They are modest shoppers, but that costs them \$10,400 a year. In addition, they have utilities—phone, gas, electricity, internet, water—of \$6,000, and they pay school fees of around \$3,000. In addition to their Medicare, they pay \$1,800 in private health insurance.

That leaves them less than \$10,000 out of their \$120,000 income for everything else, and that includes rates, insurance, home maintenance, gardening, the odd outing, and perhaps even some shoes and clothes for the kids. They have got \$10,000 left. So Mr Stanhope can sit there and say, “It is all right, these people have nothing to worry about,” but let us look at the figures.

Mr Stanhope does not want us to look at the figures over the term of the Stanhope government, because when we do that, we see that the overall CPI in Australia has risen by 27.9 per cent but in the ACT it has risen by 28.4 per cent. I want to drill down into some of the issues that we have addressed, and the issue that I particularly want to talk about is water.

In the ACT we have seen a 106 per cent increase in water costs since the Stanhope government came to power. Of course, both the government and the Greens want to blame somebody else for the rising cost of water in the ACT. It is not Jon Stanhope’s fault. It is not Jon Stanhope who increased the water abstraction charge, doubled it and then doubled it again. It is not Jon Stanhope who introduced the utilities tax. He has not contributed at all. No, it is the ICRC across the road! These nasty people, they are the ones who bring about the increase in costs. “It is some independent person and we are not responsible for it.” What the ICRC is doing is responding to the policy settings set by Jon Stanhope—the man who increased the water abstraction charge, then increased it again, the man who introduced the utilities tax. All of those things go to the bottom line.

In addition to that, we see that the cost of water in the ACT has already risen by \$100 to cover the cost of the dam, which we expected to be \$145 million plus 30 per cent, so \$188 million. We have an admission from the utility that, as a result of the blow-out in that cost, by 2013 ACT taxpayers will be paying an extra \$220 a year, at least, in current dollars to pay for the cost of water security in the ACT.

Why are we paying so much? Because of the mismanagement of the Stanhope government. In 2004 when it was obvious to everybody that we needed to do something about water security, only Jon Stanhope and his cohort were saying: “No, no, no, we can’t possibly do that. We can’t do that.” Remember, it was in 2006 that this Chief Minister said on one occasion: “We may never have to build a dam. Not for 30 years. You know, we might get away with it for another 30 years.” The next year, he had changed his mind. But in that time, we have had years and years of delay, which has seen a blow-out in the cost of the water security projects in the ACT.

Currently, \$100 of the cost of water in the ACT is directly attributable to the cost of water security. We know that the blow-out in the cost is going to add to that 106 per cent increase in water by another \$120 a year by the time we get to 2013. That is the administrative negligence of the Stanhope government. The raising of the water abstraction charge, the imposition of the utilities tax, the delay over water security—all of these things have driven up the cost of water to what is, according to Engineers Australia and almost every source you look at, the most expensive water in Australia and, at least, the most expensive water in any capital city in Australia.

Perth gets a substantial proportion of its water from desalination, which is expensive water because of the energy cost that goes into it. It has cheaper water than Canberra where we get gravity-fed, mountain-delivered water.

Mr Stanhope: What is the cost in Perth of water?

MRS DUNNE: I will come back to you. I cannot tell you off the top of my head. I do not have the figure on—

Ms Gallagher: I think you will find it is cheaper here.

MRS DUNNE: It is cheaper in Perth, even though they desalinate it. I will come back to it, because I will get the opportunity to speak again. In addition to that, we need to look at one of the other issues that really impact on Mick and Melinda—that is, the cost of childcare. It is interesting that the cost of childcare has been going up and up, and the minister is always saying, “It’s not really an issue for us.”

I notice there was a thing a little while ago when the minister attempted, in her usual ham-fisted way, to lambaste the opposition for having a scare campaign about the cost of childcare. She said in her press release that childcare increases and childcare reforms would mean that childcare would increase by no more than a cup of coffee a day. If a cup of coffee a day is \$3, you are doing pretty well. I know a couple of places where you can get it for \$3—a small one. Mick and Melinda are going to be paying an extra \$30 a fortnight, and that is an extra \$780 a year. Out of the \$10,000 they have got left, Ms Burch’s cup of coffee a day is going to take another \$780 out of Mick and Melinda’s disposable income.

These are the things that we are talking about, Mr Speaker. This is why Mr Seselja has brought forward this motion. The most important part of this motion is that we call upon the government—I cannot see how anyone could possibly object to this—to put a statement of the cost of living in each budget to inform the Assembly and the community of the key cost of living impacts of the policies enunciated in the budget. What could be more transparent and what could be less objectionable?

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (10.42): There can be no doubt that there are many people in our community who are doing it tough, very tough. Poverty and disadvantage exist in what is, by any standard, a very wealthy community. We are very fortunate to have the wealth and opportunities that we have. However, as I said, we can by no means be complacent about the significant financial pressures that face some in our community.

The Greens have consistently advocated for policies and outcomes that help those most in need. No-one likes the cost of a non-discretionary expenditure to rise. Unfortunately, these price rises are inevitable. As long as we live in an economy predicated on growth and a level of inflation, it is a fact of life. The real issue is not what has happened to a few select expenditure items, but what is our position overall, both in a contemporary sense and in a positional sense for the future challenges that are fast approaching. Some items will increase, some will decrease. Looking at a few measures in isolation does little to paint the real picture of the cost of living.

The Australian Bureau of Statistics also publishes the analytical living cost index, which goes beyond the headline CPI, and measures how much would after-tax money incomes need to change to allow households to purchase the same quantity of consumer goods and services that they purchased in the base period and breaks the finding down into four different household types.

If you look at it in the September quarter of 2010, changes in living costs ranged from a low of 0.9 per cent for age pensioner recipient households and self-funded retiree households, to a high of 1.2 per cent for employee households and other government transfer recipient households, while the consumer price index rose by 0.7 per cent over the same period.

Since the series began in the June quarter of 1998, changes in living costs for each household type have historically tracked closely to the CPI. The living costs of other government transfer recipient households showed the highest increase of 49.2 per cent, followed by age pensioner households, which increased by 47.4 per cent. Employee households increased by 47.1 per cent, slightly higher than the 43.2 per cent increase in the CPI. The living costs of self-funded retiree households increased by 42.9 per cent. The cost of living increase experienced by some households was actually less than the CPI and for others it was between a 3.9 and six per cent increase.

The ABS explains these differences as attributable to a range of factors, including the inclusion of mortgage interest and consumer credit charges, which has a significant impact for employee and other government transfer recipient households. The inclusion of mortgage interest and consumer credit charges and the different treatments of housing and insurance also result in variations, and we can see that in the figures. The expenditure patterns for those households measured by the ALCIs differ from those of the overall household sector covered by the CPI. This also contributes to differences in the percentage changes. The point to take away is that the cost of living has not risen much above CPI at all over the past 12 years, which, of course, extends beyond the life of this government.

The other obvious factor to consider is changes in wages. Since 2001, ordinary average full-time weekly earnings have increased by 54 per cent. Overall, this means that financially, on average, people are actually better off now than they have been before. The Greens' concern is that, while we can say this for the average person, it does not capture those who fall below the average. These are the people who are in significant need and who we should be focusing our assistance initiatives on.

It must also be observed that many of these increases mentioned in the motion are subject to significant external factors—house prices, for example. There has been an Australia-wide boom in prices. That is good for those who own a home but is a significant policy challenge for governments. It is now up to them to provide affordable housing to those who need assistance. Electricity and water prices will rise significantly. What we need to do is position ourselves to be able to cope with those increases. There are no two ways about it—we have to shift to renewables in the energy area. Doing so early will reduce the long-term cost.

Yesterday we considered a scheme for housing affordability. The Greens presented an alternative, and we listened to all the evidence and presented a better option for more targeted assistance to those who really need it—those who are really experiencing non-discretionary difficulty. All governments should consider cost of living impacts. The Greens have fought for years for comprehensive triple-bottom-line analysis of policies so that we properly understand the full range of impacts of decisions that are made by government and in this place.

This should include a poverty impact analysis, but we should have a comprehensive understanding of the impact of our decisions on the most vulnerable in the community. That is why we have included the poverty impact analysis in our amendment that I will move soon. Significant work was done by the ACT Social Inclusion Board on poverty impact analysis and how to apply that. We believe that work should be moved forward and applied to significant programs and policies.

The ACT government often refers to the ACT as having high affordability in house prices and rents because the median mortgage or rent payment is thought to be less than 30 per cent of the median gross household income. The Greens believe such commentary to be incorrect and unrepresentative of the market, because having a high median income means that people earning lower incomes are further behind. This is evidenced on the ACT government's website, measuring our progress. The Gini coefficient, or distribution of income for Canberra, is getting worse.

In addition, Canberra does not have the supply of low cost housing that other capital cities have, and this has been the situation for many, many decades. People on low incomes struggle in the high cost housing market. In the ACT, rents have risen over 10 per cent in the last year compared to the national average of 2.8 per cent and recent commentary on the market has signalled that rental prices here are likely to continue to increase. Those households that are either waiting to get into public housing or who just fall outside the eligibility criteria for public housing are doing it the toughest.

My amendment also calls on the government to recognise that the running costs associated with a house affect the affordability of that home. Rising energy costs mean that houses which are not energy efficient will have high energy bills that will hit household pockets and wallets.

We have been told that large families at risk of homelessness have been placed in houses which have enormous utility bills, and that the Chief Minister would choose to avoid solar access in pursuit of cheaper construction costs. We hope that would not be

the case, because we know that affordable housing is not just the up-front purchase price; it very much is about that house that is built and its running costs over time.

This is not an either/or debate. Utility costs are integral to the running and affordability costs of a home. There is no point in constructing cheap homes or out-of-date designs and ways of building houses, because we have new building products. We know how to build energy efficient homes. We know that, if we construct these last-century houses, people, over time, will find that they struggle to pay the bills to run those homes.

All parties in this place have different priorities. We would all spend the money differently, no doubt, and the cost of delivering government services is increasing. The community has to pay for that or has to understand that there is a limit to the budget. Equally, we all have an obligation to ensure that taxpayers' money is not wasted, that we distribute that money to those who need it most and that we deliver the best outcomes to the whole community and not just a select few.

I take umbrage at Mrs Dunne's continued attacks on our stand to advocate for those who are doing it tough in this community. I am not sure whether, by saying that, Mrs Dunne is saying that she has absolutely no interest in the one in 10 people—probably even more—in our community who are doing it tough, who are finding it hard to cover the costs of rent and food and educational costs for their children. Somehow she believes that by us standing up and advocating for these people we have no interest in other parts of our community. That is simply a nonsense. Her continued push makes me wonder whether she does think about so many families who are on lower incomes, who may be on pensions and benefits and who are really doing it tough in this community. I would like to see the Liberal Party have a bit more of a focus in that area.

In recent days many members in this place would have received reports from a number of organisations about the ongoing research on the impact of poverty across Australian communities, including the ACT. One of them was from the Salvation Army and was about the perceptions of poverty and the insight into the nature and impact of poverty in Australia. Another was from Anglicare Australia, *In from the edge*. That is about the state of a range of different families and how they will be impacted by a range of issues.

Mr Hanson: Was it a good idea to give \$26 million to the arboretum then? Where are your priorities?

MS HUNTER: Mr Hanson is interjecting again with his very droll contributions. I really think he should take some time out—no doubt he has these reports in his office—to read through those reports to get a good understanding of the challenges and the struggles that many people in the Canberra community are facing day in, day out.

I finish by moving my amendment to Mr Stanhope's proposed amendment. The amendment has been circulated in my name, and I move:

Omit all words after "That this Assembly", substitute:

(1) notes:

- (a) that, according to figures published by the Australian Bureau of Statistics, since the election of the ACT Labor Government:
 - (i) electricity prices have risen by 69.96 per cent as set by the ICRC;
 - (ii) water prices have risen by 106.08 per cent as set by the ICRC;
 - (iii) rents have risen by 54.81 per cent as determined by the private market;
 - (iv) the median house prices in Canberra have risen from \$245 000 to \$550 000 as determined by the private market;
 - (v) rates have risen by 75.00 per cent calculated on a known formula consisting of a fixed charge and a valuation charge using a three year rolling average of market values;
 - (vi) public transport costs have risen by 31.15 per cent; and
 - (vii) average weekly ordinary time earnings have increased by 54.6 per cent since 2001; and
- (b) that the rise in the cost of housing, including running costs, is having significant impact on those people and households that earn below the median wage; and

(2) calls on the ACT Government to:

- (a) consider carefully the cost of living in the ACT and include where possible initiatives that put downward pressure on the cost of living;
- (b) ensure the Affordable Housing Action Plan provides for those households that are not eligible for public housing and cannot afford the median rental or even 74.9 per cent of the market rate;
- (c) acknowledge that the running costs, such as energy and water must be included in assessing the affordability of a house; and
- (d) conduct Poverty Impact Analysis of significant new policies and programs.”.

MR SMYTH (Brindabella) (10.54): It seems to be the policy of the Greens that you just never hold the government to account. If the government says it, it must be okay and “we’re just along for the ride”. I heard Mr Rattenbury at the weekend, at the ClubsACT function, say, “We hold the balance of power here.” Well, you are not holding it in favour of the people of the ACT.

This is a reasonable motion. The motion as proposed by Mr Seselja is something that people actually worry about day to day in their lives. This is about the people. Again, I ask members to look at the coat of arms—“the people”. It is a shame that the people

come third in our motto. Perhaps we should change that. The motion simply asks that the government carefully consider the cost of living and look at initiatives to bring it down and provide the Assembly with a cost of living statement in the budget. What is wrong with that? There is nothing wrong with that and there is no argument that has been made, that I have heard yet, that says that it should not be done.

If this was a motion saying, "Let's have a statement of the environment in the budget," the Greens would be in there like a rat down a drainpipe. But when you come to holding a Labor government to account, do not expect a Greens party to do that. And that is a shame. The argument seems to be, "Well, so much of this is out of our control." I notice that Mr Stanhope's amendment, at subparagraph (d), says: "Median house prices are determined by the private market." So, not responsible. He ends up being the Kylie Minogue of ACT politics. He is not responsible for anything. And the rest of the argument is, "Well, we're not quite as bad as New South Wales." Who would want to be compared to New South Wales in the first place?

The question is: what drives house prices? Median house prices are determined by the private market. So you have to ask the question: why, in fact, do the government have a housing affordability strategy? You can question whether or not it is working—because they can influence these things. So it is preposterous to say that these are all determined by the private market.

It is interesting to look at some of the recent housing affordability reports. The Urban Design Institute of Australia said that, for the ACT, the two things that destroyed housing affordability in the ACT were land release and fees and charges, both of which—and I note the silence from those opposite—are under the direct control of the government and one of which is under the direct control of the Chief Minister. Land release and fees and charges: these are things that governments control. To say that the government has no control over things like the cost of water, the cost of electricity, the cost of rates and rents and public transport, is just preposterous.

"Electricity and water prices are set by the Independent Competition and Regulatory Commission." Yes, they are. But what are the inputs that they discuss when they make those decisions? Mrs Dunne said it so well. In 2004, we said we needed a new dam. The great denier over there said: "No, never. We don't want it. We don't need one. It'll be 20 or 30 years away." And here we are, building a dam whose cost has gone from about \$145 million up to about \$360 million. That is the position of the Chief Minister: deny it until it is so obvious that you then try and accept it and make it your own.

We can go through the government's amendment. "Rates." The government determines rates. The government directly determines the rates. "Rents are determined by the private market." Well, that is true. But what are the factors that contribute to that determination? Government fees and charges, government taxes, government planning, a change of use charge. It just goes on and on. The government determines these things. To ameliorate the whole motion by simply saying, "We're not as bad as elsewhere," just shows the genuine lack of concern from both the government and the Greens—the great champion of the underdog, who do not want to hold a government to account and who do not want to acknowledge that this is an issue with people.

Perhaps if the leader of the Greens got out in the community more and talked to the real people out there, they would know that this hurts, every day, ordinary folk in the Canberra region.

It is important that we have this motion. It is important that the motion gets up as it is. It is not a big ask. We kept it simple because we knew the government was not capable of delivering more than this. All we are asking for is a statement, a cost of living statement, each year in the budget which informs the Assembly and the community of the key cost of living impacts of its policies.

This motion, in the main, just deals with the bread-and-butter factors that affect the lives of ordinary people and that ordinary people have to cope with. They are even struggling in many cases in balancing the competing demands that are placed on families.

The key issue that underpins this motion concerns the role of our government, and that is not an unreasonable thing. What can the government do? What can the ACT government do to reduce the cost pressures that are faced by people, by families, living in the ACT? As Mr Seselja has noted, the government has control of a number of policy levers that can influence the cost pressures on goods and services that are faced by Canberra people and Canberra families.

In considering the matter raised in this motion, it is easy to be distracted and get into a discussion about government revenue and how governments are always concerned about protecting their sources of revenue. They are legitimate concerns. But the pursuit of revenue, and indeed the spending of revenue—because, let us face it, we have got an inputs government; “we spend more, therefore we are better” is the motto of this government—should not be made in isolation from the effects of increasing taxes and other charges on the people of the ACT, the families of the ACT and the business community of the ACT.

Nevertheless, it is useful to place the actions of the ACT government in some sort of context in discussing cost of living pressures. In 2001-02, the ACT budgeted for revenue of \$2.043 billion. In 2010-11, budgeted revenue was \$3.668 billion. This represents an increase of 80 per cent. Over the same period, the consumer price index for Canberra increased by 29 per cent. Government revenue up 80 per cent; CPI up 29 per cent. If the effect of price increases is removed, the real increase in budget revenue has been about 40 per cent. Over 10 years, that is still a very significant increase in government revenue. In large part this increase has been built on increases in existing as well as new taxes and charges—so-called indirect taxes that have to be paid by consumers, by householders and by businesses.

The key factor that we face in considering this motion is what realistically can the ACT government do, or indeed can any government do, to reduce the cost pressures on individuals and on families. The ACT government can contain its own expenses and hence limit the call that it has to make on the community's resources. This raises the issue of efficiency in the provision of government services. The ACT government can encourage the most competitive business environment such that the providers of goods and services do so at the most competitive prices.

As an aside, there is also the issue that one can say the government can reduce its wasteful spending, whether it be the at least \$20 million that is wasted on the GDE by failing to duplicate the GDE when it was first constructed, or the hundreds of thousands of dollars wasted on government advertising, or expensive art at the Alexander Maconochie Centre, or the waste of \$5 million on the non-existent Belconnen to Civic busway. There are the blow-outs in things like the Emergency Services headquarters, the cost of Tharwa bridge and the capital operating cost of the Alexander Maconochie Centre, the \$5 million wasted on FireLink, a communications facility that was never delivered, the failure to manage the budget of the Department of Territory and Municipal Services as outlined in numerous reports, particularly those from Ernst & Young, uncollected rates and ambulance fees. Consultants: we have got \$4½ million to be spent on finding savings because the government is not capable of doing it.

We could look at the solar feed-in tariff. What is that—an extra \$225 a year on families. There is the whole question of public art, mistakes of the parole board. In the delivery of capital works, the new car park for Canberra Hospital went from \$27 million to \$43 million. There is the youth detention centre, and mental health budget overruns. There are numerous things in the Treasurer's advance that you would have to question. Then we have blow-outs in the cost of the Googong pipeline and the Cotter Dam. The list goes on and on. And if the government were serious about really helping ordinary people in what is a tough environment, they would look at their own spending first.

Mr Seselja's proposal says that we simply want an annual statement in the ACT budget. It is not a big ask. It is important that people do understand what their government are doing. It is important that people understand that their government actually care about what they do to the residents of the ACT. And it is important that people understand how much their government costs them every day through increases in cost of living.

MS GALLAGHER (Molonglo—Deputy Chief Minister, Treasurer, Minister for Health and Minister for Industrial Relations) (11.04): I welcome the opportunity to talk to this matter in the Assembly today. After just listening to Mr Smyth, I have to presume that he is not reading the same motion as I am if he believes that it is just a simple request for the government to provide a cost of living statement with the budget.

Mr Smyth interjecting—

MS GALLAGHER: If the motion was just that, the government would consider supporting the motion. But the motion is not just that, Mr Smyth. As usual, it is a Liberal motion written with the venom and hatred of those who have spent too long in opposition and are destined to stay there forever. You write your motions on private members' day with the sole purpose of ensuring that they always go down. Maybe there is a message here about bringing forward sensible motions that are constructive, that other members in this place could agree to.

These are the points I made today on the radio in response to Mr Seselja's comments.

Mrs Dunne: Yes, and that was a roaring success, wasn't it?

MS GALLAGHER: I presume you always have a rather critical view of my performance on the radio, Mrs Dunne. So I am not really worried about the constructive feedback I get from the Liberal Party because I doubt very much that you will ever say, "Gee, I thought that was a good radio interview, Katy." But anyway, that is aside from the point.

The issue that we are trying to make here is, yes, over 10 years you can pull together ABS data that shows that there have been increases in the cost of living. Well, what a surprise that is. I do not think anybody is surprised by that. Yes, costs have gone up; they have gone up over a decade. But you cannot and should not—and indeed it is a misleading way—put out one set of data and not pull together the other important data to consider as part of this.

If, for example, household income had not risen at all, if there had been no population increase at all in the ACT, if the demand for government services across the ACT had not increased, then yes, sure, look at these figures in isolation. But that does not give you the true picture of the things that governments need to consider when providing services to the community and when considering the need to increase revenue or increase fees and charges.

The motion also goes on to outline the usual targets of the Liberal Party. The arboretum: I think you are the last group of people in the community opposed to the arboretum.

Mr Seselja: You are not talking to many people, then, Katy. You are not talking to many people.

Mr Hanson: Really? You don't get out much, do you?

Mrs Dunne: No, they don't get out much.

MS GALLAGHER: I really do.

Mr Seselja: You've really got to get beyond the inner north, Katy.

MS GALLAGHER: I think you have got to work out at what point you are going to start supporting the arboretum—

Mr Seselja: You've got to consult wider than the inner north.

MS GALLAGHER: because it is moving away from you, from the Liberals.

Mr Hanson: How about public art? How is that going?

Mr Seselja: Have you ever been to Tuggeranong?

MS GALLAGHER: And if you just go and talk to some of your supporters in the business industry—

MADAM DEPUTY SPEAKER: Could you stop the clock, please?

MS GALLAGHER: Go and talk to some of your supporters and see what they say about the arboretum.

MADAM DEPUTY SPEAKER: Ms Gallagher, could you please sit down. Thank you. Members, Mr Smyth was heard in relative silence and since Ms Gallagher has been on her feet there has been nothing but interjection from the opposite side. Do we want to start the day by my warning people? And I will. So please remain silent while Ms Gallagher is speaking.

MS GALLAGHER: Thank you, Madam Deputy Speaker, and I must say I do not even hear them anymore; it is just the usual course of operations for me when I rise to my feet.

If we take the solar feed-in tariff scheme, which the Liberals have decided to use and politicise in terms of the increase in cost to households of \$225 per year, what they do not put in that part of the motion is the situation when fully subscribed over a 10-year period. When you look at what the government has agreed to—we have not agreed to the full scheme at this point in time—the key consideration for government around that was potential pressure on prices; that was one of the considerations we looked at when we allocated an increase to the scheme this year.

In terms of the Cotter Dam and the price of building the Cotter Dam, which I think has been independently assessed, verified and analysed, are the Liberals seriously suggesting that they could build that dam cheaper? Is that what you are suggesting by your motion today? When you look at the issues around health—

Mr Hanson: Madam Deputy Speaker?

MADAM DEPUTY SPEAKER: Yes, Mr Hanson?

Mr Hanson: On a point of order, I would ask that the minister address her comments through you under standing order 42 rather than directly questioning us opposite. If you want us to remain silent, her continued questioning of us across the chamber does not help. She should follow the standing orders, specifically standing order 42, and address her comments through you, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: Mr Hanson, thank you very much for your contribution. Ms Gallagher can continue.

Mr Stanhope: Jellyback, oh, jellyback.

Mr Smyth: I have a point of order, Madam Deputy Speaker.

MADAM DEPUTY SPEAKER: There is no point of order, Mr Smyth. Will you sit down.

Mr Smyth: Sorry, Madam Deputy Speaker; you don't know what my point of order is so you can't rule it out or say that it's not a point of order.

MADAM DEPUTY SPEAKER: The point of order is that she was not addressing the chair.

Mr Smyth: It's a new point of order.

MADAM DEPUTY SPEAKER: You have made up a new point of order?

Mr Smyth: It's a different point of order.

MADAM DEPUTY SPEAKER: Right, Mr Smyth.

Mr Smyth: Am I allowed different points of order?

MADAM DEPUTY SPEAKER: Yes, Mr Smyth. Continue.

Mr Smyth: Thank you. That's very gracious. Mr Stanhope just called Mr Hanson "jellyback". I understand the Speaker has now ruled that unparliamentary and I would ask you to make him withdraw.

MADAM DEPUTY SPEAKER: I will check the *Hansard* later on today—

Mr Smyth: No, he just said it. He just said it.

MADAM DEPUTY SPEAKER: Excuse me, Mr Smyth, will you resume your seat?

Mr Smyth: So are you saying Mr Stanhope is saying he didn't say it?

MADAM DEPUTY SPEAKER: Resume your seat, Mr Smyth. Resume your seat.

Mr Smyth: Is that what you're saying—you didn't say it?

MADAM DEPUTY SPEAKER: Resume your seat.

Mr Stanhope: I didn't address any comment to anybody.

MS GALLAGHER: Can you stop the clock, Madam Deputy Speaker?

MADAM DEPUTY SPEAKER: Okay, stop the clock. I apologise. Mr Smyth—

Mr Stanhope: I haven't addressed a comment to anybody.

Mr Seselja: Captain underpants.

Mr Smyth: Captain underpants—exactly—all front.

MADAM DEPUTY SPEAKER: Mr Smyth!

MS GALLAGHER: You guys are pathetic.

Mr Stanhope: Childish, very childish.

Mr Hanson: You started it.

Mr Hargreaves: All class, Jeremy.

Mr Hanson: He starts with “jellyback” and then tries to get on the moral high ground.

MADAM DEPUTY SPEAKER: Mr Hanson, Mr Hargreaves, will you please stop engaging with them. Mr Hanson and Mr Smyth, I will review the *Hansard* at a later stage of the day, or Mr Speaker will, and we will look at that particular interjection, if in fact it was made. I did not hear it; therefore I cannot make a ruling on it.

MS GALLAGHER Thank you, Madam Deputy Speaker. In relation to the motion which talks about the GST funding around health, as we have been discussing in this place for a number of months, that money is not being removed from the ACT. That money is coming to ACT Health for the sole purposes of health care and this government does not have a problem with that. We believe that the \$400-odd million coming from the GST to be allocated to health is a good use of that money and will go into health. Where we do not provide for that through our budget statements at the moment, those funds will be reallocated to other important areas of government service delivery.

The other important thing here under the deal we signed with the commonwealth is that we are already receiving increased financial assistance from the commonwealth for our health service. For example, 22 subacute beds are currently being delivered to the ACT health system under that deal. Is the opposition saying that that is a bad outcome for the ACT—that we should not have signed up to national health reform and therefore we would not have got the \$80-odd million in additional resources coming to the ACT? We reject that. We think it was a good deal. That money is already flowing and those services will be operational and, indeed, under elective surgery those services, through that additional money, are operational now.

Then the motion condemns the government. I am just trying to go to Mr Smyth’s point here that it is a harmless motion that calls for a simple piece of work, a simple motion for those—

Mr Smyth: I didn’t say it was harmless. Where did I say “harmless”?

MS GALLAGHER: Madam Deputy Speaker, this is what he was trying to allege—that this is a very straightforward motion that has to be supported by everybody. My point is that the Liberals deliberately write these motions so that they go down. And

that is not conducive to private members' day where the entire Assembly can actually work together to deliver good outcomes for the people of the ACT.

Mr Seselja: Which parts do you disagree with?

MS GALLAGHER: You have written this for the sole purpose of going out and saying, "Nobody else agrees with us. We're trying to fight the good fight."

Mr Smyth: Well, you don't. You don't care.

MS GALLAGHER: What a load of rubbish. This is written with the sole purpose of not working with other members of the Assembly in the best interests of the people of the ACT.

The third and probably least offensive part of the motion reads:

consider carefully the cost of living in the ACT and include initiatives in the ...
Budget that put downward pressure on the cost of living;

These are all decisions that the government looks at very closely when putting the budget together. Indeed, it is at the forefront and one of the most significant considerations of the government when we are weighing up the demand for services, the growth that we are seeing in our city and how we keep increases in the cost of providing services reasonable and in line with what the community can afford. So this work is already done as part of the government's very rigorous budget assessment processes and I think you can see that from the decisions that the government has taken over a number of years.

The issue that Mr Seselja and the Liberals just simply ignore in their motion today is the fact that there are other drivers that drive up charges and prices right across the community. There are other elements and they need to be considered: household income, population growth. The city is not the same, the city size. The city demands are not the same as they were back in 2001-02. They are simply not the same. There are major policy decisions that have been taken that simply were not there, that need to be factored in. The demand for services: there is unprecedented demand right across the board. We have delivered a 110 per cent increase in health, a 130 per cent increase in disability services and a 55 per cent increase in education services. Education and health are the biggest components of the budget and we have done all that while trying to keep a limit on price increases.

MR RATTENBURY (Molonglo) (11.15): This motion, put by Mr Seselja this morning, is one of those motions that are very frustrating, in the sense that there are important matters being touched on here, but the base politics of the motion seriously detracts from that important substance. It is clear that there are cost of living pressures on some families in our community, and the Greens have a proud record of working to support those people.

Those who are most financially or socially disadvantaged in our community are those who are often forgotten as policies are developed. They are the families that cannot

pay their electricity bills, families that have little or no discretionary income, families that can never enter the housing market, households that are on the never-ending cycle of trying to provide the basics for their families while keeping their head above water. It is because the Greens do care about those families that I reintroduced my motion on the notice paper yesterday. That specifically addresses the impact of rising electricity costs on people who are socially or financially disadvantaged, calls on the government to increase the electricity rebates for those families and ensures that their needs are considered early in any policies that may increase electricity prices.

This motion fails, as has already been articulated, to put these so-called increased costs against the backdrop of increased CPI, inflation and, frankly, increases in wages. Ms Hunter touched on these points. It is a classic damn lies and statistics motion. It completely takes out of context all the statistics that it refers to. It is a pretty silly idea to structure this motion around a statement of what some of the real costs are to particular sectors without looking at our overall standard of living and how wages have been rising over the past 10 years.

The truth is that the ABS tells us that Canberrans' disposable income has increased 60 per cent since 2001. So the story Mr Seselja is trying to paint through this motion is misleading. We know that Canberra rates well in terms of our wellbeing and our liveability, some of those factors that are hard to put a dollar term on but are important to people's lives.

However, we must not forget that there are people out there who are doing it tough. We know that, from around 2003, we have seen a growing disparity in income distribution in the ACT. These are the people who are getting left behind and the people who are most impacted by rising household costs, as they have the least disposable income, the least flexibility to change their purchasing patterns and the least life opportunities available to them. They are the people who cannot enter the housing market because there is not enough affordable housing available.

When it comes to climate and energy, I am really pleased that today the Leader of the Opposition acknowledged that the reason electricity prices have gone up is primarily the lack of investment in the electricity network and other reasons. It saves me having to go over these points again, because it has been frustrating, in recent times, the way that that argument has been distorted.

But it is obvious to everyone who has some understanding of what is going on in the world around us that the transition to clean energy will come with some costs. I am not going to pretend that this is not the case. Indeed, it would be foolish to do so. Nor am I going to pretend that I do not think it is worth it. I absolutely think it is worth it.

It is hard to believe that we have to remind the Canberra Liberals that we have, globally as well as in Australia, the biggest economic challenge that we will possibly see for a century or so, as we adjust our energy systems to reduce greenhouse gas emissions. That economic challenge is larger in Australia, a country that has been gifted with massive reserves of brown and black coal on which we relied to deliver exceedingly cheap electricity for a long time.

We now know the costs of coal-fired power are not just what we pay on our electricity bills. If anyone in this place is still purchasing black energy from their electricity retailers, let us be clear that you are not paying the full price for that black coal you are using. The planet is wearing the burden of the cost.

When it comes to the feed-in tariff, I see that Mr Seselja and his team have suddenly discovered this week the government's modelling on the larger scale feed-in tariff, despite the fact that the modelling has been out in the community for nearly a year. In fact, the modelling may not even have predicted the drop in price of industrial scale solar. I will come back to that point shortly.

But let us be honest about the rising costs because of the feed-in tariff and where we will end up and when. If the ACT government is true to its word and delivers the capacity of large-scale solar that it has outlined, that is, 210 megawatts, Canberrans might be paying around \$4 a week for several large-scale solar farms that will generate local power. I say "might" because we know that the price of industrial scale solar is dropping. Anybody who has done any research on that and listens to industry knows that is the case.

The Greens believe this is a pretty small price to pay for something that is going to be so important to the energy future of this city. I am concerned that it feels as if the Canberra Liberals have, over the past few weeks, effectively started campaigning against the development of renewable energy in this town. I am concerned this campaign will result in the ACT stalling the development of renewable energy projects. I do not know whether that is what Mr Seselja's intention is but, if it is and if he succeeds, I hope that he will take the responsibility for that campaign when the cost of coal-fired power goes through the roof in 10 years time and Canberrans have no other energy options because of the short-sightedness of the Canberra Liberals. I hope he can then explain the cost of electricity to his constituents.

I would like to make another point about electricity prices, feed-in tariffs and peak demands. The main thing that has driven electricity prices up in recent years is the need to invest in the network. The pressure on the network has been caused by a massive increase in peak demands, the electricity that is used at the hottest time of day or the busiest time of day, when people get home from work and put on their air conditioners.

I know Mr Seselja is concerned that household solar costs the rest of the community money and he thinks this is unjust. He might also like to consider that in Queensland, for example, the associated network update cost of one person putting in an air-conditioning unit is \$3,000. That is not a cost to the owner who is putting in the air conditioner. That is a cost to the whole community. That is a cost that every single electricity consumer has to share because one individual has installed an air-conditioning unit. Luckily, solar panels generate electricity at this time of peak demands. So they provide another way to offset investment in new network capacity and provide the distributed energy that can help ameliorate the need to upgrade the grid.

The Greens are the only party that have consistently advocated for a feed-in tariff at an industrial scale to encourage private investment by companies and to level the playing field on energy generation. Unfortunately, Mr Seselja once again is demonstrating that he does not understand feed-in tariffs. Feed-in tariffs are about leveraging private investment from those who can invest, to deliver to the community the benefit to everyone of clean, renewable energy. And, of course, we are expecting it to be changed so that even those with a small amount of money to invest can do so by participating in a community project.

When it comes to water, Mr Seselja has included the cost of the Cotter Dam as something that is driving up water prices. But again the motion fails to address that other important contextual point that we live in a dry nation with precious few water resources. We have moved into an environment where we have to put a price on water as we acknowledge that it is a resource we must value. This is basic economic theory. We have had to make some substantial investments in water security in the ACT and, again, it is unclear whether the Liberal Party still support the Cotter Dam. But I presume that their support for that project has not wavered.

The ICRC inquiry did find that the project was cost effective, even if they raised questions about the prudence of such a large investment. That is another whole debate about whether this was the right water option for Canberra, and that is one we can take up another day.

In summary, I want to make this very important point. Some of the costs we are talking about today are not what we consider the optional extras of life. The cost of dealing with climate change falls into that category. We cannot look at the price and say: “No, I do not want to buy that today. I do not need clean energy today.” Extra bathrooms might be optional. An extended living area might be optional. A larger plasma TV or an overseas holiday might be optional. But taking no action on climate change is not optional. The planet is telling us that it is not a choice. We can change or we can irrevocably damage the planet. Or we can leave action on climate change until it is so late that it, in fact, costs us a whole lot more than it would today. That is the other truth. Acting now is cheaper than acting later.

However, we must be mindful of the cost of living and how it impacts, particularly on the most vulnerable in our community and those whom we know are disproportionately affected by price rises. They are those with the least discretionary income and who cannot make choices because they do not have the luxury of not buying something special so that they can, in fact, pay their electricity bill. They are the people we must protect against the rising cost of living because they are the people who will be most impacted.

MR SESELJA (Molonglo—Leader of the Opposition) (11.25): Apart from noting the obsession Mr Rattenbury often has with focusing so much of his energy on the opposition rather than on the government, I will not spend a lot of time responding to him because it is the usual speech we get from Mr Rattenbury at the moment. He does not actually focus on doing the job which those who apparently are not in government are meant to do, which is to hold the government to account. And that is what we are going to continue to do.

The Deputy Chief Minister has shown beyond a shadow of a doubt in her contribution today that she is ready to take over the Labor leadership because she has learnt very well from her mentor. There was the arrogance in her delivery. “Oh well, prices have gone up; whoop-de-do!” was the fundamental message. “So what? Big news!” A 75 per cent rates increase is the impact on households, and this Treasurer says, “Oh well, everyone knows they’re going up; what’re you going to do about it?” Seventy-five per cent, and over 100 per cent on water: “So what?”

The breathtaking arrogance of the Treasurer in her delivery was extraordinary. It does show beyond a shadow of a doubt that she has learnt very well from her mentor how to be dismissive of the concerns of the community, how to be dismissive of real costs on households and real impacts on households as a result of government policy.

The Treasurer made what was really a very fraudulent argument in claiming that this was a venomous motion; therefore it had to be defeated and all we wanted was for it to go down. No, we do not want it to go down; we want it to be supported. We actually want a cost of living statement. We would have thought that any reasonable person would not have a problem with that, but the Greens and the Labor Party have chosen not to support it.

In making that fraudulent argument, the Treasurer could not actually point to things that were wrong with the motion. I read it and I cannot see the venom. It points out the significant cost of living increases and it calls on the government to do something about it and to consider it, which they clearly have not been doing.

We see the attitude again from the Treasurer and from the Chief Minister. They do not fundamentally care about these issues. It was evident in their delivery. “So what? So what if people are paying an extra 75 per cent for their rates? So what if they’re paying an extra 70 per cent for their electricity? So what if they’re paying over 100 per cent extra for their water, these fundamentals of life? So what?” We do believe it is important. We do believe it is worth raising in this place and we do believe it is worth keeping this government accountable for how it deals with this.

If you were to believe the government’s amendment—the Labor Party’s amendment, Mr Stanhope’s amendment—and the words in Ms Hunter’s amendment, you would think that the government had no impact on any of these things. You read Mr Stanhope’s amendment and you read Ms Hunter’s amendment, which have some similarities, and you would think they had nothing to do with it. Why do we even have a government? They cannot influence anything, it seems, according to the Greens and the Labor Party. It is all someone else’s fault.

Can they impact electricity prices? No, they are set by the ICRC—nothing to do with any of the policy settings of the government. Apparently, it has nothing to do with any of the policy settings. Can they impact water prices? No, that is the ICRC’s fault, too. “That’s the ICRC’s fault, nothing to see here. Not our fault. None of the policy settings, none of the taxes, make any difference.” Rents? They cannot influence those, apparently. Mr Smyth touched on it. What is the point of a housing affordability strategy if you cannot actually influence these things? Of course, you can influence

them. This government are the major influencer of these things in this town. They control land supply, they control taxation, they control the rollout of much of the infrastructure. They control the planning laws. All of these things impact and they all put upward pressure. And the response we get from this government is that they do not care.

Their best defence is “we’re not quite as bad as New South Wales”. New South Wales Labor is doing an even worse job than the ACT Labor government: that is their best defence. Apparently not on everything, though, because the Treasurer said what a great deal giving up 50 per cent of the GST was. Apparently, even Kristina Keneally could do better than that. She got the same deal for 30 per cent. She only had to give up control of 30 per cent of the New South Wales GST pool in order to get the additional commonwealth funding.

Again, on most things, their defence is “we’re not quite as bad as New South Wales Labor”, except maybe on waiting lists. Waiting lists were a lot worse than under New South Wales Labor. In fact, New South Wales Labor, in comparison to ACT Labor, have done a sterling job on waiting lists. By way of comparison, they have done much better. We have a health minister who is doing a worse job than all the series of New South Wales health ministers that we have seen over the last few years—Reba Meagher and John Della Bosca.

We will not be supporting these two amendments, the one by Ms Hunter and the one by Mr Stanhope, because effectively they are both making a similar and spurious argument. The spurious argument is this: the government does not have any influence. That is simply not true. That argument is wrong. There are some things in this motion that they directly control, such as rates. There are other things that they have a substantial influence over, such as the cost of housing and the cost of rents, and there are other things where they have a very large impact through their policy settings—and we see that with electricity prices and we see it with water prices.

Do they have all the impact on all those things? No, but they have a significant impact on all of those areas and their policies should be directed towards taking the burden from Canberrans rather than adding extra burdens to Canberrans. That is the simple message of this motion, and it is today being rejected by the Labor Party and rejected by the Greens. It is being rejected because they simply do not care. They do not care about these issues. They have shown it time and time again. Every time we raise these issues in the Assembly, the Labor Party and the Greens get together and say, “No, we’re not going to do anything about those cost of living issues because we want to pursue this policy or that policy.”

I do not think the Treasurer goes out to the suburbs when they say, “There’s no-one in Canberra who doesn’t support the arboretum. Everyone now supports the arboretum.” I do not think she has ventured to Tuggeranong, Gungahlin or Belconnen recently.

Mr Hanson: Do they all support public art, Mr Seselja?

MR SESELJA: And public art, apparently. Apparently, now it is almost 100 per cent, because according to the Treasurer it is everyone but the Liberal Party. Everyone but

the Liberal Party in the ACT apparently supports their arboretum. That is not true. Clearly, again, it shows how out of touch this Treasurer is if she genuinely believes what she said in this debate.

In conclusion on these amendments, we will not be supporting them. It is usual form from the Greens just to back the government and to back their line; that is what they have done. We are not surprised about that. The government are effectively saying they cannot do anything. We do not accept that. They can and they should. In fact, much of what they do has put additional, significant extra burdens on the people of the ACT. They need to be held accountable for that. We will continue to hold them accountable, whether we have supporters in this Assembly to back us or not.

MR CORBELL (Molonglo—Attorney-General, Minister for the Environment, Climate Change and Water, Minister for Energy and Minister for Police and Emergency Services) (11.34): The argument from those opposite in relation to this motion today is either mind numbingly dumb or it is deliberately deceitful when it comes to the people of the ACT—mind numbingly dumb because it fails to recognise the context in which these price increases have been occurring and the comparativeness of those price increases compared to price increases for the same bundle of services in other jurisdictions. So it is either mind numbingly dumb or it is deliberately deceitful. And it is the use of statistics to advance an argument knowing deliberately that you will not tell the full story.

I think the Chief Minister and the Treasurer have belled the cat when it comes to this issue. What they have said very clearly is this: have regard to these price increases in the context of wages growth, in the context of employment growth, in the context of a whole range of other factors that should be brought to bear when we have this discussion—real wages growth in the territory of a significant order, at the same time that prices in a range of areas for bundles of services have increased. Have regard to those issues.

I want to turn specifically to some of the claims the opposition has made when it comes to electricity and water prices. It is interesting to note that once again we see this approach from the Liberal Party which is indeed either dumb or deceitful when it comes to the argument about water prices. We heard Mrs Dunne assert again today that water prices were the most expensive in the country—even more expensive than Perth, she said. And she tried to make the argument that the cost of those services in Perth was lower than it was here in Canberra.

She is wrong; she is absolutely wrong. The latest National Water Commission report confirms it. It confirms that the cost of those services in Perth is higher than it is here in the ACT. The National Water Commission in its most recent report on pricing confirms that the cost in Perth is higher than in the ACT, yet Mrs Dunne brazenly and deceitfully makes the claim—it can only be characterised as such—that the cost of water services in Perth is lower than in the ACT. She got it wrong.

Indeed, the percentage increase in water pricing in the ACT was the lowest percentage increase of any of the water utilities during the reporting period of the National Water Commission report for utilities in the large capital cities, at one per cent. That was the

price increase for the reporting period for ACT water utilities, compared with the highest percentage increase being for Sydney Water at 19 per cent. It is another example of how the Liberal Party use statistics, use the facts, to suit their own arguments, even when they know that those figures are incorrect.

The same can be said about electricity prices. It is an entirely relevant comparison to look at the average electricity bill in Queanbeyan and here in the ACT to assess how we are travelling in managing the costs of these important utility services. The average electricity bill in New South Wales, including in Queanbeyan, per household is \$2,200 a year. The average electricity bill per household here in the ACT is \$1,522 a year. It is \$700 a year cheaper for ACT households compared to households just across the border in New South Wales.

I do not know whether the Liberal Party have been paying attention to commercial television recently, but if they had they might have noticed that the mainstream commercial media in Sydney in particular have been going to town on the fact that families in Queanbeyan are being asked to pay, on average, close to \$700 a year more for their electricity compared to families here in the ACT. The ACT is being held up as a jurisdiction that is managing to control price increases, unlike jurisdictions across the border.

But let us understand what is occurring in relation to electricity prices and how those prices are being managed. The overwhelming driver of price increases for electricity is coming from the need to renew investment in vital infrastructure—in lines and poles, in transmission networks and in generation networks. That is where the cost drivers are occurring. And they are occurring because we are reaching a point in the cycle where essential electricity infrastructure needs to be renewed. That infrastructure was predominantly built in the 1970s and the 1980s. It is now reaching the end of its economic life. It needs to be renewed and the investment is flowing through. And unlike previous rounds of investment in electricity, which was subsidised almost directly by the taxpayer through government funds, it is now being paid for through price increases from consumers being recouped by what are increasingly privately owned companies.

That is what is driving the price increases. That is what is driving the overwhelming price increases—the need to renew fundamental and essential electricity infrastructure. It is infrastructure that will be needed whether we source our electricity from fossil fuel powered generation or from renewable, clean energy generation.

Mr Seselja is very keen to make the government's policy settings around the feed-in tariff his whipping boy on the issue of electricity prices, but let us first look at exactly what contribution the feed-in tariff makes to the overall cost of electricity here in the territory. To date, with the scheme that is currently legislated for, the total price impact per household per week is less than a dollar, and that is already factored in by the Australian Energy Regulator. The full cost of the scheme that the government has agreed to deploy, which is 40 megawatts of large-scale generation, again, when fully committed, is less than an additional dollar a week.

In total, the scheme that the government has agreed to deploy to date contributes, to household electricity bills, less than \$2 per week. And that will only occur when the

scheme is fully deployed to that extent, which is probably somewhere between three and six years away. That is the price impact on the average household electricity bill—less than \$2 a week in three to six years time, when the current ACT average electricity bill is \$700 a year less than the average household electricity bill in New South Wales.

That is the context in which the government is making its policy decisions. It highlights how the government is managing the deployment of its policy settings to ameliorate and manage the cost on households. That shows prudent policy making, sensible policy making and policy making with regard to managing price impacts for Canberra families.

Madam Deputy Speaker, the Liberal Party are very pleased to beat the populist drum on this issue, but when you peel apart their arguments you see they are either dumb or deceitful in the arguments that they make. And the Canberra community will see through that.

MRS DUNNE (Ginninderra) (11.44): I will dwell on a couple of points. I will go first to the point attempted to be made by Mr Corbell. He needs to be careful about whom he calls dumb and deceitful when he uses statistics in this place. I will say that the figures that I have referred to about the cost of water are, as far as I can tell, the most recent. They come from the *infrastructure report card 2010* by Engineers Australia, unlike the National Water Commission report that is a 2009 report and refers to the 2007-08 period. I seek leave to table page 54 of the *infrastructure report card 2010* by Engineers Australia.

Leave granted.

MRS DUNNE: I present the following paper:

Infrastructure Report Card 2010—Australian Capital Territory, prepared by
Engineers Australia—Copy of page 54.

It shows that in fact Actew does have the most expensive water charges, that is, water separated from water and sewerage. We need to make sure that we look at those charges. The annual bill comparison is based on annual water consumption of 250 kilolitres per year for the year 2008-09. The figures that the minister was referring to as 2008-09 figures are in fact 2007-08 figures. I will do a little dip into the commentary from Engineers Australia about the cost of potable water in the ACT:

Water prices in the ACT are made up of three components:

Water tariff charged by ACTEW

Water Abstraction Charge (WAC) levied by the ACT Government—

I will repeat that—

... levied by the ACT Government

Network Facilities Charge (NFT) levied—

by whom?—

... by the ACT Government.

It goes on to say a couple of paragraphs down:

The WAC is a statutory charge applied to those licensed to extract water. ACTEW is the only holder of an urban water licence and pays the ACT Government this charge, passing it on to the consumers. The WAC is intended to represent the sustainable price for water. It has five components:

It goes on to list them. Engineers Australia point out in a table on page 53 that over the period 2004-05 to 2008-09 the WAC increased from 25c a kilolitre to 55c a kilolitre. Then there is a discussion about how the change in the levying of the WAC in 2010-11 will in fact effectively increase the WAC to 63c a kilolitre because it is measured differently.

But the most important thing is on the page that I tabled, page 54. That clearly shows that Actew in the ACT has the most expensive water, on the basis of the annual consumption of a household of 250 litres. In fact, I was mistaken. I thought that Perth's was the most expensive after that but according to this table that is not the case. I do apologise for giving the Assembly wrong information in that regard. But it is quite clear that, at in excess of \$630 a year for 250 kilolitres consumption, the ACT has the most expensive water in the country.

The cost of water is reinforced by information that the ICRC provided to the opposition when we were looking for information on water cost. I seek leave to table a graph which comes from a dataset provided to me by Actew. It is called "ACTEW water bill per household: ICRC Analysis based on 250 KL per year", which is the standard amount.

Leave granted.

MRS DUNNE: I present the following paper:

ACTEW Water bill per household—(ICRC Analysis—based on 250KL per year)—Graph.

This chart shows steady costs over the period 1997-98 to 2001. That was when the ACT Liberal Party was in power. Over that period, water costs increased by 13.6 per cent or an average of 3.4 per cent a year. After that, when ACT Labor took over, until 2011, the cost of household water increased by 176 per cent, according to Actew, or an average of 17.6 percent a year. As I said before, the Engineers Australia report shows that the Australian Capital Territory has the most expensive urban potable water compared to all the other capital cities. These are important issues that need to be reinforced. Yes, it is the case that you can always find a statistic to support your argument. Of course, the government has been madly scrumming around today attempting to do that.

I think Ms Hunter's amendment is really a sorry apology for the Stanhope government. It is also a bit schizophrenic. Ms Hunter spends the first part of the amendment

saying, “It is not the government’s fault. The government cannot do anything about that.” It is eerily similar in construction and intent to the government’s amendment.

But then, showing a slightly schizophrenic approach, after paragraph (1), where she says that it is not the government’s fault, she then calls on the government to do a range of things. One is to consider carefully the cost of living. It is not very different from what is in Mr Seselja’s motion. It talks about housing affordability, which is an important issue. It talks about the conduct of a poverty impact analysis.

I was in the lobby and I did hear Ms Hunter attempting to have a go at me, saying, “Mrs Dunne does not care about poor people.” That was not the point that I made. The point that I made was that, in addition to being concerned about people that might fall into the category of poverty—and I put on the record that it was the Canberra Liberals, under a Carnell-Humphries government, that did the first poverty analysis in this territory, and the only one that stands, and there may be a point that it is time to revisit that—and in addition to talking about the 13 per cent poverty figure that the poverty analysis of the Carnell government pointed to, we should be also thinking about the cost impacts that this has on everyday, ordinary people who never get any assistance because they are not sufficiently unfortunate enough to fall into the category of being poverty stricken.

This is not to say that we are not concerned about people who are poor. We are also concerned about the cost impacts of the prices on everyday people. It is pretty glib and it is pretty easy to say that we are only interested in people who can go on overseas trips and have plasma TVs. If some members of the Labor Party and the crossbench got out of the inner north and visited the suburbs where the people who pay their wages live, they would see that those people do not go on overseas trips. They do not have plasma screens. They are struggling on a very small amount of disposable income which is constantly being eroded by rising costs across the board.

This motion today is asking the government to take that into account and to account for it in their budget preparation and in their budget papers. It is not really a very difficult thing to do. The Treasurer says, “We already do it.” If you already do it—

Mr Smyth: No harm done.

MRS DUNNE: no harm done. Put it in place and in a way that is accessible to the average Canberran. If you want to drive up the cost of people’s rents through land tax, change of use charge, planning charges and rates, say that you are going to do it. Be prepared to fess up to what it is that you are going to do. What Mr Seselja has done here today is demonstrate that the ACT does not perform as well as other jurisdictions. Our cost of living has increased at a faster rate over the 10 years of the Stanhope government and it is time that they accounted for that to the people of the ACT.

Question put:

That **Ms Hunter’s** amendment to **Mr Stanhope’s** proposed amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Ms Hunter	Mr Doszpot	Mr Seselja
Ms Bresnan	Ms Le Couteur	Mrs Dunne	Mr Smyth
Ms Burch	Ms Porter	Mr Hanson	
Mr Corbell	Mr Rattenbury		
Mr Hargreaves	Mr Stanhope		

Question so resolved in the affirmative.

Question put:

That **Mr Stanhope's** amendment, as amended, be agreed to.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Ms Hunter	Mr Doszpot	Mr Seselja
Ms Bresnan	Ms Le Couteur	Mrs Dunne	Mr Smyth
Ms Burch	Ms Porter	Mr Hanson	
Mr Corbell	Mr Rattenbury		
Mr Hargreaves	Mr Stanhope		

Question so resolved in the affirmative.

MR SESELJA (Molonglo—Leader of the Opposition) (11.59): I thank members for their contributions. We have heard a lot of interesting and differing arguments from the opposite sides about why they will not support this motion. But I think fundamentally it comes down to the fact that they are not interested in these issues. They show that through their policies. They show that through these debates. They show that through their votes in the chamber. Fundamentally, the ACT Labor Party and the ACT Greens do not care about cost of living pressures on households.

Let us go, again, to some of those costs of living and then some of the arguments that we have heard as to why we should not support this motion. The increases are: electricity prices, 69.9 per cent; water prices, 106 per cent; rents, 54 per cent; rates, 75 per cent; and public transport, 31.15 per cent.

Mr Stanhope spent a lot of time effectively using the argument: “We are not quite as bad as some of our state Labor colleagues, particularly New South Wales.” If the best you can do is say you are not quite as bad as the Keneally New South Wales Labor government then you are in trouble. You are in trouble if that is the best you can do. And that is much of what we heard from the Labor Party in particular.

It did not hold up because when we heard about water prices—and Mrs Dunne brought the figures—actually we are the most expensive. So we are doing worse than all those other jurisdictions. It is ironic really, given that the reason this region was chosen was its catchment capacity. It was due to the fact that it did have good water

resources in the surrounds. Yet we are paying over 100 per cent extra. Prices have more than doubled since ACT Labor came to office. So their arguments do not stack up.

Their argument on the one hand is: “Yes, it might be very high—70 per cent. Yes, sure that is high but it is not quite as bad as New South Wales.” Yet in other areas they are even worse than New South Wales. They are worse than every other state, every other jurisdiction. So you have got to go back to the fundamentals and say: “Have services doubled in that time? Has the quality of services doubled in that time?”

We hear all the time about how much money is put into health. And so much money is. Yet the services in health in terms of the indicators have gone backwards in that time. Our waiting lists have got longer. People are paying 75 per cent more in their rates. There are all these other cost of living pressures on them. They are being told by ACT Labor and by the ACT Greens that that is okay. “It is okay that you have to pay 70 per cent extra in electricity because in New South Wales they have to pay a bit more.” And it is okay that the government wants to add an additional burden to that, an additional burden in terms of electricity costs in what is a very inefficient way of reducing emissions. It is okay because the Labor Party and the Greens say it is okay.

We will stand up for families. We will stand up for those families in Conder, for example, who are slugged with a 70 per cent increase in electricity costs. As families are growing, the amount of electricity they use tends to grow. Despite some of the disparaging comments about the choice of plasma TVs and the like, most of these are decisions beyond their control.

If you go from being a couple to a couple having one child, two children or three children, inevitably your hot-water bill will increase. The amount of electricity you are forced to use will significantly increase. Anyone who has children can tell you the costs that are associated with that. Families know that. They make those decisions. They are not looking for handouts from governments. But what they are looking for is a fair go. They are looking for a government that is in their corner and that says, “We care about these cost of living pressures.”

Everything we have had from the Labor Party and the Greens shows that they do not care. They simply do not care about these pressures. They rationalise it away. They say: “In some cases we are not as bad as New South Wales. In other cases, of course, we are. Anyway, people’s income has grown.” People’s income has not kept pace with that. When you look at the rates per block in Calwell, which have gone up by 99 per cent, I do not think many people in Calwell over the last nine years have seen their income double. Maybe some have. Good luck to them. But I do not think that would be the common scenario.

The pensioners have not seen their income double. Police officers have not seen their income double. Nurses have not seen their income double. Teachers have not. Public servants have not. But they have seen their rates double. They have seen their water prices double. They have seen their electricity prices go up by nearly three-quarters—70 per cent, they have gone up.

Regardless of the views of members of the Labor Party, regardless of the views of members of the Greens, we will continue to fulfil our responsibility to stand up for those families. We will not take a backward step because this Labor-Greens alliance says they are not going to vote for sensible things.

Let us have a look now at what the Labor Party and the Greens have voted against. They have voted against a statement that highlights the cost of living pressures. They have voted against a criticism of the government for that and they have voted against a call for the government to consider these issues and to be transparent about how they deal with cost of living pressures. That was what they voted against today. That was what the Labor Party and the Greens voted against.

We simply do not agree with that position. We will go out there and we will have the argument. We will have the argument here and we will have the argument in the suburbs. We will talk to all of those families who are copping these cost of living pressures. The message that they have received loudly and clearly today from the majority of members in the Assembly, from the Labor Party and the Greens, is that the Labor Party and the Greens do not care about those issues. There is no other message to take out. For those families who are struggling with the cost of childcare, with the cost of electricity, with the cost of water, with the cost of rates and with all of the other taxes and charges that they are facing, with rising interest rates, the Labor Party and the Greens are saying, “We are not going to do anything about that.”

What we instead had was the Labor Party and the Greens justifying why it is so, finding excuses why it is so. Those excuses are thin. On the one hand they say, “At least we are not quite as bad as New South Wales.” But on the other hand there are plenty of examples where they are even worse than New South Wales.

We are not surprised that the Labor Party is voting against it. We are no longer surprised that the Greens have, again, defended the government and sought to rationalise and justify it. But certainly we will continue to fight for it because this is core business and this should be core business for members of the Assembly. It is certainly core business for the Canberra Liberals.

Motion, as amended, agreed to.

Gaming Machine (Problem Gambling Assistance) Amendment Bill 2010

Debate resumed from 22 September 2010, on motion by **Ms Hunter**:

That this bill be agreed to in principle.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (12.08): I rise this morning to indicate that the government will support this bill in principle and welcomes Ms Hunter’s initiative in bringing forward this bill, which proposes to introduce a mandatory contribution by the operators of electronic

gaming machines, noting that the money will then go to a central problem gambling assistance fund.

There is no doubt that problem gambling is a significant issue in our community. The 2010 Productivity Commission report into gambling estimated that between 80,000 and 160,000 adults in Australia suffer significant problems from gambling. In the territory, a 2001 study found that approximately 5,300 people were problem gamblers. Lifeline in Canberra has also indicated that since 1999 consistently over 70 per cent of its clients have gambling problems primarily or only with gaming machines.

The Productivity Commission also estimated that problem gamblers contributed between 22 and 60 per cent of total spending on gaming machines. Based on this finding, problem gamblers contributed between \$38 million and \$103.7 million out of the total \$172.8 million in gross gaming machine revenue in the ACT in the 2009-10 financial year. To put this another way, applying the findings of the Productivity Commission to the ACT context shows that problem gamblers lost between \$38 million and \$103 million on gaming machines in the ACT in 2009-10. I think we all agree that these are alarming figures.

I have previously stated on the public record that it is my personal view that there are too many gaming machines in the ACT. Further, I believe future reforms in this area should seek to reduce the overall number of machines in the territory and encourage clubs to contribute a greater level of gaming machine revenue back to the community. As I am sure members would be aware, I have been in discussion with the club sector for several months with the aim of developing a suitable package of reforms. However, a recent federal intervention in this area has significantly increased the operational uncertainty for both governments and gaming machine operators.

Prime Minister Gillard and the member for Denison, Andrew Wilkie, signed an agreement in September this year that, among other things, committed the parties to implementing significant gaming machine reforms across all states and territories. I attended the inaugural meeting of the Council of Australian Governments select council on gambling reform in Melbourne on 22 October this year. The council agreed to the formation of working groups that will provide advice on the best methods for delivering a national pre-commitment strategy, ATM withdrawal limits, dynamic warnings and cost-of-play displays.

Pre-commitment technology will give players the ability to set spending or time limits for each playing session. This will give players a substantially increased ability to control their overall spending on gaming machines and may be of assistance to those that suffer problems due to their gambling. Research shows a clear link between problem gambling and access to cash, such as from ATMs. Problem gamblers are more likely to use ATMs to withdraw cash than other gamblers and, in general, withdraw larger sums of money. The Productivity Commission recommended that a daily limit of \$250 on withdrawals from ATMs could help address gambling harms without overly affecting non-problem gamblers and other patrons.

Dynamic warnings will provide players with periodic on-screen displays of information and warnings during their sessions. On-screen cost-of-play displays will

provide players with enhanced information about the expected cost of playing machines based on their style of play. The select council will examine the costs and benefits of these changes for industry and government. Importantly, the council has acknowledged that gambling is a legitimate industry and one that makes a significant economic and social contribution to Australia. As a member of the select council, I will be ensuring the ACT's views are heard at the national level.

The government is committed to minimising the harm that problem gambling inflicts on some members of our community. The operation of electronic gaming machines in the ACT is controlled, supervised and regulated by the ACT Gambling and Racing Commission, under the powers prescribed to it through the Gambling and Racing Control Act 1999.

The commission is not only responsible for ensuring the lawful provision of gaming services in the ACT, but is also required to exercise its powers in a way that best promotes the public interest. This is reducing, where possible, the cost of problem gambling not only to individuals involved but also to the community as a whole.

The functions of the commission also include monitoring the social and economic effects of gambling and problem gambling and providing educational services about gambling and engaging in community consultation about its activities. The commission also undertakes review of the ACT's gaming laws, such as its current review of the government's provisions for clubs within the Gaming Machine Act 2004. This continuing process of reviewing and updating legislation, including appropriate community consultation, clearly demonstrates the government's commitment to the provision of a safe and well-regulated gaming environment within the territory.

There are currently two agreements between the Department of Disability, Housing and Community Services and Lifeline Canberra totalling almost \$400,000 per annum. This funding helps support the provision of the Lifeline telephone counselling service, a crisis counselling service using trained volunteer counsellors, and Gambling Care, a gambling and financial counselling service that assists ACT residents to enhance their personal financial management skills. The government's programs in relation to harm minimisation are complemented by the Clubcare program, under which 25 of Canberra's leading licensed community clubs, ClubsACT and ACTTAB work with Lifeline Canberra to assist in providing responsible environments for patrons who gamble. Also under the Clubcare program, Lifeline Canberra provides specialist gambling and financial counselling services to participating clubs and ACTTAB patrons.

There is no doubt that increased funding towards alleviating problem gambling may help minimise the impact of problem gambling on the community. The changes proposed in Ms Hunter's bill will raise the funding provided by licensees of problem gambling service providers above current levels and will also provide increased funding certainty for the organisations involved. Additionally, the fund will provide more money for research into problem gambling. These are all worthy aims.

The administration of the scheme by the Gambling and Racing Commission will allow the allocation of funding to be undertaken in an objective and transparent

manner that will ensure that the best value for money is achieved. The commission will also report annually on the activities of the fund as part of their annual report. I am satisfied that the administration of the problem gambling fund is consistent with the commission's functions as outlined in the Gambling and Racing Control Act 1999 and that the scheme will not prove to be administratively burdensome for the commission or the industry.

However, regardless of its positive elements, I feel that the percentage of gross gaming machine revenue that this bill will mandate is too high. This does not diminish the need for an amendment of this nature, however, and, accordingly, the government supports the bill in principle. I intend to adjourn the debate today and bring back some detailed amendments in the next sitting. When it comes to that debate in detail, I can foreshadow that the government will move amendments to this bill that will lower the level of gaming machine licensees' contributions to the mandatory problem gambling assistance levy from 0.75 to 0.6 per cent. This represents a difference of about \$300,000 per year in the levy, which the government feels is a more reasonable and responsible requirement for clubs, bearing in mind that they currently pay around \$400,000 per annum for problem gambling programs.

Unamended, the bill before us today would see an increase to \$1.3 million per annum. Under the government's proposal I foreshadow today, this will instead rise to \$1 million per annum. In addition, I foreshadow that the government proposes to bring forward a wider ranging package of reforms. Without exhaustively covering the detail of this package this morning, I can say in outline that it will consist of four elements.

Firstly, the government will investigate requiring other gaming operators, such as Casino Canberra and ACTTAB, to contribute to the gambling assistance fund in the future. Secondly, the government will increase the required percentage of community contributions from seven per cent to eight per cent of net gaming machine revenue. Thirdly, the government will allow multivenue club groups to transfer gaming machines internally, subject to the social impact and needs assessment currently outlined in the Gaming Machine Act 2004. Finally, and most importantly, we will reduce the maximum number of allowed gaming machines in the ACT—what is known as the cap—by 143 from 5,200 to 5,057. In effect, this measure will remove all gaming machines available in the gaming machine pool.

I think the reform package just foreshadowed is more comprehensive than the bill before us today. Ultimately, it will complement the bill before us today. I commend Ms Hunter for preparing this amendment bill and encourage colleagues in the Assembly to consider supporting a broader package of reforms that the government will bring forward in due course.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Sitting suspended from 12.19 to 2 pm.

Questions without notice

Planning—answers to questions on notice

MR SESELJA: My question is to the Minister for Planning. Minister, in regard to the deletion of an answer to a question on notice, in your written response to the question you answered:

The Government is not prepared to invest the significant time required to address such questions as it would be too resource intensive and time consuming.

Yet today you have apparently changed your answer and the reason it was not answered was because the answer was not good enough. Which story is true?

MR BARR: Obviously, in preparing material in response to questions during an estimates period, within a five-day period, as is required in that process, and given the sheer volume of questions, departments will often, in providing information, do their best to answer questions. But in this instance, because I think Mr Seselja asked this question of all ministers in all portfolio areas, I did have the chance to have a look at my response across a variety of different departments that I have responsibility for. Of course, depending on the level of resources within that department and the way that material is able to be collected in response to what was, I think, a 20-part, 58 subpart question from the Leader of the Opposition, agencies were in differing positions to provide a level of response.

I know that my responses varied. Some were able to provide information in relation to some aspects of the question and indicated with the rest that either data was not collected in that form or it would not be possible to get that information within the time frames required. In looking at the material that the ACT Planning and Land Authority provided, I think there were 14 references—

Opposition members interjecting—

MR SPEAKER: Order!

MR BARR: Excuse me, Mr Speaker, there were 14 references in the material prepared—

Mr Coe: You're struggling, Andrew.

MR SPEAKER: Order, Mr Coe!

MR BARR: There were 14 references within the material prepared in response to that question that indicated that there was not that level of information available. So my response to the member's question, in referring the member to previous answers, I think is entirely appropriate.

I think there is a legitimate question that we need to consider, the Assembly needs to consider, or perhaps the estimates committee needs to consider in this context. I think

the Chief Minister alluded to this in his letter to the chair. If the level of information is expected from departments within a five-day turnaround period then it may well be unrealistic. And it is not surprising, particularly when the same question was asked of every ACT government agency, that it was not possible to provide that information within that time frame.

I do note, of course, that elements of the question that Mr Seselja asked are reported on annually in annual reports. Again, this comes to a question, I suppose, of what level of expectation members have of ministers' offices in terms of: if we answer a question and that information is available in the annual report; are we expected to identify where within the annual report? Do we need to reproduce a table from within an annual report? These are, of course, interesting debating points. But in the end, most of the information that the member sought has been reported in annual reports, anyway, or responded to in my answers to the same question across a range of portfolios.

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Minister, could you advise the Assembly as to why you consider a one-line non-answer being of more quality and usefulness than the thousand-word answer already prepared by the department?

MR BARR: Obviously, it is up to ministers to determine how questions on notice are answered. I said I have looked at the material that was provided. For the bulk of the questions, it was clear that the information was not collected or not available in that format. Whether you respond with exactly the same sentence 20 times or say it once, again, is a matter of conjecture, I suppose, within this place. It is interesting that the Leader of the Opposition appears fixated on this matter but the information that the member sought is, of course, available and reported on in annual reports each year.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Minister, how many other questions have been answered by your department only to have you decide that the answer should not be published?

MR BARR: Ultimately, ministers answer questions to questions on notice. I do that in accordance with the requirements of the standing orders.

MR SMYTH: A supplementary, thank you, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Minister, can you provide any evidence that supports your claims that the answer was deleted for the reasons that you have given?

Mr Barr: Sorry; I missed the last part of your—

MR SMYTH: Minister, can you provide any evidence that supports your claims that the answer was deleted for the reason that you have given?

MR BARR: I imagine that there would be nothing I could say that would convince the Deputy Leader of the Opposition. That said, I have indicated, Mr Speaker, that I have responded to the initial question from Mr Seselja. He did ask it of all agencies and all ministers, and across my portfolios I responded as best I could within the time frames.

Education—teacher quality

MS HUNTER: My question is to the Minister for Education and Training and it concerns the Grattan Institute report released this week. Minister, the report finds, among other things, that reductions in class sizes are not likely to raise average student achievement and that investment in improving teacher quality will have a greater impact on student performance. Do you agree with the findings of this report? If so, will you put a greater focus on teacher quality rather than the reduction in class sizes?

MR BARR: I thank Ms Hunter for the question. It is, indeed, an area where there are quite passionately held views amongst education researchers. I know that Ben Jensen from the Grattan Institute is not alone in his thinking in relation to where it is best to invest new and additional resources in education. I think in the context of the history of ACT government investment that we have perhaps gone about as far as we can go in terms of class size reductions. We have the best student-to-teacher ratios of any metropolitan education jurisdiction in the country by a long way.

I have indicated, Mr Speaker, that obviously the next area of reform in terms of the teaching profession is clearly the focus on teacher effectiveness. That is why we have funded and established the Teacher Quality Institute. It is why I am seeking reform in the next teachers' EBA. I think it is important that we have some structural reform for the career structure of teachers. I think the Grattan Institute report does highlight the importance of policy focusing on this area now. It certainly will be front and centre in terms of our future policy development and our focus on education reform in 2011.

MR SPEAKER: A supplementary question, Ms Hunter?

MS HUNTER: How will any changes or revised priorities being considered be applied to those students found in particular need by the Assembly inquiry into special education and the achievement gap?

MR BARR: Clearly, teacher effectiveness, the quality of the curriculum and our desire to engage in a more robust disability education review as a result of Shaddock and that committee report do indicate that there is certainly considerable scope for further reform in this area to improve education outcomes. I welcome not only the Grattan Institute's work but also that of the committee and Professor Shaddock in recognising that there is more to disability education than just simply inputs and funding models. In fact, what we need to be focusing on is the quality of education.

This research and the work done by Professor Shaddock and the committee clearly indicate where there are areas we can improve in the ACT. That is what we will be doing. I look forward to delivering the government's response to the committee report in due course.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, given that the Grattan report ranks Australia eighth in the world on student assessment in reading, maths and science, how will the recent heavy emphasis on NAPLAN testing across Australia and in the ACT improve our ranking in these areas?

MR BARR: I think the NAPLAN testing provides important data for classroom teachers. Used in conjunction with the smart tool that the ACT education department equips all schools and all teachers with, we can then measure the progress of individual students as they move through their years of schooling. The level of data that is available now means that we can identify students who are not meeting minimum national benchmarks who might need additional assistance. Equally, we can also look at those students who are achieving well above what their peers are achieving and, in fact, may benefit from gifted and talented educational programs.

The level of data that is available now through national testing and available for classroom teachers is significantly above what has been available in the education sector before and I think it provides a powerful tool for continuous improvement within our schooling system. We look forward in the next few weeks to the release of a whole range of new information on the revamped My School website. Most particularly also, what will be interesting to see are the financial data comparisons and how schools across the territory and the country are effectively utilising the resources available to them.

Planning—variation 2101-31

MR SMYTH: My question is to the Minister for Planning. Minister, section 87 of the Planning and Development Act describes a technical variation and includes point (g) which notes:

... a variation to clarify the language in the Territory Plan if it does not change the substance of the plan

Minister, when considering variation 2010-31, is a 50 per cent increase in density and the deletion of sports fields a clarification of the language or a change to the substance of the plan?

MR BARR: Technical amendments, as Mr Smyth has identified in his question, are an element of the Planning and Development Act. It does go on to describe the circumstances where technical amendments can be used. One type of technical

amendment enables planning codes to be updated when things change or further information becomes available. This may include changes to concept plans for new suburbs when further planning work has been done and impacts are better understood. This does also allow dwelling numbers to be refined.

Of course, any change of code must be consistent with the policy purpose and policy framework of the code. I understand, of course, that this is going to be the subject of a further debate in the Assembly later this afternoon. The technical amendment process, I think, is an important one.

I do note, not that I take all of my policy clues from the *Residential Developer Magazine*, there is a section within this magazine which talks about best practice and gives some examples of best planning practice in Australia. Under the heading “The good, the bad and the ugly”, examining development delays, one of their case studies is, in fact, Crace in the ACT, where they indicate that, having some flexibility to enable change between a concept plan delivered by the planning authority and the estate development plan delivered by those developing the estate and having that flexibility to make adjustments is important. If that was not available and we had to go back through a full territory plan variation process then there would be considerable delays in delivering affordable housing to the marketplace.

I recognise that there are always trade-offs in these matters and it is fair enough to have a debate on this. I look forward to doing so this afternoon. But it is of course worth noting that the technical amendment process is indeed part of the Planning and Development Act and it has been used appropriately in this instance.

Mr Hargreaves: Supplementary?

MR SPEAKER: Mr Smyth still has the call, Mr Hargreaves.

Mr Hargreaves: Life’s full of these little miseries, Mr Speaker.

MR SPEAKER: I appreciate your enthusiasm, but Mr Smyth has a supplementary question.

MR SMYTH: Thank you, Mr Speaker. Minister, just exactly how many houses would need to be added to the variation for it to be considered substantial by you?

MR BARR: That is somewhat of a hypothetical question. I do not know that it is possible for there to be an exact answer to that question. I indicated in my previous answers that any change to our code must be consistent with the policy, purpose and framework for that code.

MR SPEAKER: Mr Hargreaves, a supplementary question?

MR HARGREAVES: Given that this question is about the definition of a technical amendment, are you aware of any clarifications to that definition that former planning minister Mr Smyth may have done during his regime?

MR BARR: I would have to acknowledge that there is a different Planning and Development Act in place now. But, importantly, one of the elements that this Assembly discussed and supported at the time of the unanimous passage of the Planning and Development Act was to try and eliminate some of the red tape that was slowing the delivery of affordable housing. All members at the time seemed to be quite generally supportive of this position.

It is interesting now that the Liberal Party are specifically opposed, it would appear, to this particular variation and this particular technical amendment. One could only begin to speculate on the reasons for that. Given the sort of misinformation that the shadow treasurer has been peddling around about there being no open space or no ovals when, in fact, 25 per cent of the suburb of Crace will be open space and that that compares with seven per cent in Palmerston and six per cent in Torrens, or thereabouts, I think the suburb of Crace will be well served in terms of its open space and its recreation facilities.

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Thank you. Minister, has ACTPLA taken legal advice that this variation is considered technical in nature?

MR BARR: I understand that elements of this are being appealed through various legal processes, so you would anticipate—and I can acknowledge—that, yes, of course the Planning and Land Authority will defend its position in relation to this matter and has its own legal counsel in-house. So, yes, legal advice is always taken.

ACT Public Cemeteries Authority—proposed southern cemetery site

MS LE COUTEUR: My question is to the minister for TAMS and concerns the proposed southern cemetery site. I refer to the budget pressures affecting the ACT Public Cemeteries Authority as reported in the *Canberra Times* and heard about in the annual report hearings. These revealed that the cemeteries authority is struggling to pay long-term costs and that it has concerns about its long-term viability without raising extra funds. Can you tell the Assembly how these cost pressures are impacting on the decision as to the type of cemetery to build at the proposed southern cemetery site?

Members interjecting—

MR STANHOPE: I beg your pardon—

Mr Hargreaves: You have got to declare self-interest here.

MR SPEAKER: Order, Mr Hargreaves! Thank you.

MR STANHOPE: I am sorry, Mr Speaker. I could not hear Ms Le Couteur over the interjections.

MS LE COUTEUR: I am sorry. I could hardly hear myself.

MR SPEAKER: Members, please do not intervene or interject when questions are being asked because it wastes time to have the questions re-asked. Ms Le Couteur, could you repeat yourself?

MS LE COUTEUR: Certainly, Mr Speaker. My question is to the minister for TAMS and concerns the proposed southern cemetery site. I refer to the budget pressures affecting the ACT Public Cemeteries Authority as reported in the *Canberra Times* and heard about in the annual report hearings. These revealed that the cemeteries authority is struggling to pay long-term costs and that it has concerns about its long-term viability without raising extra funds. Can you tell the Assembly how these cost pressures are impacting on the decision as to the type of cemetery to be built at the proposed southern cemetery site?

MR STANHOPE: I thank Ms Le Couteur for the question. It is an important question. The issue that Ms Le Couteur raises is around a long-term liability which the cemeteries trust acknowledges most particularly in relation to its obligations going forward. It has accepted an obligation of perpetual care—

Mr Hargreaves: Or liability.

MR STANHOPE: Or perpetual liability in relation to the maintenance of existing graves within our cemeteries and, indeed, with all new burials. It is a commitment or obligation that the cemeteries trust accepts. The nature of the shortfall that has been identified, Ms Le Couteur, has to be understood in the context of those perpetual liabilities going forward.

The cemeteries trust, on the modelling that it has done in terms of anticipated expenditure going forward, does identify a significant shortfall in its capacity to continue to maintain the cemeteries, the graves, that currently exist into the future. Indeed, it is a perpetual obligation that is accepted by our cemeteries in relation to the nature of the contractual arrangement with those that utilise most particularly burial as opposed to cremation.

As to the point of your question, Ms Le Couteur, it suggests that a consideration in relation to the establishment of a third cemetery or a southern cemetery in some way involves a consideration of the costs and the benefits or the capacity there would be to establish an additional cemetery for dealing with that perpetual liability. I think it would be fair to say that the primary driver in relation to a third cemetery is, in fact, essentially the way that the cemetery will be full within a few years.

Whilst Gungahlin has significant capacity, it is in the north of the city. I believe, and the cemeteries trust believes, that we should maintain a second cemetery in the southern areas of Canberra, and that is the major driver. The one point I would say, Ms Le Couteur, that goes directly to your question is that there has been some consideration given to how the cemeteries trust might expand its revenue base.

One of the issues in relation to that is if it were to own and operate a crematorium. Cost-benefit analyses have been done around that but at this stage no decision has

been made by the cemeteries trust or, indeed, by the government and no position has been put to the government on whether we should have either a cemetery or a crematorium.

Ms Le Couteur: I raise a point of order, Mr Speaker. I specifically asked about the impact of the cost pressures on the type of cemetery proposed for the southern cemetery site, and Mr Stanhope has not yet come to that.

MR STANHOPE: Okay. I am not aware of any, Ms Le Couteur.

MR SPEAKER: Supplementary question, Ms Le Couteur?

MS LE COUTEUR: Thank you. Has the government analysed the cost savings to the territory from building a natural cemetery, or has it only done, as the officials at the annual hearings said, a very solid piece of work on a crematorium, and what that will add to any cemetery that it is attached to?

MR STANHOPE: I will have to take that question on notice. I have not received the final work of the cemeteries trust in relation to the southern cemetery or the consultations. I will take the question on notice.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Chief Minister, has the government analysed the environmental benefits of natural cemeteries or has the focus been on maximising the financial gains of building a crematorium?

MR STANHOPE: Not that I am aware of.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Chief Minister, are you aware that the Tuggeranong site marked for a cemetery is an important wildlife corridor, and how do you plan to maintain this if the site is used for the southern cemetery?

MR STANHOPE: I am aware of the environmental and ecological issues in relation to the cemetery, and those are issues that are being considered.

Actew Corporation Ltd—profit

MRS DUNNE: My question is to the Treasurer. Treasurer, since the Stanhope government was elected, water prices in the ACT have risen by 106 per cent. Treasurer, given the higher prices faced by water consumers and given the recent relaxation of water restrictions, how much extra profit will the ACT government reap from ACT water consumers through Actew dividends this year?

MS GALLAGHER: All up-to-date information around revenue to government will be provided in the budget update in February this year.

MR SPEAKER: Mrs Dunne, a supplementary question?

MRS DUNNE: Yes, Mr Speaker. Treasurer, will you use any increased dividends to provide financial relief to ACT ratepayers who are facing a 75 per cent increase in rates since the Labor Party came to power in 2001?

MS GALLAGHER: They are decisions that budget cabinet will need to take. I should say that since the relaxing of water restrictions it has been raining constantly and, from my reading of all the signs up around the place, consumption is very low.

Mr Hanson interjecting—

MS GALLAGHER: Well, there is not a windfall of cash coming through with water is what I am saying.

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Treasurer, will you, as a shareholder in Actew, ask that water prices be reduced to ensure that Actew does not gouge homeowners this year?

MS GALLAGHER: No.

Electricity—cost

MR COE: My question is to the Minister for Energy and it relates to the increasing cost of electricity in the ACT. Minister, you stated earlier today that electricity bills, on average, are \$1,522 per year in the ACT. Can you confirm for the Assembly that the entire solar feed-in tariff scheme will add \$225 to household electricity bills, which equates to approximately a 15 per cent increase?

MR CORBELL: The \$225 figure relates to the potential full expansion of the scheme to 240 megawatts in 10 years time. The government has agreed at this stage to the existing 30 megawatts allocated to micro and now medium generator categories and it has agreed to only 40 megawatts of the large generator categories. In total, those two elements, the only elements the government has agreed to deploy at this time, will amount to no more than \$4 per week per household once deployed.

MR SPEAKER: A supplementary question, Mr Coe?

MR COE: Minister, how will you be communicating to Canberrans that the increase will be no more than \$4 per year and that there will be a 15 per cent increase in the cost on average?

MR CORBELL: Can you repeat the last part of your question?

MR COE: Minister, how will you be communicating to Canberrans that there will be a \$4 per week increase in the cost of electricity, which will equate to 15 per cent for most households?

MR CORBELL: Four dollars a week does not equate to 15 per cent per household; it only equates to, if I recall correctly, around two per cent of the total electricity bill per household. But in relation to—

Mr Seselja: \$200 a year isn't two per cent.

MR CORBELL: No, this is where they fail to understand. I was referring to those elements the government has agreed to deploy, which is 40 megawatts of the 210 large—

Mr Hanson interjecting—

MR CORBELL: Listen carefully. Forty megawatts of the large 210 megawatt generator category is what the government has agreed to deploy. That will result in a cost to households of no more than \$2 per week once deployed. The existing 30 megawatt scheme, which has been allocated between micro and medium generators, will also only add an additional \$2 per household per week once fully deployed. Total cost to households once those elements are deployed—\$4 per week per household, which is only around two per cent of the total ACT average electricity bill.

In relation to how this will be communicated, the pass-through of these costs must be approved by the regulator, and that is a public process that engages the public in the pass-through of those costs.

MR SPEAKER: A supplementary, Mr Seselja?

MR SESELJA: Thank you. Could the minister please explain to the Assembly and clarify how an approximately \$200 to \$225 a year increase in electricity bills amounts to two per cent of current energy prices?

MR CORBELL: I was not referring to the \$225 figure. Again, the opposition fail to understand how this scheme is being deployed. They just seem to be completely clueless on this issue. Let me spell it out again: the government has agreed to deploy two elements. The first is 30 megawatts—

Mr Seselja: You are just wrong. You shouldn't speak off the cuff, Simon.

MR CORBELL: Just listen, you dimwit. You might actually get the answer. There are two elements that are being deployed.

Members interjecting—

MR SPEAKER: Order, members! Mr Corbell, I would invite you to withdraw that, thank you.

MR CORBELL: I withdraw, Mr Speaker. But it would be helpful if the opposition, having asked a question, actually listened to the answer. Two elements are being deployed.

Members interjecting—

MR SPEAKER: Order, members! The minister does have a point. Let us hear his answer, thank you.

MR CORBELL: Two elements are being deployed and have been agreed to be deployed by the government. The first is the existing allocation of 30 megawatts, which will now be shared between micro and medium generators. The total cost for households of that element is less than \$2 per week per household once that 30 megawatts is fully deployed.

The other element that the government has agreed to deploy is 40 megawatts in the large generator category, to test the market and determine whether or not the reverse auction process should continue. That 40 megawatts, once deployed for large-scale generation, which will deliver, as a matter of interest, Canberra's first large-scale solar farm, delivering on this government's election commitment, will also only result in an impact on household electricity bills of no more than \$2 per household per week. That is what the government has agreed to deliver, and it is in that context that I am answering the question about the percentage impact on household bills. (*Time expired.*)

MR SMYTH: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Smyth.

MR SMYTH: Thank you, Mr Speaker. Minister, do you agree that \$4 a week at 52 weeks a year equals \$208 per annum, divided by \$1,522 per year as the average electricity bill equals one-seventh or approximately 14 per cent?

MR CORBELL: The full cost of the scheme has previously been outlined to members opposite. I have indicated to members opposite the price impact of those elements of the scheme that the government has agreed to deploy. What Mr Smyth fails to have regard to is the fact that the 30 megawatts in the medium and micro generator category have already been allocated as a pass-through to consumers by the Australian Energy Regulator. Other elements are yet to be allocated as a pass-through to consumers, and he should understand the difference.

Economy—outlook

MR HARGREAVES: My question is to the Treasurer. Treasurer, could you please inform the Assembly of the impact of the commonwealth midyear economic and fiscal outlook on the ACT?

MS GALLAGHER: I thank Mr Hargreaves for the question. The commonwealth Treasury released the 2010-11 midyear economic and fiscal outlook, known as the MYEFO, on Tuesday, 9 November, which did contain both positive and negative news for the territory. The MYEFO indicate continued signs of recovery on a national level and this is clear in their improved economic data which is published in the report. The Australian economy is forecast to grow at 3¼ per cent in 2010-11 and this has been upwardly revised from their pre-election economic and fiscal outlook of three per cent.

The forecast growth rate for the 2011-12 year is 3¾ per cent. This strong economic growth nationally is supported by strong demand from an emerging Asia which is driving the terms of trade towards historic highs. The employment growth rate has been revised up to 2½ per cent in 2010-11, compared to 2¼ per cent in the pre-election economic outlook, and remains unchanged at two per cent for 2011-12. The unemployment rate is expected to fall, the national rate, to 4½ per cent by the end of June 2012.

The MYEFO is clearly good economic news for Australians, which, of course, include the residents of our local community here in the ACT, with the improved domestic outlook likely to have beneficial impacts on the local ACT economy and the budget.

However, while the budget welcomes the positive news on the economic front, of course there are risks on the horizon, including those around the uncertainty in global financial markets, particularly those in the European economies, large exchange rate movements and the fluctuations in some major taxes and revenue. Financially, the commonwealth budget remains on track to return to surplus in 2012-13 despite this continued global uncertainty and the impact of the higher Australian dollar on revenues.

In good news for the territory, the commonwealth did not use the MYEFO to slash outlays or significantly reduce public service employment levels. Both of these things would have had a significant impact on the territory. Instead, the commonwealth has found savings to offset its election commitments and has once again committed to holding growth in expenditure to below two per cent. This, of course, ensures that with forecast growth in revenue the commonwealth budget will return to surplus by 2012-13.

Notwithstanding the strong national economic growth and increasing commonwealth revenue over the forward estimates, total commonwealth revenue has been revised down by \$2.1 billion in 2010-11 and \$11.9 billion over the four years to 2013-14 since the pre-election economic outlook. This mainly reflects the impact of the Australian dollar on company tax receipts, weaker capital gains tax collections and earlier than anticipated utilisation of past tax losses.

GST collections continue to be weaker than anticipated, and this latest report did revise down the GST payments by \$360 million in 2010-11, \$530 million in 2011-12, since the pre-election economic fiscal outlook. Of course this has an impact on the

ACT budget. Over the four years the commonwealth GST payments as outlined in their MYEFO decreased in the order of \$2 billion. When we look at how this applies to the ACT, overall our Treasury estimates that we will lose around \$62 million across the budget and forward estimates based on our own relativity assumptions. Whilst the MYEFO suggests a loss to the territory of \$31 million, ACT Treasury, using its own parameters, estimates the impact to be more in the order of \$62 million, and this information of course will be included in the budget update which will be presented to the Assembly in February next year.

MR SPEAKER: A supplementary, Mr Hargreaves?

MR HARGREAVES: Treasurer, what is the government going to do about the lost GST revenue?

MS GALLAGHER: Thank you, Mr Hargreaves. Obviously, the reduction in GST revenue will impact across our forward estimates. It will be roughly in the order of \$15 million a year over the forward estimates period.

We allowed, through our budget plan, for flexibility in terms of economic updates as they come in over that four-year period. Our budget plan was originally a seven-year plan. We have revised that back to a five-year plan and we are currently in the second year of that.

Obviously, these are decisions that we will have to consider in terms of what we do next year in the budget. It does make our budget task a little harder but we expect that the flexibility that is allowed in our budget—the fact that we have allowed for growth in our budget, the fact that our budget does allow a slow and measured approach to returning to surplus after the financial shock to the budget from the GST—will allow us to respond in a very measured and responsible way and not in a way that creates sharp decreases or cuts to service provision across the ACT.

MR SPEAKER: Mr Smyth, a supplementary question?

MR SMYTH: Treasurer, will you rule out cuts to services as a result of the MYEFO?

MS GALLAGHER: No, I cannot, and I think Mr Smyth knows that. That is why he asks that. If he was in my shoes, he would be answering this the same way.

Mr Hanson: I'm sure you wouldn't have had these problems if he were in your shoes.

MS GALLAGHER: I see. If Mr Smyth was Treasurer, we would not have had the global financial crisis.

Opposition members interjecting—

MR SPEAKER: Order, members!

Members interjecting—

MR SPEAKER: Order, Mr Smyth! I am trying to stop the interjections so we can hear the Treasurer. Mr Hanson and Mr Coe, I warned both of you yesterday, and I do not want to have to do the same thing again today. Let us limit the interjections, thank you. Treasurer, you have the floor.

MS GALLAGHER: Thank you, Mr Speaker. I find it just that little bit humorous that Mr Smyth, if he was the Treasurer, could have stopped the global financial crisis and actually could have amended the GST receipts for the whole country. That is slightly amusing.

Mr Hanson: We would have been in a far better position.

MS GALLAGHER: You keep believing that, Mr Hanson. Just keep believing that, and you will stay right over there where you are, safe and sound on the opposition benches.

The government will look at the data provided in the MYEFO. We will, of course, seek to minimise any reductions in services around this. This is what we will do. They are all decisions that are on the table that budget cabinet deals with every year. This year is no different to that.

MS PORTER: A supplementary?

MR SPEAKER: Yes, Ms Porter.

MS PORTER: Treasurer, how does the lost revenue impact on the budget plan and the territory's own recovery strategy?

MS GALLAGHER: Thank you, Ms Porter. As members would be aware, in my first budget we outlined a seven-year recovery strategy based on the faster economic recovery than had been expected by anyone. We were able to bring that forward by two years. We are on target for that. That is not without its challenge.

I think this year's budget cabinet will perhaps be harder than most, although budget cabinets are always difficult. The decisions that we will take are around how we deal with increased demand for services, how we minimise any revenue increases and how we deal with lost revenue or reductions in revenue from when we put our budget together. At this point in time we remain on track and on target to return the budget to surplus in the 2013-14 financial year.

ACTION bus service—timetable

MS BRESNAN: My question is to the Minister for Transport and is in relation to the rollout of the new ACTION bus timetables. Minister, since the changes in bus routes and timetables commenced, constituents have raised complaints about missing their buses because, despite having looked at the ACTION website, there was not any clear information saying a bus would no longer use a certain bus stop. Minister, why has ACTION not adequately communicated the changes in its routes to the public and what extra and new steps is ACTION taking to fix this problem?

MR STANHOPE: I thank Ms Bresnan for the question. Indeed, I have also received some representations, like you—indeed I believe a couple—from constituents raising the same concern around changes that they do not believe they were made aware of. Indeed, there have been changes—not a great number, but there have been a significant number. I and ACTION, of course, regret the inconvenience and the fact that people have missed buses because they were not aware that some times in relation to some routes had changed. That is a matter of regret. I do know that there were some children who were inconvenienced in that way, and that is always doubly regrettable.

Having said that, Ms Bresnan, I think first and foremost I need to say that ACTION have provided a copy of the new timetable to every household in the ACT as a starting point. There was an all-of-Canberra distribution of the timetable—

Mr Coe: A brochure—not a timetable, Jon.

MR STANHOPE: Well, a brochure and detailed information. Detailed information around the new timetable was sent around the new network and around the reforms that the government was seeking to achieve. There was detailed information on when they were starting and, of course, through that, the entire community was alerted to the possibility of changes in their routes through that all-of-Canberra rollout.

There has been significant advertising in the electronic media and the print media. There has been an all-of-Canberra household mail-out. ACTION has gone to significant steps to ensure that the entire community was aware that changes were afoot and when they were starting—indeed, starting this week—and I believe it took appropriate steps to ensure that the entire community was aware.

As always in a change of routine services such as that which we have seen in relation to a change in routes or information, there will be confusion. It is always to be regretted. I certainly hope that, as the new network starts, with the media, the advertising and the community engagement that is a part and parcel of that, that those instances of confusion will diminish and disappear.

MS BRESNAN: A supplementary.

MR SPEAKER: Yes, Ms Bresnan.

MS BRESNAN: Thank you, Mr Speaker. Minister, how many complaints have been received regarding the rollout of the new network and what issues do most of the complaints relate to?

MR STANHOPE: I will take the question on notice.

MS HUNTER: A supplementary.

MR SPEAKER: Yes, Ms Hunter.

MS HUNTER: Thank you, Mr Speaker. Minister, what feedback has ACTION received in the past about its communication of route changes and how has ACTION taken on this feedback in developing its latest communication strategies?

MR STANHOPE: I will take that question on notice.

MS LE COUTEUR: A supplementary.

MR SPEAKER: Yes, Ms Le Couteur.

MS LE COUTEUR: Minister, as it was not a timetable that was actually distributed to households, can I ask: when will there be adequate supplies of the printed bus timetable available?

MR STANHOPE: I thought there were. Certainly I will take Ms Le Couteur's question on notice. I am not aware of any suggestion that there are not adequate timetables or information available.

Health—diabetes services

MR DOSZPOT: My question is to the Minister for Health. Minister, I refer to an article in the *Canberra Times* of 29 October where several doctors raised serious concerns with diabetes services in the ACT, including staff shortages, frustration, disagreements, loss of morale and the ultimate paralysis of the whole process. Minister, are the doctors' concerns legitimate or will you describe these complaints as "just doctor politics"?

MS GALLAGHER: As I am quoted in that article, I think I acknowledge that there have been some delays in appointing a clinical director for the diabetes service at the hospital and that that position is now being advertised. I expect that some of the concerns raised by the doctors will be addressed through the provision of this clinical director position.

The decision that the stakeholder group had taken, and with ACT Health leading that, was that they needed to get agreement around the diabetes service and then appoint the clinical director in order to drive that. And there has not been agreement about the way to provide that, so the clinical director position has not been filled. I think, in hindsight, it would have been preferable to appoint the clinical director, to get them to drive the agreement around the provision of diabetes services across the ACT. In fact, that is what will happen now, because there still is not necessarily agreement amongst all of the players, both inside the hospital and outside the hospital, about the provision of diabetes care. Senior endocrinologists in the hospital believe that more should be done in the hospital; less done in the community. With people in the community—GPs, for example—Diabetes ACT believes that there are more things they could do in the community. So it is a bit about trying to pull that together.

I am very confident that the contract for the non-government service is out. I think that is for about \$400,000. Once the clinical director position is filled, I think the

majority of those doctor concerns will be addressed. In addition, I know that the chief executive has met with one of the concerned doctors and talked with them about how to address their concerns. So I am very confident that those concerns will be addressed.

MR SPEAKER: A supplementary, Mr Doszpot?

MR DOSZPOT: Minister, in the same article one doctor is quoted as writing that he fears the wrong service model is being developed for the diabetes problem and it would inflict enormous costs on the community through increased rates of diabetes complications. Minister, are we developing the wrong service model for diabetes?

MS GALLAGHER: I think it depends on whom you talk to. I alluded to that in my answer. There are mixed views around the provision of diabetes services not just here in the ACT but right across Australia. The commonwealth government, for example, have made changes to their own diabetes strategy in the last week around some of the concerns that have been raised about that. What we will build here in the ACT is a very strong acute unit for those that need—

Mr Seselja: There are a range of views but the health minister has none!

MS GALLAGHER: Mr Seselja, if you are going to interject, perhaps do not interject to the point where I can hear all the derogatory comments that you make about me—

Mr Seselja: Such as?

MS GALLAGHER: What you were just saying about how I do not have a clue and all that sort of stuff.

Mr Seselja: That you don't have a view.

Mr Smyth: A view.

Mr Seselja: You have to listen to the interjection—a view.

MS GALLAGHER: The interjections themselves, when I am trying to actually provide Mr Doszpot with a reasonable answer around a reasonable question he has asked me, and you two just sit there, chit-chatting amongst yourselves, trying to discredit what I am saying, are very distracting when I am trying to provide the answer.

MR SPEAKER: Ms Gallagher, return to the answer, thank you.

MS GALLAGHER: I am saying that what I think we will build here in the ACT in the end is a very good non-government diabetes service, run in the community for people that can be managed in the community, and a very good, strong acute service for those that need that type of intervention in the hospital. My intense hope is that those two elements work together to provide seamless care for people with type 1 or type 2 diabetes across the ACT.

MR HANSON: A supplementary, Mr Speaker.

MR SPEAKER: Yes, Mr Hanson.

MR HANSON: Minister, this same article alleges that the diabetes strategic plan was approved two years ago but the service still lacks a director and that clinicians and bureaucrats are at odds over whether the position should be filled by a doctor or an administrator. Minister, do you agree with the assertion that doctors and bureaucrats are at odds?

MS GALLAGHER: There is no doubt that I think at least two doctors that I am aware of have had concerns around how the process has been run and the delays to appoint a clinical director to that position. Those concerns have been acknowledged and have been addressed. Some of the delays go to the issue of national health reform, which has been underway for the last 12 to 18 months intensely. That has looked at the interaction between community health services and services in the acute system.

So I think there have been some reasonable delays around the implementation of this while that work has been finalised. However, as I said, in hindsight, with the concerns that the doctors have raised, I think we should have advertised the clinical director's position earlier. That position has been advertised and will be filled as soon as possible.

MR HANSON: A supplementary question, Mr Speaker?

MR SPEAKER: Yes, Mr Hanson. Minister, is the diabetes service in the ACT adequate and on par with services elsewhere in Australia?

MS GALLAGHER: As I am advised, yes, it is. I have looked into this in relation to some concerns from patients, I think, that have been raised around access to care. But my understanding is that on all national benchmarks on the range of services that we provide, we provide a very good diabetes service.

That is not to say that there is not room to improve or the need for additional resources. As the level of diabetes increases in our community—which is forecast to be one of the biggest growth areas in demand for health services—we will need to resource this area with additional funds.

Health—diabetes services

MR HANSON: My question is to the Minister for Health. I refer to an article in the *Canberra Times* of 13 November where several diabetes patients raised serious concerns with diabetes services in the ACT, including long waiting times to see endocrinologists and diabetes educators, and inadequate services for young adults. Some patients were reported as saying that they sought treatment interstate because of the difficulty accessing services in the ACT and because interstate public hospital diabetes outpatient clinics were more timely and of a higher standard than those offered in Canberra. Minister, why is it that ACT residents with diabetes are waiting so long for services and being forced to travel interstate for treatment?

MS GALLAGHER: I think the question deserves a comprehensive answer around numbers of public patients travelling interstate for public diabetes care. Obviously some people with diabetes will access private care and they may do that in New South Wales; I cannot answer that side of the question. I think there are some issues around workforce, around special—

Mr Hanson: You just said our service was on par—

MR SPEAKER: Mr Hanson!

MS GALLAGHER: That is my understanding and that is the advice that I have. I will go and check the detail.

Mr Hanson: That contradicts your previous answer.

MR SPEAKER: Thank you, Mr Hanson. You have asked your question.

MS GALLAGHER: I think your question went to a number of details about wait times and around travelling interstate. I do not have that data on me but I will undertake to get back to Mr Hanson with that information.

MR SPEAKER: Mr Hanson, a supplementary question?

MR HANSON: Minister, in the same article one patient is quoted as saying:

You'll hear favourable comments about specific people within the system ... But as a system as a whole, nobody's got anything good to say about it. They are failing the diabetes community because they do not have the resources.

Minister, why are patients saying that the system is failing them and that the system does not have adequate resources?

MS GALLAGHER: I think there are excellent staff working within the diabetes system. But I do not think you would look at any part of the health system and say there is not demand for services and, at times, waits to access those services. That is a reality of every public health system in the world, and it is how you manage that.

There is significant growth in demand for outpatient services across the public health system. Indeed, that is by far outstripping the demand for inpatient services at this point in time. Extra resources have been put into the diabetes service. We take patient feedback very seriously and look to improve our service where we can. But there are demands, Mr Hanson, and ACT Health works very hard to address those areas of demand and provide a quality service to the people of the ACT.

As I said, I expect over the next few budgets that more money will be going into this area as the demand from the community increases around their needs for diabetes care, particularly for type 2 diabetes, which is linked to lifestyle. As those numbers increase, we will need to do more. But part of that is that we need to do more in the community

to manage people who do not need the services of a specialised outpatient acute service as well. I know the public system works very hard to provide that level of service to the community.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, in the same article another patient was quoted as saying, “The type of services offered to us at the Canberra Hospital is minuscule. We get a very poor service compared to almost anywhere else.” Minister, why is it that diabetes patients consider the ACT diabetes service to be inferior to interstate services?

MS GALLAGHER: As I said, we take patient feedback very seriously—comments that people make around the adequacy of their service. I have to say it is not a view that I think is shared by everybody, but that is not to say that we cannot improve our service to people in the ACT.

This is an area of growth. It is challenging to meet that level of demand for service, but we try very hard. The staff in the diabetes service work very hard to do that, and I am very confident that with new non-government services and the appointment of a clinical director position we will be able to address some of the concerns that patients have.

MRS DUNNE: A supplementary question, Mr Speaker.

MR SPEAKER: Yes, Mrs Dunne.

MRS DUNNE: Minister, why are both doctors and patients complaining about diabetes services in the ACT?

MS GALLAGHER: I think I have explained what concerns the doctors have around the appointment—essentially around the model of the service and the appointment of the clinical director position. Those are different issues from the issues that have been raised by the patients in the article that the Canberra Liberals are quoting from around access to service. What we are trying to do is actually build up the service in the community so that there is less reliance on coming to the hospital, particularly for those people that can be managed adequately in the community. That is the tender that is out at the moment for provision by a non-government provider. I think there is more we can do in this area. We have allocated the funds. The funds will flow through. I hope that, for those patients that are unhappy with their care, they see improvements in access to service.

Electricity—cost

MS PORTER: My question is to the Minister for Energy. Can the minister advise the Assembly how the government is helping low income earners deal with energy price increases?

MR CORBELL: I thank Ms Porter for the question. Of course, energy prices are a matter of continuing interest for many Canberrans. They have certainly been the subject of debate in this place. Before I come to the detail of Ms Porter's question, I will just clarify that in my previous answer I referred to the two elements that the government has agreed to deploy as contributing \$2 each to the total household electricity bill per annum per week. In fact, it is only \$1 each for each of those two elements. It is \$2 in total. I apologise for any confusion.

The government is undertaking a range of measures to assist low income households to meet the costs of energy price increases. Of course, it is pleasing to note that here in the ACT the average electricity price is just under \$700 a year less than the equivalent electricity price in NSW, which the government is working to continue to maintain.

The government has taken two important steps to assist low income households to manage their electricity costs. The first is an increase in the energy concession. That concession has been increased in the last budget by \$20 per annum up to a maximum payment of \$215 per annum. The government has also provided CPI indexation through future budgets to ensure that that level of assistance maintains its competitiveness as the cost of living continues to increase. For that reason, we are very pleased to make sure that we have got one of the most generous schemes in the country when it comes to energy concession.

The other very important step that the government has taken in my portfolio relates to the \$1.4 million worth of assistance that my department has provided to low income households and, indeed, to non-government organisations to assist those low income households with their energy costs.

We have provided a broad range of assistance, including \$435,000 in payments to community non-government organisations who can then go and provide free new energy and water-efficient appliances to low income households. These are being distributed through a range of organisations, including the Belconnen Community Service, Communities@Work, Northside Community Service, the Salvation Army and the St Vincent de Paul Society.

Another \$950,000 has been provided to the Department of Disability, Housing and Community Services for building shell improvement in Housing ACT properties and the installation of solar hot-water systems for 100 Housing ACT properties that were previously reliant on old electric-resistance hot-water heaters. Further, 200 properties leased through community housing providers will be provided with energy-efficient appliances.

What this means, Mr Speaker, is that people on low incomes have been getting energy efficient fridges, water and energy efficient washing machines and a range of other electrical appliances that make a real and practical difference for them when it comes to their electricity costs. What it means, of course, is that the more energy efficient the appliance, the less they have to pay in electricity. To date, we have installed over 819 appliances, including 369 fridges, 45 freezers, 301 washing machines, 74 heaters and 109 solar hot-water systems. We estimate that we have assisted over 650 households through this process.

MR SPEAKER: Ms Porter, a supplementary question?

MS PORTER: Would the minister advise the Assembly what has been the impact on ACT low income earners compared to those who live across the border in New South Wales?

MR CORBELL: I thank Ms Porter for the question. As I have indicated, ACT households already have a comparative advantage when it comes to their electricity bills compared to people living across the border in Queanbeyan and Jerrabomberra. They have electricity bills that are just under \$700 a year cheaper on average than their counterparts over the border.

The programs that I have mentioned are greatly assisting low income households—over 650 households have been directly assisted. It means that they are able to take control of their energy use. It is often difficult, of course, for low income households to have the funds available to purchase an energy efficient fridge or upgrade their washing machine. Often these appliances are extremely old and extremely energy intensive but are unavoidable in their use. By providing this funding, we have been able to assist these households to take control of their energy costs, to manage them better and to reduce the amount of money they have to pay for electricity.

In addition, of course, we have funded some very important work in improving the energy performance of the homes that people are living in. This is particularly focused on improved insulation and draught sealing for a large number of properties through ACT Housing. Indeed, as I mentioned earlier, it also means additional solar hot-water systems replacing the electric resistance hot-water systems.

This is where the Labor government is investing important funding to assist low income Canberrans to better manage their electricity and their water costs. It is targeted assistance to those who need it to ameliorate and manage energy and water costs for those households. It is the sort of program a Labor government can be proud of.

MR HARGREAVES: A supplementary?

MR SPEAKER: Yes, Mr Hargreaves.

MR HARGREAVES: Can the minister please tell the Assembly what are the main factors driving electricity price increases?

MR CORBELL: There has been a lot of misinformation about what is driving price increases. Of course, Mr Seselja is one the main culprits when it comes to claims about increases in electricity costs and the reasons for them. Indeed, the allegation has been made that it is the requirement for renewable energy that is driving price increases. Unfortunately, some governments over the border have succumbed to this misleading argument.

In fact, the overwhelming driver of costs is the need to upgrade and replace ageing electricity networks, to upgrade and replace ageing electricity power lines, to upgrade

and replace transmission infrastructure and to upgrade and replace electricity generation infrastructure. Indeed, the reason for this is that these pieces of infrastructure are coming to the end of their economic life—pieces of infrastructure that were put in place from the mid 1960s through to the mid 1980s. They are reaching the end of their life and need to be augmented or upgraded to meet growing demand. That is what is overwhelmingly driving the increase in electricity costs.

This will be required regardless of whether or not there is a shift to renewable energy. Of course, it is absolutely imperative in terms of addressing our greenhouse gas emissions profile that there is a shift to renewable energy generation but, even if we were not to pursue that objective, these upgrades would still be required to maintain a strong and reliable electricity transmission and distribution network.

Those opposite who seek to use schemes such as the feed-in tariff and who seek to use other measures designed to reduce greenhouse gas emissions as the culprit or whipping boy for these price increases, need to have a close look at what the independent pricing regulators themselves are saying in this matter and recognise that their rhetoric is not assisting a proper understanding of these issues.

MR SPEAKER: Ms Hunter, a supplementary?

MS HUNTER: Thank you. Minister, are you concerned that the price of electricity has risen by about 40 per cent in the last five years but the energy concession rebate only increased by around 15 per cent over the same period?

MR CORBELL: The government has to have regard to the budget impact of electricity concession schemes. The government has made a considerable investment in improving the electricity concession scheme, allowing that concession scheme to, first of all, have a one-off adjustment of \$20 per annum this financial year and then to be indexed by CPI. When you compare our energy concession scheme with the energy concession schemes in all the other states and territories, it is an extremely well-resourced scheme. It is one of the best in the country, one that we are proud of and one that we will continue to maintain and support.

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

Supplementary answers to questions without notice Children—foster carer and kinship arrangements

MS BURCH: In response to some questions by Ms Bresnan and Ms Le Couteur yesterday on out-of-home care subsidies and contingencies, in the months leading up to the increase in subsidies the department undertook detailed work on the translation from the old scale to the new scale for each carer. In just four cases anomalies were identified which could have led to a decrease, so we put in a grandfathering arrangement to make sure there was not any disadvantage there.

We have also conducted an audit of around 70 cases of children with the highest contingency payment and analysed those costs against the current contingency guidelines and higher subsidy rates. In all cases the carer was better off under the new system.

The translation from the old scale to the new scale has reduced the number of levels, resulting in some carers experiencing marginal increases while others have received a significant uplift. The increase in subsidies was accompanied by changes to the guidelines covering contingency payments, and a number of items previously claimed through contingencies are now covered through the increased subsidy payments.

These increases reduce red tape for items such as sports activities, after-school tutoring and occasional trips to the GP, and significant or one-off payments such as school fees or ongoing medical and specialist costs are still accessible through the contingency scheme. But I would repeat what I said yesterday. If there are concerns that you know of, make contact with the department.

Waste—management

MR CORBELL: Yesterday in question time Ms Hunter asked me a question as to whether or not the government had used the commercial sector waste reduction work undertaken by the conservation council, funded by the ACT government and launched by me as the minister last year. The answer to Ms Hunter's question is that the government provided an environment grant of \$25,618 in 2008-09 to the Conservation Council of the ACT Region for the project "ACTNow: reduce, reuse, recycle".

The conservation council provided its project completion and evaluation report for this project on 25 September last year. The council's project evaluation concluded that the ACT government's programs in this area were now best placed to achieve lasting results. The council's project has complemented the work of the ACT government through its ACTSmart business and office programs in relation to recycling and waste reduction in the commercial sector.

The project provided the initial groundwork for the engagement of Bailey's Corner in the ACTSmart business program. The project made useful contact with a number of other businesses, which are now being pursued to sign up to ACTSmart programs. The project's work in focusing on waste management and recycling at some major community events, such as Corinbank and the National Folk Festival, has contributed practical experience to the development of refined approaches that will yield better recycling and reduced waste results at such events in future. The government appreciates the contribution of the council in relation to these matters.

Papers

Alexander Maconochie Centre—needle exchange program

MS BRESNAN (Brindabella), by leave: I present the following paper:

Implementing a Needle and Syringe Program in the Alexander Maconochie Centre—Summary of responses to discussion paper, prepared by Amanda Bresnan, ACT Greens MLA, dated November 2010.

I seek leave to make a brief statement.

Leave granted.

MS BRESNAN: I present a paper entitled “Summary of responses to Discussion Paper on ‘Implementing a Needle and Syringe Program in the Alexander Maconochie Centre’”. I tabled a paper entitled “Implementing a Needle and Syringe Program in the Alexander Maconochie Centre” earlier this year, which set out the case for an NSP as part of a comprehensive harm minimisation strategy in the prison. The paper I am tabling today provides an outline of the responses to the paper and recommends operating an NSP from the health centre in the AMC, in conjunction with an appropriate non-government organisation or organisations.

The paper draws from responses from Anex, ACTCOSS, Families and Friends for Drug Law Reform, the Canberra Alliance for Harm Minimisation and Advocacy, the Alcohol and Drug Foundation ACT—ADFACT—and the Public Health Association of Australia. Additionally, references are made to the Anex paper “With conviction: the case for controlled needle and syringe programs in Australian prisons” and the report I received from the Institute on Drugs and Drug Addiction, Health Ministry, Portugal, on the operation of needle and syringe programs in Portuguese correctional facilities.

There are two perspectives that were provided by the responses to the paper that I would like to highlight. The first, from the Canberra Alliance for Harm Minimisation and Advocacy, is that, due to the current availability of needles within the prison, in effect a needle and syringe program already exists within the AMC, albeit in a dangerous and unregulated fashion. The policy choice facing the government is then not whether or not needles should be available in prisons, but rather whether the government should be involved in regulating the usage and exchange of needles to ensure that they are provided and used in a safe way.

Secondly, the paper by Anex identifies that harm minimisation strategies comprise three elements: supply reduction, demand reduction and harm reduction. The current regime of security and treatment within the AMC adequately services the first two factors. However, there is a lack of harm reduction in prisons due to the inability for prisoners to inject safely. A true harm minimisation strategy recognises that governments not only have a responsibility to minimise drug use but also have a responsibility to minimise the harm associated with drug use. By not providing an option for inmates to minimise harm to themselves through the provision of clean injecting equipment, the government undermines their harm minimisation strategy.

The evidence shows that such programs substantially reduce the incidence of blood-borne virus transmission in prison environments, reduce the risk of needle-stick injury for corrections officers, staff and other inmates and do not lead to attacks. Furthermore, implementing an NSP does not increase the rates of drug use in prison environments, and in some cases, reduce drug use when operated in conjunction with health services.

The ACT Greens have recommended that a needle and syringe program be operated from the health centre in the AMC, in conjunction with a non-government

organisation with appropriate expertise. Operating needle and syringe programs alongside existing health services maximises the harm reduction outcomes that NSPs generate. Furthermore, based upon the international experience of NSPs, where the programs operated in close proximity to drug treatment programs, it increased the rate at which prisoners voluntarily access those programs and contributes to lowering the rates of intravenous drug use in the prison environment.

Additionally, the degree of success of an NSP is reliant upon the support of prisoners and the staff administering the program. The ACT Greens recognise that there continues to be concern amongst corrections staff about the program. As such, it is more appropriate that it be conducted by ACT Health and community organisation staff at an ACT Health facility to ensure that the program maximises its potential for success.

Gaming Machine (Problem Gambling Assistance) Amendment Bill 2010

Debate resumed.

MR SMYTH (Brindabella) (3.16): The opposition will not be supporting this bill. Let me emphasise that our position in no way seeks to downplay the importance of ameliorating the effects of problem gambling. But what we do not believe is that it should be done in this way and what we do not believe is that the bitsy approach to such an important issue should be followed.

There are currently four proposals, three in this place and one in the federal parliament, that will affect how we deal with problem gambling and, indeed, how we reflect the issues that are affecting the club movement at this time. We have got the bill from Ms Hunter, we have got the new liquor licensing regime from Mr Corbell, we have an announcement of some proposals, without much detail, from Mr Barr, and of course we have got the Gillard-Wilkie issues that will be dealt with in the federal parliament.

Problem gambling remains a significant concern for all of the community. But apportioning the blame and punishing the club sector for problem gambling is short-sighted. What we need to ensure is that problem gambling is not the disruptive and destructive influence that it has been. What we need to do is address the root cause of the problems. And the only way we can do that is to be fully informed. I do not know whether Ms Hunter has read or not the Gambling and Racing Commission annual report, but at the bottom of page 4 it says:

The Australian National University's ... Centre for Gambling Research under agreement with the Commission produced a first draft report of their prevalence study of ACT gambling and problem gambling.

My understanding is that this is the first time it has been done since 2001, so what we will have, very shortly—an indication at the club's function on the weekend was that it will be out in the next week or so—is the most up-to-date data about problem gambling in the ACT. This is not relying on old data. It is not trying to move data

from other jurisdictions into the ACT. This will be the snapshot. I understand it is a very large survey; it is a very detailed survey.

I do not believe, given the amount of either legislation or changes to the club industry that is floating around at this stage, that passing this bill today will give us the desired outcomes. The purpose of using evidence-based activity is to ensure that we get it right. To simply say that we can pass a new tax today and get it right I think says that we are not treating this seriously enough.

There are four packages before the club industry that affect problem gambling, and proposing more legislation as the answer to the community's issues should not be the first response. This is the only response we have heard from the Greens: we will just put in a new tax. I have not seen any analysis that backs up what Ms Hunter claims and I do believe that legislation should only be considered after all other avenues have been explored.

Anyone who says that we are abandoning problem gamblers would be a liar. What we want is a comprehensive approach—not a bitsy, not a band-aid approach—to make sure that we do get it right.

I think that we can fairly guarantee that this bill will be amended when it comes back and I am sure that long term it will be amended again. I know the argument will be made that we have got to do something now. But, for the sake of a week or two and for the ability to get this right, I think it is worth the wait, and that is why we will be opposing the bill today.

We really do need to ask: what does this bill do? What does the additional legislation give the community? And what does this additional legislation take away from the community? In the most basic of terms, this proposal places an additional tax on the licensees of gaming machines in the ACT. I noted that Ms Hunter, in introducing this bill, said that the financial impact of the change was not significant. But, when fully implemented, this proposal imposes on licensees a new tax of 0.75 per cent of gross gaming machine revenue. It does not sound very much, especially if you say it quickly. But it is applied in addition to the longstanding gaming machine tax and in addition to the payments made as community contributions.

Ms Hunter says it is about \$1.2 million and it does not have a great impact; they are her words: "The financial impact of the change we are proposing is not significant." Ms Hunter is always very keen and the Greens are always very keen to find out the impact. So perhaps Ms Hunter when she closes can table the work that she has done to prove that it is not a significant impact on clubs. The problem is that, as always, the Greens have said, "Easy answer: social problem, new tax." But they have not looked at the effect of that tax.

The combined assets of ACT clubs, I am told, are somewhere in the vicinity of \$600 million. That is the figure that, in discussion with people in the industry, we have been able to come up with. The combined profits from the club sector in the last 12 months are somewhere between \$2 million and \$4 million. Again, there are difficulties in collating this; some clubs do a financial year, some do a calendar year

figure. But it is somewhere between \$2 million and \$4 million. If it is only \$2 million, Ms Hunter wants to take \$1.2 million of that away. And the reforms that Mr Corbell is putting forward in terms of liquor licensing I am told will equate to about \$600,000 with \$200,000 oncosts. So we are talking about \$800,000. There is \$2 million. If the profit range is at the lower mark, you have just wiped out the entire profit of the club sector in the ACT. And do you know what Ms Hunter said? “The impact of the change we are proposing is not significant.”

I would like to draw members’ attention to the annual report of the Tuggeranong Vikings. In the words of the chief executive, and I read from the report:

I am pleased to be able to report a surplus of \$40,000 for the 2009/10 financial year, under the current circumstances, a positive if not brilliant effort.

Let us work out what the impact of Ms Hunter’s bill will be on the Vikings and apportion some of the costs that Mr Corbell is seeking to impose upon the club sector. The answer is simply this: Vikings currently have about 14 per cent, through their five venues, of the poker machines in the ACT. Fourteen per cent of Ms Hunter’s \$1.2 million is \$168,000. Ms Hunter’s bill takes the Vikings into the red. That is the effect. That is not significant? Just remember: “This is not a significant impact.”

This is not to decry the impact of poker machines and problem gambling. But we need to be aware of what we are voting for here today. What it means is that, when you add in Mr Corbell’s increased fees, which for an organisation like the Vikings might be \$20,000, \$30,000 or \$40,000, you are putting the Vikings on the wrong side of the balance sheet by about \$150,000. The Vikings in 2010 declared a \$40,000 profit. In 2009 it was \$1,066,000. Six years ago it was \$3,640,000.

The club sector is a very valuable sector to our community—and we all appreciate the \$15 million-odd in the last year that it put into community contributions. But you are now about to force that sector closer to the edge in very difficult times. We have got huge increases in the cost of living. We have got rates going up through the banks. We have got the unknown, undefined, uncosted effect of the Gillard-Wilkie proposals. We know that there is an extra \$1.2 million coming out of the sector under the Hunter proposal. Mr Corbell’s costs will be something like \$600,000 to \$800,000, and we have just had Mr Barr announce a one per cent increase in the community contribution and he will leave the 0.75 in place as 0.6—so again more impact on the club sector without any thought as to the viability of that sector.

Let me read from the report of the treasurer of the Vikings. This is just one club. Members need to go and read the annual reports of some of the clubs in the ACT. Some, for the first time in their history, have not declared a profit at all in the ACT. The cash cow that people think clubs are is not quite real. The treasurer’s report for Vikings states:

For the past 3 years I have highlighted the difficult regulatory and economic environment we operate in. This trend continues and is showing no signs of improving in the foreseeable future. The global financial crisis may have passed but there are emerging concerns that the pace of recovery is beginning to stall which is placing pressure on consumer confidence and therefore revenue levels

in our particular industry sector. Vikings Group operates in a highly regulated and challenging environment

He goes on to say:

The days of the “super profits” are well and truly gone. To illustrate this comment, our surplus for 2009/2010 has come in at a meagre \$40,000 and that is only after we have incorporated gains on asset sales/impairment of \$159,000 (non operational) into our profit line. As a comparison 6 years ago our surplus was \$3,640,000.

This is what people need to be aware of before they vote for this legislation today. To fix one problem and create another problem is not the answer, and that is why we need to wait for the prevalence study and that is why we should have all of the packages on the table before we make decisions, because the one thing the club sector in particular has asked for over the last five or 10 years is some certainty. There has been reform after reform after reform, expenditure after expenditure, which has never been recouped because this place keeps changing the playing field.

Clubs are an important part of this city and we all acknowledge that. We all value their contribution and the facilities they provide. Perhaps we should take a deep breath, instead of saying: “Oh, I’ve had a thought. We need to have something for problem gambling. Here is a new tax. That is a good answer.” Why don’t we consider, as a whole, what it is we as legislators do for the people of the ACT through this legislation? It is the people of the ACT who, in the main, get the benefits of this.

The Vikings president’s report says:

The club industry is certainly facing some interesting times, some notable clubs across Australia have either closed or have faced significant losses over the past couple of years. In the ACT, the forecast of a reversal of the trading downturns since 2006 has not been realised. As has been mentioned in past reports, the Vikings Group has weathered this storm thanks mainly to some sound planning that realised a strong balance sheet and cash position.

We all know some clubs did not survive the storm, and the question is: what is the long-term future of the club industry and the community that they support when we put this bill, Mr Barr’s package, Mr Corbell’s package and the Gillard-Wilkie package on their shoulders? And, face it, the club industry is this community.

The club industry has been promised by this government reform for at least the last three years and nothing has happened. The Chief Minister went to the clubs’ annual conference three years ago and said, “We will look at essential issues like threshold and we will get back to you,” and they still have not. Nothing has happened. As politicians, we all know that, certainly in government, if somebody comes to you, you say, “Go and ask the clubs; they’re rich.”

You cannot continue to treat the club industry as a milch cow and then make it the whipping boy by saying, “You’re the problem here, so we are going to tax you,” and then expect it to be some sort of community Santa Claus once a year and give out its

annual cheques to the community groups. It does not work any longer. And, if the combined return of more than \$600 million worth of assets is somewhere between \$2 million and \$4 million, the banks would not give you a loan because you would be a risk.

We know the clubs are businesses. But they are not for-profit businesses as we would normally think of businesses. But the problem is that that is how the banks will treat them. And this place needs to respect what the club sector do. The club sector have asked for certainty, and they have asked for this not to go ahead so that they can ascertain the full impact of all the reforms that they are facing. And that is not an unreasonable request.

I acknowledge that problem gambling will be there. But let us go to who funds problem gambling in the ACT and let us ask who are the beneficiaries of poker machines. The biggest beneficiary of poker machines in this place is the ACT government. More than \$33 million they got last year. You would expect, therefore, the government to be the biggest spender on problem gambling, but they are not. The club sector is. The government last year spent \$360,000 on problem gambling programs. This government spent about one per cent of what they got out of poker machines.

Mr Hargreaves: Just because you're bad business people, don't blame us. I'm out of here.

MR SMYTH: I am shocked if John Hargreaves is calling clubs bad business people.

Mr Hargreaves: No, I didn't. I called you people—

MADAM ASSISTANT SPEAKER (Ms Le Couteur): Mr Hargreaves, please stop interjecting.

MR SMYTH: The club sector, which reaped a profit of somewhere between \$2 million and \$4 million, contributed \$400,000 to remunerating the impact of problem gambling—more than the government did—and they did it voluntarily. They did it because they understand their social obligation, and that is on top of all the things they do either through regulation or, because they are obliged to, inside their systems in monitoring problem gambling and assisting problem gambling in-house, and I have not been able to get a costing on what that is.

The clubs are certainly doing a lot to assist with ameliorating the impact of problem gambling. Yet the Greens' coalition partner, the Labor Party, are not called to account on this at all. They are allowed to take more than \$33 million as a dividend from the gaming sector and they get away with spending one per cent. Where is the fairness, the justice and the equity in that?

There is a kind of social contract where we pay fees and charges and if there is a downside that is usually in the realm of government to fix. For instance, we all pay motor registrations, and part of the registration, we hear, is dedicated to road safety. That is fair and reasonable. But where are the government pulling their weight in this?

They are not. They are taking the money and running. They are quite happy to point the finger at the club sector and say, "Do more."

It is time the Greens held the government, their coalition partner, to account and said, "When are you going to do more?" Perhaps that is where we need to start. But we should do it in an informed environment where we know what the problem is. We all know the spread of sports betting. We have all just sat through the finals season where in every ad break we get, "Bet on this," "You can bet on this," "You can bet on this." Do we know how many problem gamblers use that? Do we know how many problem gamblers have an ACTTAB account? Do we know how many problem gamblers go to the casino? Do we know how many problem gamblers go to the racecourse? We do not. We do not know. We do not have the most accurate data. Mr Barr can get up and correct me, but I would like to wait for the report that is coming. He has got the report. Okay.

The minister is acting from a position here where he has data that he has not shared with the community, and that is a bit of a shame. But the report needs to be public before we do this, simply because we need to get this right. We need to make sure that those that need the assistance get the best assistance that we can give them, to help them address their problems, to give the clubs an opportunity to help them address their problem, to give the government an opportunity to help them address their real problems and the community to do the same.

To simply say the answer is a tax is not an answer. It is incredible oversimplification of a very complex problem and it is not worthy of this place, it is not worthy of those that need the assistance and it is not worthy of the club sector that does an inordinate amount of good in our community. The club system is a legitimate industry. It is a legal industry. It is a licensed industry. The clubs operate within the constraints that we put on them. And to do this now I believe is not the best way to help people get ahead.

We heard some reforms from the minister. All the minister is doing is putting on a new form of protectionism. It is very bold to say that we are going to reduce the cap by the 143 that have not been allocated. Whoopee! That is brave; that is right out there. There is no consideration of what should really happen with the cap and a path forward over a period of time. What he is saying is that there will be extra taxes for the club industry and there will be a package of measures. We need to see all those. Discussing this today when we have just had a bit of a teaser from a package of measures from the government is not satisfactory. All it is is protectionism on the part of the Labor Party. What they are doing is saying: "We have got our poker machines. We will not give them up." And, what is more, I bet in this sheer protectionism there will not be a single gaming machine surrendered by the ALP or indeed the Labor clubs to assist in problem gambling. There will not be a single machine surrendered.

And remember: this is all happening at a time when gaming is on everybody's minds. And what did the Labor club do? They went out and asked for more machines. We all know the conflict of interest that the government has. We all know that it is addicted to the revenue. And, let us face it, the second biggest beneficiary of gaming profits after the ACT government is in fact the ACT Labor Party, because they get their

dividend from the ACT Labor clubs and that comes out of the pockets of problem gamblers, and that is the problem. That issue needs to be addressed.

The other packages and their impact need to be addressed. We need to have a way forward that is consistent, that does not change from year to year as it has for the last four or five years. There has always been a different impost and a change of view and a change of tack because we have not operated from a position of knowledge. I would be interested to know from the minister when he intends to release the prevalence study, because the prevalence study would go a long way to addressing what we are discussing here today. The right thing to do today would be to adjourn this bill, wait for the prevalence study, make sure that we get it right—

Mr Barr: Yes, that's what we are doing.

MR SMYTH: You are agreeing to it in principle.

Mr Barr: Yes, we agreed to it in principle and then—

MR SMYTH: You are agreeing to it. Well, it is agreed. The tax is there. It is agreed to in principle, whether or not we have got the prevalence study. If you were serious about this, you would have adjourned it first thing this morning and said, "We will address it in December when we have got the study, when we can move forward." But that is not going to happen, is it?

MR RATTENBURY (Molonglo) (3.36): I am very pleased to rise today to support this bill that Ms Hunter has brought before the Assembly. I think it is an important initiative. This bill creates a robust, transparent, fair and reasonable scheme to support those with a gambling addiction and to reduce the prevalence of problem gambling in our community.

Ms Hunter has outlined the results of detailed research into problem gambling and also told us of the firsthand experiences of organisations struggling with an issue that affects not only the gambler but, in most cases, his or her family, friends and work colleagues. There is no question that we are not allocating sufficient resources to gambling addiction and the associated health issues and that many in the community are suffering because of our inaction. This is a health issue that needs an urgent response.

The problem gambling assistance organisation Gambling Help Online have found that people with a gambling problem were twice as likely to be depressed and 18 times more likely to experience severe psychological distress than people without a gambling problem. There is a strong link between problem gambling and other mental health problems, which, of course, only makes the problem worse in a vicious cycle of addiction that often does not see the light of day until it is too late.

Researchers and clinicians alike have highlighted the importance of looking at a person's mood when they are gambling in seeking to address the problem. Once identified, there is evidence that gambling often has an impact on other aspects of a person's life. One only has to look at the websites of assistance providers to see the

types of issues that face problem gamblers. There are commonly a range of other mental health and substance addiction issues as well as the very real risk of suicide.

There is a particular concern that, for many problem gamblers, it is only when they are contemplating suicide that they begin to seek help. If nothing else can convince you of the need to take serious action, surely this alone demonstrates how important it is that we improve the availability of problem gambling services so that they can assist people before things get so bad that those suffering contemplate taking their own lives.

According to the *Diagnostic and Statistical Manual of Mental Disorders*, DSM-VI, of individuals in treatment for pathological gambling, 20 per cent are reported to have attempted suicide, and the Greens have not found any research to suggest that the Australian experience is significantly different from this.

In addition to the overwhelming empirical evidence, it is appropriate to put one individual's story on the record. This is an example we have taken from the beyondblue website. We have chosen this one because we believe it is one of many examples that illustrate just how gambling has affected, in this case, one particular person, but there are many thousands of others in Canberra and around Australia going through exactly the same thing every day. This was posted on 27 April this year:

I started gambling at 47 I am now 54 and curse the day. I have lost thousands! As a result I have very high blood pressure. I only gamble on pay day. I go at lunch time or I go after work and usually blow my entire fortnight's wage. Then I need to invent stories so I can borrow money to buy food. I am, so ashamed of myself & the lies that I have told people. I have had to declare myself bankrupt to get out of debt.

It is a shocking disease that brings nothing but heartache stress and yes you miss out on lots of good stuff because you have been gambling and have no money. I very rarely win and when I do yes I put it all back in the hope of winning a bigger prize it just does not happen. I have walked out crying at what I have done, I have felt physically sick and finished up with migraines. I am stunned that I have allowed this to happen to me I am a very practical person all it takes is that one press of the button and you are hooked. Every fortnight I say never again - writing this down I hope will help. Good luck to me and everyone trying to kick this addiction.

That is a very profound set of personal observations that somebody has made there. Whilst that is not everybody's experience, it is not an atypical experience. If you add to this the implications for family or friends—and you can imagine what that has been in this sort of story—you get some idea of the problem we in the ACT need to confront.

The estimate Lifeline Canberra provided to the 2010 Productivity Commission inquiry was that there are around 6,000 people in the ACT with a significant gambling problem. In 2001, the Australian Institute for Gambling Research estimated that in the ACT we had 5,300 problem gamblers. It is a significant increase from 5,300 to 6,000

in the space of nine years. That is certainly well beyond population growth and demonstrates, in our view, that current arrangements are not achieving satisfactory results. In addition, Lifeline has seen a 40 per cent increase in problem gambling clients, with 75 per cent of this increase being attributed to gaming machine patrons.

Another alarming statistic that the ACT Council of Social Services—ACTCOSS—included in their submission to the Productivity Commission inquiry is that ACT gamblers appeared to be younger than the national average. In the ACT, 25 per cent of what ACTCOSS described as regular gamblers were young adults aged 18 to 24 years compared to 17.8 per cent nationally. Between 26 and 36 per cent of problem gamblers in the ACT were aged less than 25. In addition, their average incomes were low, and approximately 30 per cent were on very low incomes or receiving some form of government benefit. The ACTCOSS view overall was that ACT problem gamblers represent a highly vulnerable group in terms of their age, income and proportion of their income directed to gambling.

ACTCOSS also reported that, in recent years, the contributions going to community sector organisations, including those to problem gambling, declined from \$2.047 million in 2004-05 to \$1.55 million in 2008-09. The federal government has now committed to a number of harm minimisation measures which have been discussed already in this debate and which will roll out over the next few years. The changes are significant and no doubt will go some way to addressing the problem and reducing the harms. I also imagine there are quite some debates to go on regarding exactly what the final outcomes of those initiatives will look like.

What we are dealing with today is what happens once the problem gambler leaves the venue—because many of the federal initiatives are directed at what might be called in-venue activities—and he or she and their families and friends, are forced to confront the reality of the inevitable losses sustained. The federal initiatives are entirely consistent with and would work very well with the scheme being proposed today.

Our gaming venues in the ACT allocate a sum of \$407,516 out of a net profit of close to \$100 million to pick up the pieces when the problem gambler leaves the venue. The Greens do not believe that this is adequate or acceptable if we are serious about tackling problem gambling. This bill provides a reasonable level of financial support for those charged with addressing problem gambling by requiring gaming licence holders to contribute 0.75 per cent of their gross gaming machine revenue to the problem gambling assistance fund administered by the Gambling and Racing Commission.

As has been touched on, we believe this will deliver around \$1.3 million, an increase of close to \$900,000 on what has previously been allocated. To effectively tackle the issue of problem gambling in the ACT we need to ensure there is an adequate and secure commitment to fund counselling support and other treatment services. Increased funding as proposed under this bill will also broaden the scope of services provided and ensure those with the skills to provide these services remain with the sector.

Interestingly, last week the New South Wales parliament passed a bill to prohibit donations to political parties from property developers, tobacco companies, alcohol companies and gaming machine companies. They recognised the problem created by the gaming industry and acknowledged that political parties should not benefit from it. They recognised that the gravity of the harm necessitates a prohibition on even the perception of their involvement in decision making.

The proposal that Ms Hunter has put forward does not create an overly burdensome requirement on licence holders. They already pay one of the lowest amounts, if not the lowest, of gaming machine tax in the country. We believe this increase is not an unreasonable impost, particularly given the nature of the harm it is addressing. That makes it all the more warranted. There is a real need to address the issue of problem gambling, and this is an entirely stand-alone scheme. We welcome the support in principle that it is going to receive today.

I cannot finish without commenting on some of the observations that Mr Smyth has made today. I am not quite sure where to start, but the thing that I find most gobsmacking is the hypocrisy of the debate we have seen here in the chamber today. This morning, for more than two hours we debated issues around the cost of living. As we identified at the time, that is an important debate to have. The Liberal Party railed against both the Greens and the government for not caring. They patently verbedled the things we said and were drawing their own conclusions. I guess they are entitled to do that. But it seems the Liberal Party are happy to ignore helping those facing the economic hardship caused by problem gambling.

This is a real measure that can make a real difference today. Mr Smyth prefers the head-in-the sand approach. "Let's wait till manana, some time in the distance." He is running a line that we do not have enough evidence. He should go back and read Ms Hunter's introductory speech. I hope he listened to some of the evidence I just provided. There is plenty of evidence.

When it comes to the cost of living issue, it is important to go back to some of the figures that Ms Hunter spoke about in her introductory speech. She said:

Problem gamblers account for between 22 and 60 per cent of gaming machine revenue, the average being around 42 per cent. There is no evidence to suggest that the ACT is significantly different from the average. It is therefore reasonable to assume that approximately \$41 million of gaming machine revenue last year came from problem gamblers, or about \$6,830 each.

If we want to talk about the cost of living, let us talk about that one which people are losing into the gaming machines and which impacts on their families. Yes, the price of electricity has increased. Yes, various other costs have increased. But \$6,000 to \$7,000 a year is a real impact on a household budget. Let us see some real action from the Liberal Party in helping to tackle the financial hardship that 6,000 people here in the ACT are projected to be facing.

That is real action. That is making a difference when it comes to tackling financial hardship and the struggle that real people in the real suburbs face. For all the rhetoric

that the Liberal Party gave us this morning, when it comes to doing something concrete, here is an answer. This morning we saw a lot of complaining. We did not hear a single initiative that was going to make a difference. We did not hear a single idea, a single solution. Today we have the same thing going. We have Mr Smyth giving us all sorts of requirements for needing evidence and a comprehensive approach. I did not hear a single concrete contribution to this conversation from Mr Smyth. That reflects extremely poorly on the Liberal Party. It is disappointing, and I think many members in this community who are concerned about this issue will find it extremely disappointing.

I also want to pick up on what could almost be described as selective analysis that Mr Smyth touched on. One example would be the community contribution increase that Mr Barr has spoken about today. We do not quite have the details of that yet; that is something we will have to wait for from Mr Barr in time. But Mr Smyth railed against the suggestion it would be a one per cent increase. That will take it from seven per cent to eight per cent. That is a debate we are going to have to have somewhere down the line about whether that is viable for the clubs. What Mr Smyth, of course, failed to include in his observations—I am sure he well knows this—is that the average contribution across the club sector in the ACT is 12 to 13 per cent. In some ways, many clubs are already giving well beyond the eight per cent, and I acknowledge them for that. There is a difference in the clubs across the ACT. As Ms Hunter identified in her original speech, it is of concern that only 28 of the 61 clubs and none of the 12 pubs or taverns make a contribution to problem gambling.

It is important to acknowledge that some are going beyond their legislative requirements and making an effort in the community. But at the same time—this is where Ms Hunter's bill is a very practical step—there is a bunch of people who are not making contributions where they should. That is what we need to focus on. Instead of wafting around vague numbers and not giving the full story, we need to focus on the hard facts and the concrete proposals that are designed to make a difference to the people on the ground who have a problem, who need assistance and who are impacting on a much broader segment of the community once we take into account the impact on the families.

Let us get on the front foot and tackle this significant social problem that we as a community face. Let us take responsibility to help out those people who have found themselves in a situation which most of them would regret and who would welcome increased assistance to tackle the serious issue of problem gambling. I commend Ms Hunter for bringing this bill before the Assembly, and I look forward to it making a difference to the lives of many Canberrans.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (3.51), in reply: I thank members for their contributions to this important debate. I outlined in my tabling speech in September that the current arrangements to address the 40 per cent increase in demand for help associated with problem gambling was inadequate. Based on the figures from Lifeline, we have around 6,000 problem gamblers in the ACT and research shows that for every problem gambler another seven people, usually family members or friends, are affected by this addiction to gambling. So we are talking about possibly 42,000 Canberrans affected by problem gambling.

Frankly, despite the efforts of those trying their best to address this issue, we are not doing enough. There is no shortage of evidence in the Productivity Commission's inquiry into gambling released in February this year that problem gambling is a significant social cost in our society. Their estimate is that this cost across Australia amounts to at least \$44.7 billion a year.

In the ACT, in the last financial year \$407,516 was allocated by the clubs to address problem gambling, and I acknowledge those clubs that did contribute to Clubcare. The fact of the matter is that it is not sufficient to address the problem and it is simply not appropriate for an organisation to be charged with reducing something it is also benefiting from. It does not matter who it is, whether it is a poker machine licensee or a community group or any regulatory body. As a community, we do not accept persons with an interest in the outcome making a decision that affects them in these particular circumstances.

Mr Smyth has said that nobody out there in the clubs in any way supports this going forward. In the *Canberra Times* yesterday Mr House said, "We don't have an in-principle objection to providing further funding to address problem gambling." Obviously, there are some differences on particular points and we will be having further discussions around that. I repeat: Mr House said, "We don't have an in-principle objection to providing further funding." Maybe Mr Smyth would like to go back and read that newspaper article.

That is exactly what this bill is about—seeking additional funding at the source of the problem. Compared to the Australian average, gambling expenditure in the ACT is predominantly on gaming machines. Gaming machines are in clubs, pubs and taverns, and Australian gaming statistics show that gaming machine expenditure represents 83 per cent of the ACT gaming expenditure. The Australian average is 68 per cent.

Figures I have quoted when tabling this bill show that problem gamblers account for around 42 per cent of gaming machine revenue, as just mentioned by Mr Rattenbury—that is, \$41 million of ACT gaming machine revenue came from problem gamblers, people who are addicted to gambling who do not make a rational choice about whether or not to put their money in the slot. It is hardly unreasonable that approximately \$1.2 million goes to providing interventions, supports and services to problem gamblers and those people who are impacted.

Our present rate of providing problem gambling support out of the \$407,000 allocated under the Clubcare arrangement last year is \$67.92 per head to assist over 6,000 gamblers. These are the problem gamblers who contribute \$41 million of ACT gaming revenue. So \$67.92, just under \$70 per head, was available to help them and their families overcome this problem, and yet they put in \$41 million. I think we all accept that this money does not go far in addressing the types of problems these people are suffering and that much more needs to be done.

A considerable amount of research has been undertaken in relation to problem gambling and more research has been published since I tabled this bill. The findings from this research, like the other research undertaken in recent years, are not good.

Mr Smyth said that we need more evidence before we can move forward; we need to have more studies; there is this latest ANU study. My view is that we do have a lot of research and information out there. I would be surprised if this latest research was vastly different from what we have seen from the Productivity Commission's research. Earlier this month Gambling Research Australia, the national body established by the Ministerial Council on Gambling, released the *Children at risk of developing problem gambling* research report.

This is the first report to examine the risks and factors involved in transmission of problem gambling within a family. It is a very comprehensive 228-page report which found that family attitudes and behaviours have a significant impact on the risk that a child will develop future problems with gambling. It found that people with a family history of problem gambling were between 2.3 and 9.6 times more likely to display problem gambling behaviour than those that did not have that exposure. The study also found that people who had parents with gambling problems were between 6.7 and 13.5 times more likely to display problem gambling behaviour. The overall conclusion reached from those undertaking this research was that the magnitude of risk associated with a family member gambling for the development of child gambling problems is substantial enough to warrant clinical and policy responses.

I just reflect on Mr Rattenbury's comments on ACTCOSS's submission around the profile of problem gamblers here in the ACT and the higher percentage of young gamblers that we have here—young problem gamblers. Having worked in the youth sector over many years I know that that was on the rise when I was heading up the Youth Coalition of the ACT and was starting to cause considerable concern among organisations and youth workers.

This is new research, along with that carried out by the Productivity Commission through its 1999 and 2010 reviews. The information supplied to these reviews by Lifeline Canberra and the ACT Council of Social Services cannot be ignored and does require us in this Assembly to deliver policy responses. To deliver just under \$70 per year to our problem gamblers and their families is certainly not the answer.

There is more, and this is perhaps more of a concern than some of the other research that has been carried out. In February 2008, the problem gambling research and treatment centre, which is a joint initiative of the University of Melbourne, Monash University and the Victorian government, released a report for the beyondblue foundation on the risk and protective factors, depression and co-morbidities in problem gambling.

The report found that 35.7 per cent of problem gamblers have a severe mental disorder; the rate of likely hazardous alcohol use as measured in the problem gambler groups was 50 per cent; the rate of being categorised as being at risk of depression in the problem gambler group was 71.4 per cent; and the rate of being categorised as a daily smoker in the problem gambler group was 57.1 per cent. The conclusion reached in this report was that problem gamblers have a high rate of significant psychological and behavioural problems. It was evident that problem gamblers need treatment for not only their gambling but also a range of other problems.

We have mentioned already the broader implications of problem gambling on family and friends, but these findings show just how big the task is for those organisations that provide support for problem gamblers and their families in the ACT. They need the proper resources to tackle these issues. The role of the Gambling and Racing Commissioner in administering the proposed new arrangements is vital. It ensures more transparency in the system than is there presently. It fits neatly into the commissioner's existing functions under the Gambling and Racing Control Act 1999 at section 17, which include the need to monitor the social and economic effects of gambling and problem gambling in the ACT, including the need for counselling and other services.

We are all aware that there are wide ranging changes to gaming machines and gaming machine venues being considered here in the ACT and also at the federal level. A number of these changes were recommended in the Productivity Commission's recent report and have been the subject of negotiations around the formation of the current federal government. These are significant changes and we look forward to seeing what is finally put into legislation and if the changes can further assist in addressing problem gambling.

On the question of whether or not the government should provide these services, which is something that has been raised by Mr Smyth, rather than a direct fund, firstly it must be remembered that licence holders in the ACT pay amongst the lowest rates of taxation in the country. So, yes, we could increase the government tax on poker machines and then appropriate that money out again each year for this to occur. But surely, Mr Smyth, it makes more sense to have a simple mechanism that entrusts an existing statutory authority with the role of administering a dedicated fund.

I guess what we have here is a number of changes happening at the federal level. What we want to do here in the ACT is push forward to have legislation that is going to ensure a secure funding stream for some vital services that need to be provided to a vulnerable group in our community. We need to do it in a way that is transparent and accountable, and that is at the heart of what I am putting forward in this legislation.

I have been concerned that we do not delay, but in discussions with Minister Barr and from his speech this morning there is a further need to talk about some of the details. Therefore, after we have had the in-principle speeches today we will adjourn this debate until December. It is quite clear to me that there is support. I am very disappointed that we have no support from the Canberra Liberals. I do not think that they understand the extent and the nature of this particular issue.

I urge Mr Smyth and his colleagues to go away and look at the mountain of research that is available to fully understand what is at the heart of this legislation and what we are trying to do, which is to support those who find themselves addicted to gambling. Of course, it has a terrible impact on their families—families who find that they do not have money for groceries and have to go to the local charity, families who find that their phone and electricity have been cut off because the bills have not been paid.

It is a very serious issue that we feel can be addressed more appropriately with this legislation. As I have said, there will be further discussions between now and

December, but I am quite positive that those discussions will go well. I know that we will have something in place before the end of the year. Certainly, there will be something passed in the December session.

I thank and acknowledge Mr Barr for the input on this debate. I encourage and urge the Canberra Liberals to go away and look at the research. I urge them to have another look at the legislation and consider changing their position on such an important matter as problem gambling and the impact it has on so many Canberra families.

Question put:

That the bill be agreed to in principle.

The Assembly voted—

Ayes 11

Noes 6

Mr Barr	Ms Hunter	Mr Coe	Mr Seselja
Ms Bresnan	Ms Le Couteur	Mr Doszpot	Mr Smyth
Ms Burch	Ms Porter	Mrs Dunne	
Mr Corbell	Mr Rattenbury	Mr Hanson	
Ms Gallagher	Mr Stanhope		
Mr Hargreaves			

Question so resolved in the affirmative.

Detail stage

Clause 1.

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

Planning—territory plan

MR SESELJA (Molonglo—Leader of the Opposition) (4:09): I move:

That this Assembly:

(1) notes that:

- (a) the government released the proposed Technical Amendment (2010 31) to the Territory Plan in October 2010;
- (b) the amendment will significantly change the density of the Gungahlin suburbs of Casey and Crace by:
 - (i) increasing the number of dwellings in Casey from 1940 to 2600;
 - (ii) increasing the number of dwellings in Crace from 1200 to 1800;
- (c) this increase in dwellings will come at the cost of important open space, including ovals;

- (d) many people have already purchased homes in these suburbs on the understanding that Casey and Crace will have only 1940 and 1200 dwellings respectively;
 - (e) consultation on this Technical Amendment is “limited”; and
 - (f) this Technical Amendment represents a significant change to the dynamic of the suburbs of Casey and Crace and that the public, particularly those already residing in and around Casey and Crace, deserve more of an opportunity to consider the proposed changes;
- (2) expresses concern that the scope of this amendment goes beyond what Technical Amendments are intended to apply to; and
 - (3) calls on the government to provide to the Assembly by close of business on Thursday, 18 November 2010 a detailed justification for classifying these amendments as Technical Amendments including any legal advice received and any advice provided by the ACT Planning and Land Authority.

This motion is not just about the developments in Crace and Casey. This motion is an important step in determining what is and what is not a technical amendment to the territory plan. It is about open and accountable development. It is about giving the community a say in what sorts of communities we develop. It is fundamental to the way we build our city.

My motion is in three parts: an honest outline of what is happening and the decision processes involved, an expression of concern about the implications of what has happened and the processes involved and a call for action from this government to make the process better, to make sure that whatever shape these new suburbs take, it is decided in an open fashion.

The government released the proposed technical amendment 2010-31 to the territory plan in October 2010. This went under the radar for a short time before stakeholders realised just what it meant. The amendment will significantly change the density of the Gungahlin suburbs of Casey and Crace by increasing the number of dwellings in Casey from 1,940 to 2,600 and increasing the number of dwellings in Crace from 1,200 to 1,800. This increase in dwellings will come at the cost of important open space, including ovals.

Many people have already purchased homes in these suburbs on the understanding that Casey and Crace will have only 1,940 and 1,200 dwellings respectively and that there will be substantial formal open spaces in those suburbs. Consultation on this technical amendment was limited. This technical amendment represents a significant change to the dynamic of the suburbs of Casey and Crace and the public, particularly those already residing in and around Casey and Crace, deserve more of an opportunity to consider the proposed changes.

The important question before this Assembly is not just the validity of the changes to these plans but the process undertaken to cause it to happen. The Planning and

Development Act makes a clear distinction between variations to the territory plan other than technical amendments and pure technical amendments. The former, as variations to the territory plan, are treated in a completely different way to a pure technical variation.

Under part 5.3, a stringent and comprehensive process is outlined that must be followed before variations can and should be approved. It includes how the process starts, consultation requirements, ministerial requirements, public consultation notification requirements, effect of draft plan notifications, requirements for availability of draft plan variations, public inspections and comments, revision and withdrawal of plans, the documents that must be given to the minister and public notification that documents have been given to the minister.

There are a whole raft of sections about the involvement of the Assembly in variations: the minister may refer to a committee, committee reports, the minister's powers in the process, variations have to be presented to the Assembly, the power that the Assembly may reject plan variations completely or partly, consequences of rejection and commencement and publication provisions.

Of course, we compare this to the truncated process for technical amendments. As well as a definitions section, it only provides for limited consultation and the physical process for making the variation. That is it. Limited consultation is defined:

- (1) The planning and land authority undertakes limited consultation for a proposed technical amendment if the authority complies with this section in relation to the amendment.
- (2) The planning and land authority must publish a notice in a daily newspaper that—
 - (a) describes the proposed technical amendment; and
 - (b) states where a copy of the proposed plan variation and information about the amendment is available for inspection; and
 - (c) states how and when representations may be made on the amendment.
- (3) The period stated under subsection (2)(c) for making representations must be at least 15 working days.
- (4) The planning and land authority must tell the national capital authority about the proposed technical amendment.
- (5) The planning and land authority must consider—
 - (a) any representation made in accordance with the notice under subsection (2) and
 - (b) any views of the national capital authority.

These are radically different provisions between plan variations and technical amendments. In the first, there is a comprehensive process for inclusion, notification and obligation between the planner and the community through the Assembly. In the second, there is a minor process for what should be minor alterations. The question at the heart of this motion is whether the changes detailed in variation 2010-31 are actually technical or in fact substantive changes to the plan and should go through the normal and formal process of inclusion, notification and Assembly involvement.

In order to determine which of these is in fact the case, it is important to, I think, first take a plain reading of the words. Do these changes, to a reasonable person, seem technical or seem substantive? Technical at a commonsense level means minor, insignificant, of a detailed rather than fundamental nature. Typos, corrections, amendments would all reasonably be seen as technical. I submit the changes in this variation are far beyond that commonsense interpretation.

I refer to the Crace concept plan from ACTPLA of December 2008, figure 4. It clearly shows playing fields, open spaces and a mix of standard, medium and higher density urban areas. The concept plan indicates the block size mix as follows: 251 to 350 square metres, seven per cent; 351 to 450 square metres, four per cent; 451 to 650 square metres, 68 per cent; 650 square metres plus, eight per cent; multi-units, 13 per cent. That is no longer the case. The Casey concept plan prides itself on achieving this mix of dwellings: terraces, 37 per cent; individual small blocks, 19 per cent; medium blocks, 28 per cent; large blocks, 16 per cent. There is once again provision for playing fields. That is no longer the case.

Compare that to the technical amendments' proposed variation: in Crace, increase maximum dwelling number from 1,200 to 1,800, that is, an additional 600 dwellings; delete the section on housing policies; amend open space provisions to remove requirements for a neighbourhood playing field. In Casey, it is: increase maximum dwelling number from 1,940 to 2,600, that is, an additional 660 dwellings; amend commercial centre provisions reflecting the government supermarket policy; amend open space provisions to remove requirements for a stand-alone playing field. On any commonsense reading, these are more than technical changes. These are fundamental alterations to the look, feel, amenity and services of these suburbs.

As well as the plain-reading, commonsense assessment, there is a legal analysis of the provisions of the act and whether these changes should properly be considered to be technical. These exist in part 5.4 of the Planning and Development Act. First, it seems unfortunate that the arbiter of what is and is not technical seems to be ACTPLA themselves. Section 89 stipulates that the section applies:

... if the planning and land authority ... that a plan variation would, if made, be a technical amendment.

However, as that seems to be the case, the act can be consulted to determine whether their own tests for what constitutes a technical variation are met. These are in section 87 that provides for a number of instances that should be considered technical variations. They are: error variation, section 87(a); code variation, section 87(b);

a variation in relation to a future urban area under section 95 or section 96; a variation to change the boundary of a zone or overlay under section 96A; a variation required to bring the territory plan into line with the national capital plan; and a variation to omit something that is obsolete or redundant in the territory plan.

The section relied upon in this instance is 87(b). That indicates:

a variation (a code variation) that—

- (i) would only change a code; and
- (ii) is consistent with the policy purpose and policy framework of the code; and
- (iii) is not an error variation;

The key expression is “the policy purpose and policy framework of the code”. As I have indicated, the concept plans for both these suburbs are substantially and substantively different in fundamental character and nature to the results as foreshadowed in variation 2010-31.

It is worth noting, for example, that the amendments will remove requirements for playing fields, substantially increase the numbers of dwellings but remove controls on the indicated mix of dwelling numbers and types. This affects the entire nature of the suburb, from open space amenity, to block size and dwelling mix, to traffic management and access. These technical amendments have just added 1,200 homes with no extra roads. And still the GDE is not finished. This appears to be more than a technical variation.

One of the more concerning aspects to come to light since this technical variation was exposed is the seeming lack of consistency or direction in planning from this government, with ministers passing the buck and playing dumb. We had the debacle of the Chief Minister appearing on radio without knowing the planning minister had refused to speak on the matter. Yesterday, we had the planning minister indicate that a technical variation such as this would come from another agency. We had the head of LAPS categorically denying that technical variation 2010-31 had its genesis in LAPS. It does beg the questions: where did this instruction come from, who is running planning, and why is it being done in secret?

I have already talked about streamlining this system. This sorry saga is a perfect example of the confusion and poor planning, poor processes and poor decisions that come from multiple ministers and the current agency mix all trying to push their agenda but, it seems, working at times at odds with each other.

What the act does not allow is: while it could be argued there is a general policy framework of generating more affordable housing and infill, that does not allow a government to fundamentally alter the territory plan without proper consultation and involvement of the Assembly as required under the act. It does not allow them to sneak through substantive changes masquerading as technical variations. If a change is to be made, it should be made properly, professionally and lawfully. Therefore,

I submit that these changes are more than technical variations and should go through the processes of part 5.3 of the act before proceeding.

However, this motion calls upon the government and gives the government an opportunity to get their act together and put their case forward. If indeed this is a technical variation and they can make that case based on the relevant sections of the act, it should be put forward and it should be put forward in detail.

I call on the government in the motion to provide to the Assembly by close of business on Thursday, 18 November a detailed justification for classifying these amendments technical amendments, including any legal advice received and any advice provided by ACTPLA. Only in this way can we be sure substantive changes have not been introduced under the guise of a technical amendment. From a commonsense level, on a legal level, at a planning level and a government level that does not appear to be the case. It is clear why a government planning to add 600 new homes in suburbs already being built would not want scrutiny.

The question for us as an Assembly is: is this reasonable? I commend this motion to the Assembly and I urge members to support this call on the government, for the good of the territory and the people of Gungahlin.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (4.20): There are several aspects of this motion that clearly need to be addressed this afternoon. The first is that the motion itself is predicated on an incorrect understanding of the legislation that underpins technical amendments. Technical amendments are a type of amendment to the territory plan. The Planning and Development Act describes the different circumstances where technical amendments can be used. Section 87 of the act describes the circumstances in which they can be made and in the interests of clarity for members I will detail those now.

A variation that (a) would not adversely affect anyone's rights if approved and (b) has as its only object the correction of a formal error in the plan is a technical amendment described as an error variation under section 87(a) of the act. A variation that (a) would only change a code and (b) is consistent with the policy purpose and policy framework of the code and (c) is not an error variation is a technical amendment described as a code variation under section 87(b) of the act.

A variation to rezone land in a future urban area, provided the rezoning would not be inconsistent with the structure plan for the area, is a technical amendment under sections 87(c) and 95 of the act. A variation made following approval of an estate development plan for land in a future urban area that (a) identifies the zones that will apply to the land, consistent with the estate development plan, and (b) incorporates any other element of the estate development plan that the estate development plan indicates should be ongoing is a technical amendment under sections 87(c) and 96 of the act.

A variation to change the boundary of a zone or overlay if the change is consistent with (a) the apparent intent of the original boundary line and (b) the objective for the

zone and where the boundary proposed to be changed is not aligned with the boundary of an existing leasehold is a technical amendment under sections 87(d) and 96A of the act.

A variation required to bring the territory plan into line with the national capital plan is a technical amendment under 87(e) of the act. A variation to omit something that is obsolete or redundant in the territory plan is a technical amendment under section 87(f) of the act. And, finally, a variation to clarify the language in the territory plan, if it does not change the substance of the plan, is a technical amendment under section 87(g) of the act.

Technical amendment 2010-31 is being processed mainly as a code variation under section 87(b) and also has elements that are language clarifications under section 87(g).

It is important to note that the ACT Planning and Land Authority, in its capacity as a statutory authority, initiates and develops a technical amendment. The government has no direct role in this. Therefore, the opening paragraph of this motion that the government released a proposed technical amendment is not strictly correct. It is ACTPLA that released the technical amendment and ACTPLA that decides whether or not it proceeds.

It is useful to run through the basis for having the technical amendment mechanism that was introduced in the Planning and Development Act and passed by this Assembly. As I have noted, one type of technical amendment is a code amendment. A code amendment enables planning codes to be updated when things change or further information becomes available. This may include changes to concept plans for new suburbs when further planning work has been done and impacts are better understood. This may, in some circumstances, mean that dwelling numbers could be refined.

However, any change to the code must be consistent with the policy purpose and policy framework of the code. The concept of technical amendments was brought in by this Assembly because such amendments allow minor changes, updates and clarifications to the territory plan to be made through a quick process rather than a full variation to the territory plan variation process which, as we know, can take 12 months or even longer.

Prior to the concept of technical amendments, the types of changes being considered for Crace and Casey would have been the subject of non-statutory guidelines that could be changed without recourse through an Assembly process. Let me reiterate that. Before the government reformed the planning system there was no notification of such changes.

Public consultation is required for three types of technical amendments—those that involve changes to planning codes, those that involve rezoning of future urban areas and those that involve language clarification. The minimum period required for public consultation is three weeks and the National Capital Authority must also be consulted. Other ACT government agencies are also often contacted if the changes are likely to be of interest or have implications for the agency.

All technical amendments are notified on ACTPLA's website and if it is a type that requires public consultation, comments are invited for a period of three weeks and the notification period is advertised in the *Canberra Times*. Technical amendments that require consultation generally occur quarterly. This quarterly time frame has enabled ACTPLA to respond to industry and professional group interest and their desire to make comment.

In light of this debate, we do need to ask the question: is there an alternative to the use of the technical amendment process? The alternative is to undertake a full variation to the territory plan. Technical amendments, including those which require consultation, can be completed in approximately three months. Full variations to the territory plan usually involve significant policy change and require more careful consideration and can take between 12 and 18 months. The ACT Planning and Land Authority, as the statutory decision maker, has clearly formed the view with respect to the matters that are the subject of this technical amendment that they can be considered under this provision. But, as in many areas of planning debate, others may choose to form a different opinion.

I think in this context and the context of the commentary around planning in the ACT it is significant that we have a planning authority that is prepared to make decisions rather than waver at the suggestion that someone might have an interest in a particular matter and therefore take a more cautious path on each and every occasion. I think such an approach leads to paralysis and inevitably accusations of delays and red tape in the process.

Another aspect of this motion that I want to touch on this afternoon is the fact that it relates directly to a case before ACAT. Therefore, I will not be tabling any legal advice or any other advice received by ACTPLA in relation to the use of the technical amendment process.

I also want to take this opportunity, in the context of technical amendment 2010-31, to address some of the confusion in the recent public debate about recreation space in Crace and Casey. The ACT government recognises the need for recreation space and places a high value on community access to recreation space and associated amenity. I will address the open space issue first.

The estate development plan for Crace stage 1 has approximately 19 hectares of open space. This includes open space areas adjacent to the Barton Highway, Gundaroo Drive and Nudurr Drive, neighbourhood parks, the community recreation irrigated park, or CRIP, and the linear town park. This equates to approximately 25 per cent of the suburb being open space.

Crace stage 2, which is at an earlier state of development, will include approximately 30 per cent open space. The proposed open space includes a hilltop area of about 6.5 hectares and areas that will be separate residential blocks from the Gungaharra nature reserve, the Barton Highway and Nudurr Drive.

By way of comparison, Crace will have significantly more open space than the adjacent suburb of Palmerston, which includes approximately seven per cent open

space. Crace compares well with Franklin—30 per cent open space; Amaroo—29 per cent open space; Holder—25 per cent open space; Hughes—21 per cent open space; Torrens—only six per cent open space; and Kambah—only 13 per cent open space.

In terms of the configuration of recreation facilities in the suburbs, the new CRIP in Crace will provide integrated informal sport and recreation green space for the community instead of the traditional local oval. It will offer considerably more sport and recreation opportunities than any other traditional neighbourhood park in Canberra.

I think there are a couple of important facts that need to be put on the table. The irrigated grass component of the CRIP in Crace will be as large as the Chisholm or Charnwood neighbourhood ovals. The CRIP will have wide, sweeping pathways wrapping around a landscaped pond that will be great for cyclists, joggers or parents with strollers. Crace will have one hectare of irrigated turf suitable for football, oztag, soccer and a range of other activities.

Hard court space will also be provided to support basketball, netball and futsal. Cricket practice nets, a tennis hit-up wall, a children's playground, barbecues, toilets, shade structures and lighting are also likely inclusions. Importantly, the new CRIP will use less potable water by utilising the non-potable pond water for irrigation on-site and through having the most drought tolerant varieties of couch grass.

I think it is important to put that on the record. I think that goes to substantially addressing the accusations that there will be no recreation facilities in this suburb. There will be enhanced recreation facilities, facilities greater than a mere neighbourhood oval. I think that in a mature debate we might be able to move beyond these sorts of wild accusations and look at the facts and what is being proposed.

I think it is a better model. It provides for more diverse sport and recreation activities and more diverse community activities to be incorporated—things like having shade structures, barbecues, children's playgrounds, netball, basketball, cricket, support for futsal—support for all of those sorts of activities—in addition to an irrigated grass space suitable for football that is of a similar size to the Chisholm or Charnwood neighbourhood ovals. I think most reasonable people would agree that is a significant advance on what has traditionally been supplied in terms of neighbourhood recreation facilities in Canberra suburbs.

I would like to commend the team in Sport and Recreation Services for the work they have done over a number of years in working with sport and recreation organisations to look at community needs at a suburban level and to come up with this new model. I think it would be a great pity if, in light of what appears to be an argy-bargy over technical amendments, what is a really good model for sport and recreation provision at a neighbourhood level is somehow dragged into this and its good name ruined in the context of a debate over whether this is or is not a technical amendment.

That would be my plea to the shadow minister for sport and the shadow treasurer—to give the CRIP model a decent look. I know you are probably not opposed in principle

to what is there, and I am happy to provide briefings on the detail of it if you have not had the chance already. But I do know we have discussed it in annual report hearings and estimates and you were certainly aware that the department was developing such a model. I think it is a good model for Canberra. I think it embraces diversity in sport and recreation and should be supported. Just in closing, I seek leave to move two amendments circulated in my name.

Leave granted.

MR BARR: I move the amendments circulated in my name:

(1) Omit paragraph (1)(b), substitute:

“(b) the Amendment will enable a significant change in density in the Gungahlin suburbs of Casey and Crace, subject to a development assessment process, by allowing ACTPLA to consider approving:

(i) 660 more dwellings in Casey; and

(ii) 600 more dwellings in Crace;”.

(2) Omit paragraphs (1)(c), (d) and (f).

MS LE COUTEUR (Molonglo) (4.34): I have no problems at all with some parts of this motion today because they are merely factual. However, I am concerned that this motion and the media campaign that has been run on this issue have over-inflated some of the concerns and spiced them up with incorrect statements rather than facts. Planning can be a complicated enough business as it is and I think it is unfortunate for the people of Canberra that the facts of this matter are being confused. I think this may be a classic case for the use of the term “never let the truth get in the way of a good story”.

Having said that, I understand where Mr Seselja is coming from on the issue of technical amendments. During my period here I have come across a number of technical amendments which people told me went beyond the scope of what should be allowed in a technical variation, as they contained policy changes. In fact I have even made submissions along those lines to ACTPLA on earlier technical amendments.

However, the more I looked into this issue and the legislation, I think it became clearer to me that a certain level of policy change is allowed within the technical amendments according to the Planning and Development Act. Mr Barr has spoken about this; so I will go through it in less detail again. The act clearly states what is allowed to be changed through technical amendments to the territory plan.

The area that seems to have caused most confusion over the past few years since the advent of this new legislation is code variations. I have often heard from various sources that technical amendments were meant to be policy neutral. However, what the act actually says is that a code variation should be consistent with the policy purpose and policy framework of the code. That is not quite the same as policy neutral.

What makes this even broader than people realise is that “code” includes concept plans, precinct plans, the ability to rezone or make changes to future urban areas as well as all the other codes which are more obvious in the territory plan. So it seems that the more major draft variations to the territory plan, which are often referred to the planning committee and more often discussed in the Assembly, are really confined to zoning changes, new structure plans and the introduction of entirely new codes.

Although I am aware there are concerns in the community that too many policy changes are made through technical variations—and I am inclined to agree—my reading of this legislation shows that it should be allowed. But of course, I could be wrong. Whether or not this is the right thing is another matter, and I will be talking about that later.

I will now go into some detail on this motion. I cannot disagree with (1)(a). The government clearly proposed a technical amendment. As Mr Barr pointed out, ACTPLA proposed a technical amendment. I would note that public comments were due by Monday of last week. So I hope Mr Seselja put his submission in on time.

In terms of (1)(b), I think the amendments and Mr Seselja’s motion are both factually correct. One refers to the numbers before and after, and the other refers to the amount it will change by. They are arithmetically the same. It is really of no matter which we agree to. But the point is that what is actually happening is an increase in dwelling numbers. In fact, the Greens in general, if it is well done, support the increase in density. We need to be aware of both housing affordability issues and sustainability issues. Increasing the density of newer suburbs potentially meets both of these criteria. We would rather see high density in such areas than watch more of our grasslands and woodlands turn into suburbs or see more fights and discontent in our urban suburban areas.

We all agree, all three parties in this place, theoretically that we need to increase our density as a city. We also know that this is difficult in the areas which are already built up. So my question would be: how else do the Liberals intend to increase density in our bush capital city if we do not do it in suburbs like this which are still in development stages?

However, I would also note as a matter of fact that neither Casey nor Crace will actually be high or even medium-density suburbs, even with the proposed changes. In an article in last week’s *Northside Chronicle* Mr Savery was quoted as saying that density is going to increase from the current rate of 10 to 12 dwellings per hectare to 15 to 17 dwellings per hectare. I am aware of this. In fact, I went out on Friday last week and saw areas in Dunlop and Franklin which have just been built with around 30 dwellings per hectare, as a comparison. So I think we should make it clear that the proposed changes are not, by Canberra’s standards, high density.

I cannot agree with (1)(c). Mr Barr has spoken about it. This is the statement about the increasing density coming at the cost of important open space. Mr Barr has spoken about this at some length. As far as my understanding of his confirmation is concerned, the increase in dwellings will come as a result of smaller block sizes and high-density buildings, not by building on urban open space.

I think it is very unfortunate there has been a lot of misinformation spread on this issue. From what I can see, the spaces which were once set aside in the concept plans as formal ovals will instead be used as landscaped urban open spaces, which will still allow for kids and others to run around but will not have the same water requirements. It will still allow kids and older people to play sport, if that is what they so desire. In fact, Mr Barr gave a quite exciting list of sports which might potentially be played in the open space that will still be there in Crace and Casey, even after this technical amendment.

As far as I can tell, there is going to be no reduction in the amount of open space available to the community. The main difference is that it will be a less thirsty landscape. And that has got to be a good thing. In fact, I would say, given that there is considerable open space in both of these suburbs, what is actually missing from the concept plans, probably due to the age of the plans, is community gardens. Given that there will be water control ponds in both suburbs, they would be great. You could add them at this stage, possibly with another technical amendment.

In regard to (1)(d), it is true that people have purchased houses in Casey and Crace and it is true that the dwelling numbers are in the concept plans. But I doubt that many residents or potential residents actually read these plans. When I looked at the land sales site—and I am going to quote from the Crace page—what it said in the headline that you had to click on to get in, like your software registration, was:

AT CRACE THINGS ARE CHANGING ALL THE TIME!

Because we've had so much interest in Crace, we've put everything in the fast lane! As a result, the pictures and plans you see on this site may change slightly (or in some cases quite a lot) as the project progresses.

Given that people have to click that when they first go into the Crace website, it is hard to see that anybody would have felt that there was any definitiveness really about anything with Crace. So it is hard to see that (1)(d) is really a reasonable concern.

In regard to (1)(e), yes, it is quite true. Consultation on technical amendments is limited. That is the nature of technical amendments.

In regard to (1)(f), I do not agree with the suggestion that the change made a significant change to the dynamic of these suburbs. I do not agree. I think, however, the recent publicity on Crace and Casey will have upset potential residents or residents. I have already had emails from people upset that they are losing open space, when this is simply not the case. If you read or heard the Liberal Party's comments on Crace and Casey, you would believe that these suburbs have been turned into high-density suburbs. That is not the case.

Regarding the proposal in (2)—and I have already explained that there is considerable confusion in the community about what the scope of a technical amendment is meant to apply to—I would suggest that you read part 5.4 of the Planning and Development Act if you are one of the confused people, as I was before preparing for this motion. While I disagree with the detail in this part of the motion, I do not disagree with its

concern. I have an amendment which, as Mr Barr mentioned, I will be seeking leave to move shortly.

In point (3) of Mr Seselja's motion, there are three parts—legal justification, legal advice and any advice from ACTPLA. In regard to the first part, as far as I can tell, the justification is in fact outlined in the three pages of the explanatory statement at the front end of the amendment. However, I am happy to support Mr Seselja's call for a more detailed explanatory statement as to why they are classified technical amendments, though.

The second part, legal advice, I do not think makes a lot of sense. I cannot see why we need legal advice on the changes in Crace and Casey. The only part of the variation which looks like it could have any legal issues would be the part that pertains to the Kingston height restrictions. My understanding is that an ACAT appeal decision a few months ago identified the need to clarify the height of buildings allowed at Kingston Foreshore. Given that this matter, as I understand it, is going in and out of ACAT, I am not sure that it is appropriate for us as an Assembly to ask for legal advice to be tabled which might relate to a current legal issue.

I do understand that the Kingston part of the variation is also contentious and that the ACT branch of the Institute of Architects has made a submission expressing concerns. Unfortunately I cannot tell whether this amendment does clarify anything. It is a very complicated set of rules and criteria. Hopefully, the architects, planners and lawyers can figure all that out. A more detailed explanatory statement will help on that.

As for asking for any advice from ACTPLA, I assume the whole technical amendment basically equals the advice from ACTPLA because I do not believe that the minister's office is driving these amendments. I do not think that they are writing them.

I have an amendment to move. However, my understanding is that because amendments have already been moved, I cannot do it at this stage. I just note that I will be rising again to speak shortly on my amendment.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (4.46): I am very happy to speak to the motion and to Mr Barr's amendment and to address the issues that have been raised by members in this debate.

Ms Le Couteur is quite right: the Liberal Party's outrage at this particular issue is completely confected and it does miss the point of the history of these two developments, the time that has elapsed, the nature of the technical amendment and the reasonableness of the approach that has been adopted in relation to both the increased or enhanced yield within Casey and Crace and indeed the issue around open space in each of those suburbs.

Ms Le Couteur has pointed out in her comments the information most particularly provided to residents that have bought into Crace, and I acknowledge that Crace is a

joint venture between the LDA and CIC, indeed with other partners—most particularly, I understand, CHC Affordable Housing, the Defence Housing Association and some private developers. I believe Ross Barrett and his company or consortium may be partners in the Crace development along with CIC. I do not know whether any member of the Liberal Party or those that have been out agitating, stirring this issue up, has spoken to anybody within CIC; perhaps Col Alexander, the principal of CIC.

Mr Seselja: Yes, I have. I spoke to Ross about it just last week.

MR STANHOPE: Did you?

Mr Seselja: Yes.

MR STANHOPE: I have too and I have spoken to Col Alexander at the CIC—

Mr Seselja: He had some interesting things to say about it.

Mr Smyth: So have I.

MR STANHOPE: about it as well and I would question on the basis of my conversations whether or not—

Mr Seselja: Maybe he is telling you something different.

MR STANHOPE: I am interested to hear then what Ross—

Mr Seselja: I do not know.

MR STANHOPE: I will be happy to apply this—

Mr Seselja: He approached me and he had fascinating things to say.

MADAM ASSISTANT SPEAKER (Mrs Dunne): Members, this is a debate, not a conversation, no matter how whimsical, between Mr Stanhope and Mr Seselja.

MR STANHOPE: I will be happy to send, and I will send, this transcript to CIC and to Ross Barrett—

Mr Seselja: Please do. I was very pleased with my discussions with Mr Barrett.

MR STANHOPE: and to Col Alexander. I look forward to doing it.

MADAM ASSISTANT SPEAKER: Mr Stanhope, do you think you could address the chair, please?

MR STANHOPE: I am.

MADAM ASSISTANT SPEAKER: No, you are not.

MR STANHOPE: I am addressing you, Madam Assistant Speaker. I am not looking at you, but I am addressing the chair.

MADAM ASSISTANT SPEAKER: I am sorry, if you have your back to me, Mr Stanhope, you are not addressing the chair.

MR STANHOPE: I do not have to look at you, Mrs Dunne—

MADAM ASSISTANT SPEAKER: No, but you do not turn your back to me either.

MR STANHOPE: to address this chamber or to address the chair. I will stand as I seek or wish to stand, Madam Assistant Speaker.

I have to say that I am interested to hear today that Mr Seselja and Mr Smyth have indicated that they have spoken with Col Alexander and with Ross Barrett.

Mr Seselja: I didn't say I had spoken to Col Alexander. I said I had spoken to Ross Barrett.

MR STANHOPE: Well, Mr Smyth did.

Mr Smyth: Yes, I did.

MR STANHOPE: Mr Smyth and Mr Seselja have just indicated that they have spoken with, consulted with, CIC through Col Alexander, the principal of that company in relation to this, and presumably representing the views of Col Alexander and Ross Barrett—and that is the issue that I will take the opportunity to check with them in relation to your attitude to—

Mr Smyth: You are so disingenuous.

MR STANHOPE: You are no longer accepting that? So are you saying that they did not agree with you? Is that what you are saying, Mr Smyth?

Mr Smyth: I did not say that at all. I have not said anything.

MR STANHOPE: Yes, you did. You just said that I was being disingenuous. So what is it that Mr Barrett and Mr Alexander said to you in relation to the outrageous beating up of this particular issue by the Liberal Party? Do they support your position in relation to open space in Crace? Do they support your position in relation to increased density in Crace? Did they talk to you about what it was that those young homebuyers and other homebuyers that are buying into Crace and equally into Casey are looking for in terms of product?

Did they indicate to you that the area of open space within Crace is of the order of 25 per cent of the development—far in excess of the standard that applies across most of the ACT? Did they indicate that to you and did they ask you why you were making the outrageous statements that you were making about a lack of open space, no

backyards and nowhere to play and that it was all being taken away? Did they indicate to you that you were not being honest? Did they indicate to you that you did not understand what you were talking about? Did they tell you that in Crace the degree of open space was of the order of 25 per cent to 30 per cent in Crace and 25 per cent in Casey? Did they indicate that to you? And what was their view about that in terms of the comments you made, most particularly you, Mr Smyth—

Mr Smyth: Oh!

MR STANHOPE: No, Mr Coe; I think Mr Coe made them—

MADAM ASSISTANT SPEAKER: Mr Stanhope, sit down please.

MR STANHOPE: in relation to Casey and Crace—

MADAM ASSISTANT SPEAKER: Mr Stanhope, when I ask you to sit down, I expect you to stop speaking as well. Mr Stanhope, the convention of this place is that you address the chair. You do not address Mr Smyth or anyone else. Members, if you interject you run the risk of having your words thrown back at you in a way that you do not like. Mr Stanhope, you have the floor.

MR STANHOPE: I do believe that Mr Barr actually gave some indication of the level of open space in just a random selection of suburbs around Canberra; that in Palmerston there is around seven per cent of open space as against the 25 to 30 per cent in Crace, as against the 25 per cent in Casey, that in Torrens there is six per cent, in Kambah there is 13 per cent, and in Casey and Crace there is 25 per cent and in excess of 25 per cent. And you have been running this amazing story—beating up, over-egging in relation to this particular issue.

At the heart of it, of course, is increased densification. It would be interesting for Mr Smyth and Mr Seselja to give us a run-down on what it is that Mr Barrett or Mr Alexander said to them in relation to what is the product that people that are going to places like Crace and Casey are looking for. Are they looking in every event for separate domestic residences, houses? Are they looking for apartments? Are they looking for developments just like Crace? What has the level of uptake been? How many representations have the Liberal Party received from existing residents in Crace and Casey in relation to these issues?

I have to say that I am the minister with responsibility for land supply and land development and I have not received a single representation from a single resident of Casey or Crace. You have this confected anger. But the relevant minister has not received a single representation from a single resident of Casey or Crace in relation to this confected nonsense, this confected concern, about a technical amendment. Not one representation has been received in my office.

How many have you received, totally? Table the representations you have received from Casey and Crace? Which of the Casey developers have you received representations from? Who is it that has got Casey, by the way? Just remind me? Who did Casey 1, 2 and 3?

The circumstances, the situation—

MADAM ASSISTANT SPEAKER: Mr Stanhope, I draw your attention to *House of Representatives Practice* on page 480. I was going to wait until the end of your remarks. Can you stop the clock, please, Clerk? But I am not going to wait any longer. It says quite specifically on page 489 and on to page 490 that members will address the chair, that members will not address the house in the second person and that remarks must be addressed to the chair and it is not in order for a member to turn his or her back on the chair. I draw that to your attention and ask you not to refer to members of the opposition or anyone else or to ask them questions directly in the second person, and to direct your comments to the chair.

MR STANHOPE: Madam Chair, I accept your direction, of course, but you will of course call other members of the Assembly to order in relation to constant interjections. Have you heard any interjections at all during my presentation?

MADAM ASSISTANT SPEAKER: Mr Stanhope, are you questioning my—

MR STANHOPE: No, I am just asking for your protection from constant interjections.

MADAM ASSISTANT SPEAKER: If you do not just proceed with your remarks about the motion, I will sit you down.

MR STANHOPE: Goodness. I was attempting, despite all your interruptions, Madam Assistant Speaker.

What has happened in Casey and Crace is a reflection of change. Change occurs, and when change occurs we have to change the way in which we do things. The concept plan for Casey I think was developed in about 2004, six years ago. An awful lot has happened in Canberra in the last six years. In the context of the processes that are in place as we develop this city, a concept plan for Casey was developed. It was 2004, six years ago. I picture the water under the bridge in that time. Six years ago, our population I think was growing at 0.4 per cent. Our population is now growing at just under two per cent. There has been a massive shift in this town.

A concept plan laid out possibilities in relation to how an estate might develop at Casey and Crace as long ago as that. But think of what has happened in terms of population growth, demand for housing, the global financial crisis, the housing affordability policies that we have in place and the 20 per cent policy that we have developed since 2004 that now requires 20 per cent of house and land packages to be at an affordable level. All of those things have led to policy changes that have led us to rethink, quite appropriately, our estate developments for Casey and for Crace.

MR SMYTH (Brindabella) (4.57): It is an interesting debate and I think it comes down to three questions. The first question is: what is a technical variation and does what is happening here fit the descriptions that exist in the law? The second question is on the issue of who sought the variation. We now have so many different stories on

who asked for what that it is hard to understand. There has been no clarity from either side. When someone from the Labor ranks speaks, they might tell us the process about how these variations came about. The third question really is: why aren't there ovals in these suburbs?

At no time have I said there will be a reduction in the open space. Despite those opposite trying to present that as some sort of fact, it is just not true. What I have questioned from the start is the fact that we now have two suburbs that, when they are completed, will have something like 4,400 residences but neither will have a formal oval. If you think that is good planning then you are kidding yourselves. Long term, these places will not have formal playing fields. I note that Mr Barr said that they are likely to have certain things. That might include picnic areas, barbeque shade areas, a basketball area and things like that—likely to. But he did not address the issue. It is a shame.

The Chief Minister is leaving. I will give you leave to speak again, Chief Minister, if you want to tell us exactly who started this process.

Mr Stanhope: On a point of order, Madam Assistant Speaker, I wonder whether you might remind Mr Smyth of the directions that you sought to give me in relation to addressing the chair et cetera. You will be open-handed, will you?

MADAM ASSISTANT SPEAKER (Mrs Dunne): Sit down, Chief Minister. Mr Smyth has the floor.

MR SMYTH: I have had my gaze on the chair the whole time. I notice the Chief Minister has left. He has not answered any of the questions. We have had a typical spray. The man has returned from his holidays angrier than when he left.

Mr Seselja: How is that possible?

MR SMYTH: I am not sure how it is possible. But if nobody is running the planning and he has got to come back and clean up another fine mess that Mr Barr has got him into then I would be cranky too. And it is a fine mess that we are in. There is absolutely no clarity as to who runs planning in the ACT.

We had some annual report hearings earlier where Mr Dawes said that we had to ask ACTPLA about technical amendments. We had an answer today, I think, or maybe it was yesterday, where Mr Barr said, "Other agencies initiate these variations." So the question is, and we would be delighted to give Mr Barr leave to speak again, to detail—

Mr Barr: Didn't you listen to my speech? No, you didn't.

MR SMYTH: I did.

Mr Barr: I went through that.

MR SMYTH: I do not think you did. I do not think you actually said—

Mr Barr: Go and check the *Hansard*. I think you will find that I did.

MR SMYTH: We might check the *Hansard* then. We are getting different answers from different parts of the ministry and different answers from different parts of the bureaucracy.

The real question is: what is this all about? We have got a very angry Chief Minister who came back from holiday and who was caught out on ABC, not realising that his minister had ducked it. It has taken really until today to hear anything substantive about this from the minister responsible for planning.

So the first question really is: is it a technical variation? In regard to the increased number of dwellings that were allowed, I do not believe that it meets the definition of a technical variation. If anyone can go through any of section 87(a), (b), (c), (d), (e), (f) or (g) and explain which one it comes under or which one they claim it comes under and if there is some legal advice then they can table it to prove their assumption.

Mr Seselja: We would love to see that legal advice.

MR SMYTH: We would love to see that legal advice.

Mr Barr: I spent seven minutes of my speech going into exquisite detail.

MADAM DEPUTY SPEAKER: Mr Barr!

MR SMYTH: You were not very clear. That is all I can say.

Mr Barr: I was not clear enough? Right?

MR SMYTH: You were not very clear.

MADAM DEPUTY SPEAKER: Mr Smyth, will you not engage in discussion across the chamber.

MR SMYTH: You are right, Madam Deputy Speaker. I should not do it but he puts his head up—

Mr Seselja: Look at that respect for the chair.

MADAM DEPUTY SPEAKER: Mr Seselja!

MR SMYTH: We respect the chair, Madam Deputy Speaker. Yes, Mr Barr did go through it but I do not think that what he spoke about constitutes something of the size of this change.

Indeed, Ms Le Couteur made mention of the website that says, “Just be aware there might be changes.” I doubt that very few people logging onto that website would have expected their suburb to increase by 50 per cent or increase by 30 per cent, depending on which suburb you are in. That is the problem here.

I do not believe it was intended for this. Certainly when the debates were had, I do not believe anybody thought that was the intention either. I think it goes to the heart of the matter that the government has not been able to sustain land supply in this city and this was a quick way of doing it, a quick and dirty job. Just bung some more houses onto each of these blocks, nobody will notice and we will just move on. And that is the problem.

Ms Le Couteur said, “Never let the truth get in the way of the story.” She said, “We need to make sure that we can do these things.” To that we would simply say, “Plan properly from the start. If you get it right at the start you can avoid these issues.” That is the whole purpose. That is why we have a planning department.

But the question is: is the planning department in charge of this whole issue? That is the problem. Who is in charge? It is like that old Abbott and Costello gag, “Who’s on first?” The planning debacle that is this government is just like “who’s on first?” Nobody knows who’s on first because I think it changes from day to day. We are not sure. Nobody is sure.

The second point is: what happens to the ovals? It is worth reading this into the record. I note everything that Mr Barr said. They are good words. They are glib words in many cases: “We have got this. We have got open space. We might have this. We might have that.” What you will not have in two suburbs of 44,000 homes is a formal playing field. There is pressure—

Mr Barr: Yes, you will, and as big as the Charnwood and Chisholm ones. That is what I said. Again you did not listen.

MR SMYTH: How many ovals will there be?

Mr Barr: One in each, yes.

MR SMYTH: That is not what this variation says. You should read your variation then. You should read what it says. On page 5 of 24 of your variation, the third dot point says:

Amend open space provisions to remove requirements for a standalone playing field. Minor changes to open space provisions respond to advice from Sport and Recreation Services (within the Department of Territory and Municipal Services) that a landscaped open space be provided for local recreation use in Casey rather than a neighbourhood oval or playing field.

But now the minister is saying there is an oval. The variation says there is not an oval. The minister is saying there is an oval. Who knows? It just confirms the point. Who is in charge and does anybody in this government actually know what is happening? Read the variation.

Mr Barr: I outlined what will be—

MR SMYTH: No, you said “likely”. You used the word “likely”. The minister used the word “likely”. Indeed, for Crace, if you go to section G on page 5 of 24, the third dot point says,

Amend open space provisions to remove requirements for a neighbourhood playing field.

They are being removed. The minister can say all he wants. His variation says “remove”. It also says:

As with Casey, minor changes to open space provisions respond to advice from Sport and Recreation Services (Department of Territory and Municipal Services) that a landscaped open space be provided for local recreation use instead of a neighbourhood playing field.

The minister has just said there will be an oval in both of them. His own variation says there will not be. No wonder there is no confidence in this minister—

Mr Barr: Guess what, Brendan, I will make you this deal this afternoon. I will go and kick a footy with you in the new community recreation irrigated parks when they are finished.

MADAM DEPUTY SPEAKER: Mr Barr!

MR SMYTH: In the park?

Mr Barr: Yes.

MR SMYTH: I am happy to kick a footy in a park. Kicking a footy in a park is a fine thing. But will there be an oval?

Mr Barr: I will even have a barbecue. I cannot believe I am saying this, but I will even cook you a sausage.

MR SMYTH: This is the problem. Sorry, somebody is misleading the Assembly here. I hope you take note of this, Ms Le Couteur. You say, “Never let the truth get in the way of a good story.” But the story changes from speech to speech now. It changes from variation to variation. I will read it again. I do not think it can be any clearer. In regard to Crace, it says:

Amend open space provisions to remove the requirement for a neighbourhood playing field.

We are going to remove the requirement. I continue:

As with Casey, minor changes to open space provisions respond to advice from Sport and Recreation Services (Department of Territory and Municipal Services) that a landscaped open space be provided for local recreation use instead of a neighbourhood playing field.

I am not saying the space has changed. I have never said that. What I have said is that the ovals are going. Will it be a space informally to kick a football? Apparently so, and I have always understood that to be the case. Will fixtures for any sporting group be able to be played here?

Mr Barr: No, they are at district level. They are all at district level now.

MR SMYTH: There we go. We are building 4,400 new homes, two suburbs, no ovals.

Mr Barr: But there is no organised sport played at neighbourhood level. It is at district level now.

MR SMYTH: I appreciate there are ovals at the district playing level but in this case your policy is removing—

Mr Barr: Yes, and that is where organised sport takes place.

MR SMYTH: You have just confirmed that your policy is removing the oval from Crace and the oval from Casey. You have just confirmed that, that they will be gone.

Mr Barr: No. You read my speech.

MADAM DEPUTY SPEAKER: Mr Barr!

MR SMYTH: They will be gone. Now you have just confirmed it. You have interjected across the chamber and you have said that all the ovals, all the places where a club might have a sporting fixture, will now be at the district playing areas. They are not in Crace and they are not in Casey. And that is all I have said right from the start. I have said they are taking away the ovals.

Ms Le Couteur says, “Never let the facts get in the way of a good story.” Never let the facts get in the way of a good rebuttal, because that is what has happened here today. You should go and read it if you have not read it because that is what it says. The ovals are going. We are actually putting more people in these suburbs. *(Time expired.)*

MR SESELJA (Molonglo—Leader of the Opposition) (5:08): Briefly, there are a couple of things that have become clear during this debate. One is that this is what happens when you have a planning minister who is not in control. We are getting a different message from hour to hour, it seems, on the actuality of this situation.

Mr Smyth has again clarified what this technical amendment does. The minister, in his interjections, has been all over the place. But it would appear that he is now confirming that, as Mr Smyth has highlighted, there will not be a requirement for an oval. And if Mr Barr wants to get on the record that actually there will and he can point us to where there will be a requirement for an oval in these suburbs, we welcome it. But it appears that Mr Smyth is 100 per cent correct that the oval requirement is gone as a result of this technical amendment. And that is worth noting—the significant increase in density and the taking away of this formal playing field space.

The broader issue—and we saw it from the Chief Minister’s contribution—is that we are getting a feeling now not just from industry but from senior planners, from people in this system and from people within government that it is a shambles. They are

telling us it is an absolute shambles—the way that we have these three agencies at cross-purposes, these two ministers at cross-purposes—and no-one can tell us who is in control. If this debate about this issue has done anything, it has highlighted that fact in a stark manner.

From the moment Mr Smyth highlighted this, from the moment it was put into the public arena and public debate, we have seen nothing but confusion from this government. We have seen confusion as to who is speaking on it. We have seen confusion as to which agency or who actually initiated this amendment. Now we have seen, even from the planning minister, confusion as to what it actually means. He does not even seem to understand the basics of the technical amendment. He does not seem to get what it actually does.

In relation to his amendments, again, I would just make the comment that we have put forward what could only be described as a fairly straightforward motion. I would challenge anyone to claim that there is a raft of emotive or political language that any other party would struggle to agree with. The fact that the Greens will again be moving an amendment, without any consultation with the opposition, demonstrates just how badly they are in the pocket of this government. It just becomes so much more apparent on a day-to-day basis.

This is a motion that states a number of principles and calls for information. I do not know what could be less contentious than that, in terms of a motion we discuss on private members' day. I do not know what could be less contentious than that. I will just flag that we will not be supporting the Greens' amendment. We will not be supporting Mr Barr's amendments.

But what is increasingly apparent is that there is no-one in charge of planning in the ACT. It is a shambles. We have agencies and ministers at cross-purposes and we are now seeing one of the results of that during this technical amendment process.

Question put:

That **Mr Barr's** amendments be agreed to.

The Assembly voted—

Ayes 9

Noes 5

Mr Barr	Ms Le Couteur	Mr Coe
Ms Bresnan	Ms Porter	Mr Doszpot
Mr Corbell	Mr Rattenbury	Mrs Dunne
Mr Hargreaves	Mr Stanhope	Mr Hanson
Ms Hunter		Mr Seselja

Question so resolved in the affirmative.

MS LE COUTEUR (Molonglo) (5:18): Due to the fact that an amendment has already been moved, I seek leave to move amendments (2) and (3) of my revised amendments together.

Leave granted.

Omit paragraphs (2) and (3), substitute:

“(2) expresses concern that the scope of some technical amendments go beyond what the Assembly originally envisaged; and

(3) calls on the Government to:

(a) provide to Members, by close of business on Thursday, 25 November 2010, a more detailed explanatory statement for classifying the amendments in TA 2010-31 as technical amendments, and on how it determines which amendments are technical and which are not; and

(b) consider improving the legislation and processes around technical amendments, including:

(i) retaining technical amendments as notifiable instruments, while ensuring that these are actually technical and are policy neutral;

(ii) introducing a new level of variation to the Territory Plan, which allows for minor policy changes and is disallowable;

(iii) improving the public notification of the limited consultation, e.g. signage and notifying relevant community councils and groups;

(iv) a requirement for more detailed explanatory statements for proposed technical amendments;

(v) making any submissions to technical amendments publicly available on the ACTPLA website; and

(vi) reporting back to the Assembly by the last day of sitting in December 2010 with a response to these considerations.”.

The first amendment seeks to omit paragraph (2) and substitute it with the words “expresses concern that the scope of some technical amendments go beyond what the Assembly originally envisaged”. I propose to delete Mr Seselja’s paragraph, which is similar but not the same as this, because I am fairly certain that the technical amendment system is working as intended by ACTPLA. The confusion is more about what the community thought technical amendments meant and possibly the Assembly.

Mr Seselja was part of the previous Assembly which unanimously voted for the changed Planning and Development Act. Clearly, this is not what Mr Seselja, or Mr Smyth for that matter, thought they were voting for. The confusion is around what the Assembly envisaged, what the community envisaged. That is what my amendment is reflecting. As I have said before, I put in a submission on a technical amendment which basically said the same thing and expressed my concern that technical amendments were being used to put through policy changes.

Amendment (3) is quite detailed. The first part calls upon the government to provide to members, by close of business on 25 November, a more detailed explanatory statement for classifying the amendments in technical amendment 2010-31 as technical amendments, and on how it determines which amendments are technical or not.

Firstly, I have given ACTPLA an extra week to do this because I thought they probably would need it. As far as getting more information is concerned, if we want more information I think it would be useful to get it, given the huge level of confusion on this issue. I think it would be useful to find out from ACTPLA more about how they determine whether an amendment to the territory plan should be a full draft variation or a technical amendment. Unfortunately, there does not seem to be anything in between, but that I will come to in a moment. Paragraph (3)(b) reads:

consider improving the legislation and processes around technical amendments, including ...

What I am proposing today is that ACTPLA improve the process around technical amendments. I can understand that it is too unwieldy to have to go through an 18-month process for all changes to the territory plan. That is what happens with a full draft variation of the territory plan. There are two rounds of consultation, including one through the Assembly planning committee, which being a member of—as you are, Madam Deputy Speaker—I am aware takes a while.

Unfortunately, our current legislation only allows for full territory plan variations either with a full variation process or through a technical amendment process such as the one we are discussing today. What we have identified today, and from the information that we have received from a variety of community and industry groups, is that there is probably room for another type of amendment to the territory plan. That why I have inserted (i):

retaining technical amendments as notifiable instruments, while ensuring that these are actually technical and are policy neutral ...

and (ii):

introducing a new level of variation to the Territory Plan, which allows for minor policy changes and is disallowable ...

The full draft variation process should also be retained as is, and I have not heard any proposals for anything else. I can understand that there is a need to have a process for small, fast variations, especially for error variations and for minor non-policy change-type variations. I do not propose to change this; rather just to limit the type of changes that can be done in this fashion.

I have heard calls for this technical amendment process to be a disallowable one rather than a notifiable one so that the Assembly has the opportunity to veto proposals. However, if the timing of an amendment is bad, it could be a two-month wait for an amendment to be disallowed. What we want to do is correct the fact that if someone

thinks that a technical amendment actually contains a significant policy change at present the only way to debate it is through a judicial review. Of course, most people probably would not get standing in the courts to debate this, even if they had the resources to do it.

Possibly a solution for enhancing democracy but retaining the need for expediency in some instances would be to introduce a new level of variation to the territory plan which allows for technical policy changes but is through a disallowable process. I have put this proposal in my list of changes for ACTPLA to consider. I have also inserted (iii):

improving the public notification of the limited consultation, e.g. signage and notifying relevant community councils and groups ...

Mr Seselja has rightly identified that technical amendments are only subject to limited consultation rather than full notification. Given that they are normally smaller amendments, this makes sense. But, again, it could be worth while differentiating the process for amendments with policy changes and ones without. ACTPLA also often argue that there are no residents in the areas affected, but that is not always the case. Even if it is the case, that in itself is not a reason for a technical variation only.

The Assembly has recently considered a full territory plan amendment for the new suburb of Lawson. Lawson, of course, does not have residents at present and will not for some time. It would be quite disturbing if ACTPLA used the excuse of no residents to do major changes to that plan after the plan has just been approved by the Assembly. I think that there is some validity in asking that signs be erected in suburbs where changes are being proposed—in the case we are discussing today at the entrances to Casey and Crace. I think it is also worth while asking the broader community for feedback on proposals, including any relevant area-based groups or groups which use the area. I also have (iv):

a requirement for more detailed explanatory statements for proposed technical amendments ...

As far as I can see, there is no legal requirement for detailed explanatory statements on technical amendments, although ACTPLA can put something in at the front end of an amendment. So this would be a part of the Planning and Development Act, if acted upon. I have also got (v):

making any submissions to technical amendments publicly available on the ACTPLA website ...

It is a common part of most consultation processes nowadays that submissions are made publicly available. This is often done by publishing them on the relevant website. I think it is a useful thing to do. It lets other people see what other concerns there are. I would regard this as normal procedure. My last one is (vi):

reporting back to the Assembly by the last day of sitting in December 2010 with a response to these considerations ...

I think that technical amendments are an important issue with the territory plan and the Planning and Development Act. Clearly, there is a degree of community uncertainty about this. My proposed amendment goes towards making it a more certain process and a process which has a better balance of community involvement and industry certainty.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (5:27): The government will be pleased to support Ms Le Couteur's amendment. I acknowledge the issues that she has raised. I think there are some legitimate policy questions, particularly in relation to her suggestion to introduce a new level of variation to the territory plan which allows for minor policy changes and is disallowable. I think there is considerable merit in examining that further.

I note the time frames involved in reporting back to members and then to the Assembly and undertake to do that work within those time frames. I certainly acknowledge the constructive approach that has been taken to this issue by the Greens' planning spokesperson.

Question put:

That **Ms Le Couteur's** amendments be agreed to.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Ms Porter	Mrs Dunne
Mr Corbell	Mr Rattenbury	Mr Hanson
Mr Hargreaves	Mr Stanhope	Mr Seselja

Question so resolved in the affirmative.

Motion, as amended, agreed to.

Older persons assembly

MS BRESNAN (Brindabella) (5:32): I move:

That this Assembly:

- (1) acknowledges the significant contributions older people make to the Canberra community;
- (2) wants to hear and understand the key issues that affect their lives, and encourage them to participate in policy development;

- (3) notes:
- (a) that the population of aged people in Canberra is anticipated to increase in coming years; and
 - (b) the establishment of an Older Persons' Assembly in Scotland in 2009; and
- (4) supports the establishment of an Older Persons' Assembly to be convened for one day annually at the ACT Legislative Assembly that:
- (a) is coordinated by the ACT Government in consultation with the Speaker and peak ageing and seniors' organisations;
 - (b) is a cross-electorate forum that involves a public nomination process for attendees, and representatives of peak ageing and seniors' organisations in the selection of representatives;
 - (c) will have Ministers and other Members appear at debates and hearings where requested; and
 - (d) will have all motions and recommendations responded to by the ACT Government within three months.

The Greens have put forward this motion today as we know that in the ACT, across the country and across the world our population is ageing. We need to address as a community the types of services we are going to provide and the way we are going to engage older people. An older people's assembly for the ACT will provide an opportunity for older people to debate the issues that are important to them and affect their lives, for members and ministers to hear these issues and for government to respond to the older people's assembly's recommendations.

It is reported that the ACT has one of the fastest growing populations of people aged 60 years and over in Australia and it is estimated that this will grow from 15.8 per cent in 2010 to 22 per cent by 2030. This fact alone will have great social, political and economic significance for the ACT. In the context of an ageing population in the ACT, it is timely that we further investigate ways to meet their needs. It is vitally important that we also look at ways to improve social contact and mental stimulation for the health of older people. Older people have a lot to contribute to our community and it is our responsibility as political leaders to listen to what they have to say.

Before exploring the dynamics of an older people's assembly, I would like to read a statement that was made by Alex Fergusson, member of the Scottish parliament on the opening of their Older People's Assembly, as I believe it captures many of the challenges we face in Australia. He stated:

The challenge, I would suggest, is not that our population is ageing but that as a society we have perhaps not given enough thought to the positive aspects an ageing population can bring. Nor have we given enough thought to its particular needs or even considered how to capitalise on the skills and experience an older

society undoubtedly possesses. So I think it is absolutely critical that older people are empowered with a strong voice today in order to ensure that our services and policies of tomorrow are fit for purpose. Today's Older People's Assembly should serve as a very public statement that older people's views and their issues and ideas are important and valued in this, your Parliament.

In 2009 an Older People's Assembly was established in Scotland. The assembly was organised by the Older People's Assembly Steering Group to allow older people from across Scotland to debate key issues of concern to them. The steering group comprised a number of representatives from different peak bodies and organisations. The guiding principle of the day was to let older people listen to and participate in discussions. Another important principle of the forum was that older people had the opportunity to convey their concerns to ministers and MPs. I think this point is crucial when considering setting up an assembly here in the ACT and I would hope that all MLAs and ministers would be available at some point of the day to listen and respond to participants.

The Older People's Assembly in Scotland was divided into two parts: a morning session in the Scottish parliament's debating chamber and three afternoon break-out groups in the parliament's committee rooms. The morning session ended with a panel involving several ministers and commissioners who were able to answer questions from the floor. Each of the sessions of the day featured a debate on an issue of key relevance to older people and an expert panel. For instance, points raised in session 2 regarding the future of caring for older people addressed concerns about the care assessment process. Outcomes from session 3, speaking up or being spoken for, included points about the difficulty to get local authorities to acknowledge a problem; families and patients not being properly consulted and involved at a personal level; and how individual older people can make a difference to standards of care homes. These sessions included anecdotes from participants who were able to share their personal stories to the floor. Stories and the points raised in each session were also included in the report.

At the end of these sessions, expert panels discussed key things. For instance, panel 1 explored how to support and improve the health of older people and included examination of a range of issues including how to support unpaid carers, the needs of an ageing population and the health implications of an ageing population. Panel 2 discussed how lifelong learning offers benefits to both society as a whole and older people, as well as exploring the importance of enabling older people to pass on their skills and experience to younger generations. Experts from the panels were able to answer questions for participants.

As I have just mentioned, the key themes explored in the Scottish Older People's Assembly included health, lifelong learning, age discrimination in employment, and speaking up or being spoken for. A comprehensive report was compiled listing a number of recommendations and key points of the day and I would encourage members to look at the report and the recommendations it produced.

By exploring some possible themes that could be debated in an ACT older people's assembly, I believe it is important that we understand some of the context and more negative perceptions that older people face. In an article from the *State of the family*

report by Anglicare, author Alan Gruner explores how Australia's ageing future has been framed in the public discourse. He states:

We are going grey as a nation but so often policy and media discussion deliver a hand-wringing, negative message about ageing. The growth in our aged population is regarded as a problem for society; a burden on future workforces and on our publicly funded health and housing services. Too often the discussion is reduced to facilities and numbers of beds rather than how people can live and age well.

This quote only touches on some of the more negative stereotypes or perceptions. There can often be a belief that an ageing population is a burden on society, and a focus on the financial burden older people present to society rather than the positives. It is important that we counter these views and opinions and give older people a voice to talk about their lives. By providing a voice to people who can be alienated, you can shift their disempowerment to empowerment. Providing an opportunity for people to voice their concerns counters isolation that too many older people already experience.

I have met with groups such as Tuggeranong 55 Plus Club, the Brindabella Women's Group and the Tuggeranong Men's Shed. It was highly evident from these groups the importance of providing meaningful opportunities for social and intellectual engagement. This can counter health and other issues such as depression. Keeping older people engaged in public discourse is a challenging task, especially for people who feel marginalised because of their age or frailty. There is also the ongoing challenge of age-based discrimination and prejudice that create further social isolation for people.

I would like to acknowledge in debating this motion today the positive contributions made by older people; for instance, the endless hours of volunteering from older people alone keeps many community organisations afloat, the fact that older people provide much needed experience and act as mentors for younger workers, childcare duties, unpaid carers and participation at local and community interest groups. In the ACT, as I have already noted, I have met with members of the Tuggeranong Men's Shed who give their time and knowledge to help young people at risk to learn trades such as carpentry. The Brindabella Women's Group is another group of older people who come together, share their skills and use these skills to contribute to community services.

As many commentators have already noted, older people cannot be classed as one homogenous group. It is vitally important that we look at and address people's individual needs and circumstances. Older people contribute immensely to our society and when speaking about this group we need to acknowledge that not everyone has the confidence or the skills to participate in public forums or write submissions. This is why we need to investigate new and creative ways of engaging people. Consultation can often be quite reactive about specific issues and this process will typically engage people who have a specific interest. An older people's assembly is about engaging in a much more positive and active consultation and involving people who may not normally become involved in public consultation processes.

The ACT Greens believe that older people need to be consulted and engaged in the formulation and implementation of policies that affect their wellbeing. Older people

have a right to social, economic and political participation and to their independence to whatever degree they feel able.

I acknowledge that the ACT government has released the positive ageing strategy 2010-14 that looks into addressing such themes as providing information about healthy living, retirement planning, community groups and clubs. However, to what degree these initiatives will be rolled out and when is unclear. Strategic indicators for government strategies need to be more refined in order to establish if and when services are delivering.

Some themes that could be explored in an older people's assembly include how we can better support creative and artistic programs for older people which also fit into the issues relating to ageing in place and preventative health. Other topics that could be explored include how to improve existing community aged care programs aimed at supporting older people in their homes, designing homes that enable people to safely age in place, ensuring that appropriate aged care services are provided for people from culturally and linguistically diverse backgrounds, and better transport options. Again, I would like to stress that the agenda needs to be developed by older people and not by politicians.

Across Australia there are a number of assemblies that provide a platform for policies to be formed. There are many highly active and representative groups in the ACT who should be involved in a steering group or another process for the older people's assembly. This would include peak groups such as the Council on the Ageing and National Seniors, plus other organisations such as Anglicare and Alzheimer's Australia. We also have the Ministerial Advisory Council on Ageing, which I imagine would play a role.

The changing age and the social profiles of Australia's population are widely acknowledged. Less evident in this public discussion are the changing expectations of that population. Crucial to this fact is that older Australians and their families need to be partners in the design and management of the types of services they receive. This is what positive ageing should be about, including providing opportunities for older people to engage in policies that affect their lives.

What I have highlighted today is why an older people's assembly would benefit the ACT. The logistics of setting up an older people's assembly in the ACT obviously need to be considered, including who or what organisations would be involved. A steering group could propose ways in which a report could be compiled, and the older people's assembly could consider if this should be an annual event.

I will conclude by restating that this is a positive opportunity for the ACT. The issues I have spoken about today affect us all, whether it be for the sheer fact that we are all ageing from the day we are born or that we have older loved ones that need our care and support. I would hope that this is a motion that receives support from all parties in the Assembly.

MR SESELJA (Molonglo—Leader of the Opposition) (5.43): I would like to thank Ms Bresnan for bringing forward this motion today. I think it is a very important

motion and I would like to make a few observations. We will be supporting the motion.

The contribution that older Canberrans make to our city and our community is significant. Many in the community have older relatives who provide assistance in a number of areas, particularly looking after children, for example. It is often older Canberrans who are the volunteers that are so important to some of our community organisations. In fact, I am sure, and we know, that without the support of older Canberrans our community would not function anywhere near as well as it does now.

While we laud the efforts of these people and the contribution they make to our community, many are continuing to struggle to make ends meet, despite the recent increases in the age pension. In fact, today's earlier motion in relation to the cost of living is particularly pertinent to older members of our community.

Earlier today we saw the Labor Party and Greens voting against recognising these cost of living pressures on Canberrans as a whole. There is no doubt that the increases we highlighted—a 100 per cent increase in water, a 70 per cent increase in electricity and a 75 per cent increase in rates—have a real and serious impact on older Canberrans, amongst others.

The government suggested that in fact they had little or no role to play in many of these cost pressures. I think that, in considering these cost of living issues, we should always have in mind vulnerable Canberrans. There is no doubt that whilst not all older Canberrans are vulnerable, many find themselves in financial difficulties and many need additional support.

I think it is worth touching on a number of the particular concerns for our seniors. One of the important things about this motion is that we will actually be able to hear directly from seniors in terms of some of the things that we as an Assembly could be doing better, and particularly that the government could be doing better, to serve the needs of our older Canberrans.

Health is a particularly important issue facing older Canberrans. The Council on the Ageing published a survey of 700 older Canberrans just prior to the last election. In the survey, it was revealed that about 100 had ceased their private health insurance and about half of those who did not have health insurance had previously had coverage in a fund but had to cease their membership because of rising living costs. A third of respondents said they were buying less food, buying cheaper food or changing their diets. Over 300 have reduced their use of heating, including by going to bed early to limit their electricity bills. This is, of course, before the introduction of many of the measures which will further push up electricity prices for all Canberrans.

Currently, the health system is struggling to cope. Older Canberrans have difficulty accessing our emergency departments. Older persons in Canberra experience a worse rate of access block than average, and this is getting worse. The health department's annual report states that the consequence of longer waiting times for older persons is a higher rate of complications; therefore access block in this area is of concern. The Health annual report further reveals that the older persons in-patient mental health

unit is unable to keep up with demand. This is significant, as 9.5 per cent of older people experience one or more mental or behavioural disorders and 24 per cent take medication for their mental wellbeing.

Also of concern is a lack of access to GPs, particularly as GPs move out of local clinics and into superclinics. It is difficult for a holistic approach to an older person's health care to be taken when they are not seeing the same GP each time. There is no doubt that one of the things we do hear a lot from senior Canberrans is about access to GPs. There is no doubt that the closure of some of our suburban GP clinics has a disproportionate impact on older Canberrans. They are often less mobile. It is not as easy for them to drive to a major centre in order to access a GP and access these larger clinics. Sometimes the waiting times in these larger clinics can be significant. Also, losing that personal connection particularly impacts on older Canberrans.

I think it is fair to say that, whilst there are some particular issues that affect senior Canberrans more than other Canberrans, there is no doubt that the range of government services that are provided are important to older people, as they are to younger families and to youth. You can look at issues around cost of living, which we discussed, and at issues around health. Perhaps education is not as high on the priority list in terms of service delivery for older Canberrans, although we know that many senior Canberrans do engage in further education. Many want to see it for their kids and their grandkids. So the concerns are often there, even if it is not directly impacting on them.

Public transport and transport options generally are even more important for senior Canberrans, although they are important right across the age ranges. So when we look at these issues, it is important to say that there will be some particular issues that will be more keenly felt by older Canberrans. There are many others that older Canberrans share in common with people from right across the age ranges.

What is really important, though, is that we recognise the contribution of older Canberrans, of our ageing population, and that we recognise both the challenges and the opportunities that exist with an ageing population. We can see that in so many ways. We know that the challenges are often in the areas of health, the challenges can be around housing and the challenges can be in terms of other support.

The opportunities, of course, are in the volunteering field. We often see people in their retirement, moving into their 60s and 70s, particularly those who are in very good health, being able to volunteer, being able often to put in many hours of unpaid work, many hours of volunteer work, sometimes in formal capacities, with charities, sporting organisations and other community groups. Often, and I think consistently, it is in informal capacities or in personal family relationships, where the grandparents are providing support to their children and their grandchildren, where they are providing support to their extended families.

We do recognise the significant contribution. We look forward to this process. We therefore support the motion. I look forward to seeing how this plays out.

What is also really important is that, whatever feedback does come through this process, we have a government that actually listens to it. We should not have a

government that is aloof to these concerns or that simply pays lip-service to these concerns. It is important that the concerns put forward in these forums are taken seriously by government and by all members of the Assembly so that we can better understand the needs of our ageing population and better understand what are some of the policy responses and some of the actions that we need to take as a community to better serve those who have served us for so many years of their lives.

MS BURCH (Brindabella) (5.51): I would also like to thank Ms Bresnan for bringing this motion on today, which seeks to give a greater voice to older Canberrans in informing government policy and strategic direction.

As Ms Bresnan will know, the ACT government has done a lot of work around this very objective, and we have made significant progress in recent years—most notably with the release in December 2009 of the ACT strategic plan for positive ageing 2010-14, *Towards an age-friendly city*, which will inform government policy to fulfil the goals outlined in that strategic plan.

From the outset, I will say that the ACT government supports the establishment of an older persons assembly. Last month, the ACT Ministerial Advisory Council on Ageing resolved to explore options for conducting an older persons assembly in the ACT, and agreed to discuss this concept further at its next meeting on 30 November.

In talking about giving our senior citizens a voice, it is necessary to first recognise the valuable role that the ACT Ministerial Advisory Council on Ageing plays in informing government. Through their regular meetings, they are a very useful resource for government, and I hope that Assembly members acknowledge and recognise the council's hard work in this respect.

The government also works closely in partnership with the seniors peak bodies, seniors organisations and a diverse range of individuals to address ageing issues, improve services and formulate effective ageing policies. These partnerships and dialogues have already informed a number of noteworthy policies and outcomes, and I would like to touch on a couple of them.

The Office for Ageing is involved in developing a range of innovative and diverse initiatives, programs and priorities that support positive or active ageing in our community. In June this year, Canberra was named a member of the World Health Organisation's global network of age-friendly cities, joining over 50 other cities, including New York, Manchester and Brussels, as one of the founding members of the newly formed global network of age-friendly cities. Canberra is the only Australian capital city included in this network, and our inclusion reinforces this government's commitment to taking active steps to support our older residents.

In October this year, the seniors information online was launched as part of a response to concerns from seniors that they could not find the information they wanted. The ACT seniors grants program continues to support programs that encourage social inclusion and participation of older people in our community.

In October, we announced 13 projects to be supported in 2010, including a program to connect school-children with seniors in residential aged-care homes. The Life's

Reflections photographic competition goes from strength to strength, with positive images of seniors displayed annually in the Canberra Centre.

The ACT government recently called for tenders to run the ACT Older Persons Abuse Prevention, Referral and Information Line, a new helpline which will provide information and referral for callers with concerns about elder abuse. The tender closed on 16 November, yesterday, and I am looking forward to making an announcement of the successful tender.

In the area of public housing, over 300 new older persons units will be built this year with the assistance of funding from the commonwealth government's nation building and jobs plan.

In support of ACT seniors clubs, a new Tuggeranong seniors club will be built in 2011, at a cost of \$1.5 million. This is an excellent asset for the Tuggeranong community.

In support of volunteering opportunities for seniors, Southside Community Services, with the assistance of a seniors grant, has recently launched the "shine a light" program that aims to link senior members of the community who want to volunteer their time and skills with community groups across Canberra.

The ACT strategic plan for positive ageing 2010-14, *Towards an age-friendly city*, identifies seven priority areas: information and communication; health and wellbeing; respect, valuing and safety; housing and accommodation; support services, transport and mobility; and work and retirement. These may well form the foundation for discussion points for the ACT older persons assembly. I commend the document as a basis for commentary for the assembly once it is convened.

Of course, this is a whole-of-government exercise, and I want to highlight some other agencies' work. ACT Health has been active in promoting its "how do you measure up?" campaign and "get healthy information and coaching service" to encourage people to stay physically active as they age.

The Chief Minister's Department worked with the Canberra Museum and Gallery to hold an exhibition earlier this year which celebrated the lifelong contribution of a selection of Canberra Gold Award recipients. Of course, "Time to talk—Canberra 2030" is an opportunity for older Canberrans to have their say.

TAMS continues to improve the accessibility of public transport, and its library services report that approximately 40 per cent of public library computer users are older Canberrans.

The Department of Land and Property Services has been working with Communities@Work on the "50 plus network", a project in Weston Creek to determine what services people aged 50 and over need to live comfortably in their own homes and what activities they would like to enhance their quality of life. LAPS also has developed universal design guidelines to facilitate the better design of housing to meet our changing needs for people so that they can age in place.

To conclude, I affirm this government's commitment to giving older Canberrans a greater voice. Ageing is something that affects us all, and it is essential that we treat our senior citizens with dignity, respect and compassion. However, additional work needs to be done on reducing social isolation amongst seniors and reducing ageism in the workforce.

This government supports this motion, and we are happy to work towards convening an ACT older persons assembly in 2011. Mr Speaker, I seek leave to move my amendments together.

Leave granted.

MS BURCH: I move:

(1) Omit paragraph (3)(a), substitute:

“(a) that the ACT has one of the fastest growing populations of people aged 60 years and over in Australia and that this is expected to grow from 15.8% in 2010 to 19.6% by 2020; and”.

(2) Omit paragraph (4), substitute:

“(4) supports the establishment of an Older Persons' Assembly to be convened for one day at the ACT Legislative Assembly that:

(a) is co-ordinated by the ACT Government in consultation with the Speaker and peak ageing and seniors' organisations;

(b) is a cross-electorate forum that involves a public nomination process for attendees and a selection process involving older people;

(c) encourages Ministers and other Members to appear at debates and hearings; and

(d) will have all motions and recommendations responded to by the ACT Government within three months.”.

The amendments are fairly straightforward, and I understand they are supported by Ms Bresnan. The first just tidies up the demographic information there in the first instance. There will be about four per cent growth over the coming decade. And whilst we support the older person's assembly, I think it is a bit pre-emptive to commit to an annual event before the first one takes place and we see how that works out. I certainly do encourage ministers and members to appear at the hearings and in the debates and to be active participants in this assembly.

With those amendments on the table, I want to thank Ms Bresnan for bringing forward this motion today and I look forward to being part of the first older person's assembly next year.

At 6 pm, in accordance with standing order 34, the debate was interrupted. The motion for the adjournment of the Assembly having been put and negatived, the debate was resumed.

Sitting suspended from 6 to 7.30 pm.

MS PORTER (Ginninderra) (7.30): I would like to make a brief contribution to this issue and speak a little about how I have been engaging with older members of our community. Obviously, older Canberrans, like all other people in our community, like to have a say on what is happening in their community. It is evident that they have a critical contribution to make, based on their experience. The government understands how important it is that we have a dialogue with different sections of our community, including older people.

There are several ways in which older people can participate in community decision making processes in a robust way. This government has taken a considered approach and has formulated a structure through which older Canberrans are engaging in the policy process. As the minister noted earlier, the government regularly speaks with the ACT Ministerial Advisory Council on Ageing. I join her in recognising their important work in speaking with seniors peak bodies, seniors organisations and a range of individuals and addressing issues of interest to older Canberrans.

The minister has outlined in detail other ways in which the government engages with older people. Of course, this is consistent with our engagement with various people in our community, including a number of bodies that represent the diverse groups of people that exist in Canberra. There are a number of different forums, such as the Youth Coalition of the ACT, the multicultural forum, the Council on the Ageing and ACTCOSS—to name just a few. All of these organisations engage with a range of people in our community, including older people—but not all, of course, when you talk about the Youth Coalition. When you talk about the Youth Coalition, many of these young people have older family members and they can represent their views, as older people represent the views of younger people.

The high level of engagement in this city and amongst its people is very evident. One only has to go to the recently launched and updated contact publication of the Citizens Advice Bureau to see how engaged people are in this community. It is one of the features of Canberra that people appreciate—that they have the opportunity to have their voice heard and have their government so accessible to them. Where else could you find your Chief Minister and your Deputy Chief Minister holding a regular talkback session on your local radio station?

As we know, older Canberrans also choose to engage, of their own volition, on separate or on other objective issues that are particularly relevant to their lives. We see this time and time again when groups coalesce around an issue. I saw this generic process unfold when retirement village residents worked together to form the ACT Retirement Village Residents Association, largely as a means of establishing a collective voice on issues of interest to retirement villages, not least of which is the exposure draft of the Retirement Villages Bill that I tabled in the Legislative Assembly earlier this year.

All other states and the Northern Territory have retirement village residents associations. The New South Wales residents association has attempted to represent

the ACT as well. With a growing number of retirement villages with diverse living arrangements, residents in the ACT decided to form their own association. I was privileged to be able to address the historic first meeting of the association at the Hellenic Club in Woden last Thursday. I completely support this endeavour and their desire to develop a collective voice.

This is a prime example of older Canberrans taking the decision to engage in the policy process. To this point, however, I have done everything in my power to engage older Canberrans on this issue. As part of my work to develop the exposure draft of the Retirement Villages Bill, I have sought to engage older Canberrans to ensure that the exposure draft bill is informed by their opinion, their wisdom and their experience.

Engaging with older Canberrans is similar to engaging with any other group. However, different approaches may be needed to reach different individuals within the group. Understanding this, I have utilised a range of methods to ensure that all those older Canberrans who want to have their say, can have their say. My consultation process on the exposure draft took me out of this building and into the community, making myself available at public forums to listen to the views and issues of older Canberrans.

I have visited the homes of older Canberrans to better understand their viewpoints and note their concerns. I have hosted them in my office on numerous occasions. I frequently have detailed and lengthy discussions with older Canberrans over the phone to better understand their viewpoints. Of course, this is the way members work in their day-to-day dealings with their constituents and in ensuring that we all listen and take account of the views of those we serve.

We, as a government, are determined to continue to engage with older Canberrans in the decision making process, as we indeed do with all Canberrans. I think the recent 2030 discussions are a good example of the way the government has provided, again, an opportunity for all Canberrans to have a say on what they envisage their city will be like in future. This discussion is important as, while we all belong to a certain age bracket and we may all belong to various interest groups, our community and members of it do not present a homogenous group—far from it. We revel in our diversity.

We are living longer and we are healthier. We are still in the paid workforce or we are studying or we are travelling. We continue to manage organisations or we are on the boards of those organisations or we are volunteers in a hands-on way. We are doing many things as older Canberrans. The stereotyping mentioned by Ms Bresnan is unfortunate, and to dismiss any part of our community by stereotyping is to discount the important role different people play in our community. I note that other groups suffer from this. For instance, we see young people being stereotyped. We see people with disabilities and people with mental illness suffering from the same experience. To do this is to dismiss their experience and to dismiss them as important members of our community who contribute much.

When Mr Seselja was talking about his various perceptions of what older people were like or what they might do, I was reminded of a radio interview that I had many years when I was working as a director in community work at the then Tuggeranong

community service. When I was asked by the interviewer to describe a day in the life of an older person, I said, “Well, I think the day in the life of an older person is probably as various as a day in the life of any Canberran or anyone that lives in Australia.” Maybe there are some needs that older persons have that might be different from those of a young person, but basically they all do various things on various days and I do not think you can group all older people together in one homogenous group and say we all have the same kind of lifestyle.

This older persons Assembly being discussed today is one that Canberrans may choose to engage with. However, it is certainly not the only way they will choose to engage. Let us never imagine that older people are a distinct group and that their opinions and aspirations are any different to any other cross-section of Canberra—Canberrans and the people we serve in this Assembly.

I thank Ms Bresnan for bringing this motion forward. I think it is important that we engage with older people in this way, but I would encourage older people in Canberra to become as engaged as they can with all aspects of our life here in Canberra.

MS BRESNAN (Brindabella) (7.39): I will speak briefly to Ms Burch’s amendments. I thank all members for their contributions tonight. It is good that we have got all parties supporting this motion because I think it is an important way in which we can engage with older people and have a debate about the issues that impact on their lives. We will be supporting Ms Burch’s amendments. I think the first point, point (a), actually improves on the motion because it provides the detail. This was actually a factor referred to in my speech, so I think it is useful to have that there.

In terms of the other points, we originally had “annually”, but I take Ms Burch’s point that it is important to look at how it works. I also think it is important for the older persons assembly itself to decide whether or not it wants to have this as an annual event or if it is something it wants to have every two years.

I make the point around point (c) that we would probably prefer it that ministers and members would attend rather than be encouraged to attend. But, as both Ms Burch and I have said, I would strongly encourage all members and ministers to attend, because this is an opportunity to hear people debate important issues that are going, at some point in their life, to impact on them as well because, as I said, we are all ageing. I thank members again for their contributions and I look forward to being at the first older persons Assembly.

Amendments agreed to

Motion, as amended, agreed to.

Planning—Weston Group Centre

MR HANSON (Molonglo) (7:41): I move:

That this Assembly:

(1) notes:

- (a) the current pressure on the infrastructure at the Weston Group Centre (Coleman Court Precinct), specifically the demand on general car parking, parking for people with disabilities, public transport and community infrastructure;
 - (b) the release of land for residential development in the adjacent Molonglo Valley;
 - (c) the additional 10 000 residents that these land releases will bring to the area by 2019; and
 - (d) the need for appropriate planning for this area to take account of the increased population and the increased demand that this will place on:
 - (i) existing infrastructure;
 - (ii) community and recreational facilities;
 - (iii) local businesses;
 - (iv) public transport; and
 - (v) parking; and
- (2) calls on the ACT Government to:
- (a) commission a master plan of the Weston Group Centre and surrounding environment, including the area bordered by Namatjira Drive, Hindmarsh Drive and Streeton Drive, and incorporating Dillon Close;
 - (b) take into account relevant economic, environment and social objectives;
 - (c) consult with local businesses, residents, community and sporting organisations and other people with appropriate expertise in preparing this master plan;
 - (d) take into account in preparing this master plan the:
 - (i) potential for the redevelopment of existing businesses;
 - (ii) opportunities for new infrastructure developments, including the parking, recreation and community facilities; and
 - (iii) existing road structure; and
 - (e) report to the Legislative Assembly with a completed Weston Group Centre master plan by the first sitting week in November 2011.

I raise this issue in the Assembly today as a local resident of Weston Creek and as someone who on a daily basis sees the current pressures on the area commonly known as Coleman Court and its adjacent surrounds. As a local resident and the member for

Molonglo I speak to many people in the area who are concerned that not only is the current infrastructure in place not adequate to serve the local community but the problem is only going to get worse.

I have spent many an hour speaking with business owners in the area and with community groups accessing the area and spent many hours standing outside Cooleman Court before I became a member and now as a local member. There is no better way to find out the issues of the area than by speaking to the people, and this is what I have done. And their message is clear: they want action to be taken and they know that it needs to be done now.

The question is going to be asked by Mr Barr no doubt as to why we are requesting this master plan when a motion was passed in August by my Liberal colleagues and it was amended so that it called for a list of group and town centres to be addressed. The August motion was part of the answer to address a number of infrastructure problems we have around the city of ours. However, it is clear that this government simply cannot be trusted to make sound planning decisions.

I note that we would not have had a Kambah master plan if it had not been raised by Mr Smyth. We are not going to stop holding the government to account on their planning problems just because they promised to produce a list of priorities. We and the residents of Weston Creek cannot wait until 2011 to find out that this Labor Government have placed Cooleman Court halfway down the list when much more urgent action is needed.

I am not arguing that there are not other areas of the ACT that are in need of master plans; of course there are. But this government has been in office for three terms and many services and community facilities and commercial areas have fallen apart. However, we have done our own research—we have talked to the people and we have listened to the people—and this is an area that must be a priority. The Weston Group Centre is not only under pressure now but is going to bear the full brunt of the new Molonglo and North Weston developments.

Calling for a plan like this is about ensuring that Weston Creek and its surrounding areas are sustainable in the short and long term. Already we see strain placed on the services currently available. Parking is at capacity, community facilities are run down and the services available to community members are inadequate. A plan is about creating a big picture idea of what is currently there, what needs to be there and how we are going to get it there. Buildings are permanent. It is dangerous to let ad hoc development without a central idea, as it is difficult and costly to rectify. Planning like this not only provides the community with what it needs but also saves money for the government in the long term.

I think it is appropriate to provide a short history of the Weston Creek area to highlight just how important the community there is to the history and culture of the ACT. Named after George Edward Weston, a former officer of the East India Company who arrived in Australia in 1825, Weston Creek has grown to be a reflection of the development of Australia. All the suburbs in Weston Creek are named after notable Australians and all the streets follow a theme of Australian rivers,

native flowers or names of surveyors. Weston Creek as we know it now has been primarily occupied as residential area since the late 1960s.

The first suburbs established in Weston were Waramanga and Fisher, followed closely by many others. Weston Creek has always been a popular place for young families to settle. There are many families now who can claim to have been there since the original inception of the area. It is not hard to see why as a local resident. The area is a beautiful place to live and raise a family. In fact, in 2006 the National Capital Development Commission stated that Weston Creek was “one of the most picturesque parts of the national capital”.

With many of these original families now ageing, there is a changing demographic in Weston. Currently there are almost 23,000 people living in the area. At the last census 27 per cent of the population were over 55 compared to a national average of 24 per cent. The ACT population projections for suburbs and districts 2007-19 predict that Weston will become the district with the oldest population, with a median age of 41 years in 2019. This median age will be driven by a high proportion of persons aged over 85. There will be a 62 per cent increase in persons aged 70 to 80 years by 2019. An ageing population across Canberra, in particular in Weston, will provide a changing dynamic to cater for. Increased health and public services are going to be needed, as is increased access to public transport and community facilities.

In contrast, the new development in North Weston and the planned developments in what is known as Molonglo Valley will bring an increase in the number of young families in the area. The population projection study highlighted above states that new suburbs tend to have high fertility rates as they are attractive to those starting families. That is why when they focus on population projections in Molonglo they project with the high level of construction planned from 2011 that this district will experience very steep growth.

This study states that Molonglo will see a large proportion of the ACT's growth across the next two years, increasing by around 10,200 out of the ACT's total projected 50,350-person increase. This means that over one-fifth of the total population growth for the ACT will be centred in this area. When faced with facts such as this, it is difficult for the government to deny that this is an area of utmost importance. The Molonglo Valley development has begun and is set to accelerate in 2011 with construction commencing in the new suburbs of Coombs and Wright. Coombs alone is projected to have a population of 5,500 by 2019, followed by Wright with a population of 2,500. Future developments are projected to bring an additional 2,600 people to the area. Given the anticipated prominence of the young families in this district, the median age for all Molonglo suburbs is projected to be quite low, between 29 and 31 years.

The increased population growth in Molonglo represents 36 per cent of the Weston Creek population. Without development in the Molonglo itself, it is without doubt that this will have a huge impact on Weston Creek facilities, in particular the Cooleman Court facilities. The community facility needs assessment report for stage 2 of the Molonglo development states:

It is likely that many existing facilities in Weston Creek will be utilized by future Molonglo Valley residents.

I think that is particularly true in the early stages until facilities are adequately delivered in the Molonglo Valley. And I think our experience of Gungahlin has shown that this government crams as many people into new suburbs as it can before public amenity is delivered.

Coleman Court is the community centre for Weston Creek and many adjacent suburbs and it needs to be treated as such. The government must be aware that there are a number of issues regarding the provision of facilities to meet the growing population; otherwise they would not have chosen to undertake a parking survey of the area in 2009. They must be aware, but they are just choosing to ignore the problem, hoping it will go away.

In December 2009 TAMS chose to address the issue of parking in the area by commissioning a study into parking issues at Coleman Court. Roads ACT conducted a parking survey over three days and it showed that the parking lots near the shopping centre were operating at full capacity during peak demand. The survey also showed that parking facilities for people with disabilities were insufficient. I know, as a regular user of that facility, that you do not need a survey to tell you that.

In an attempt to make the parking statistics look better than they were, TAMS chose to include the car parking at the Irish Club, the Canberra Church of Christ, the Uniting Church and the Weston Creek Children's Centre. However, these are all private venues with their own customers and car parking requirements. This is not parking available for general use. The survey also counted car spaces at the tennis courts on Namatjira Drive and other car parks some distance from the centre. It is commonsense that these car parks are not serving the shopping centre.

Parking issues are only going to get worse with an ageing population accessing the centre that require parking close to entrances. Parents of students currently attending the Islamic School will also begin to shop at Coleman Court, along with workers brought into the area by the development work in the Molonglo Valley. Common sense tells us that facilities without adequate parking nearby will make it difficult for people with young children, the elderly and those with disabilities to access them. The majority of parking in the area also currently has a two-hour limit. It is important to acknowledge that this may not be the best option for access to community facilities.

Parking facilities are an essential part of infrastructure, and without adequate parking people will choose not to shop at Coleman Court nor use the community facilities available, and this will have a flow-on effect for commercial premises in the area with people not able to pop into the shops on their way home from work as they simply will not be able to find a park. People of the area will also be forced to travel further afield to such areas as Kambah or Woden to access essential services. A lack of potential for growth will then mean that businesses are less likely to invest in the area.

Parking at Cooleman Court is already operating at capacity and this is one of the reasons why it is difficult for the government to ignore that this is going to become a huge problem in the future.

The community facility needs assessment for stage 2 of the Molonglo development outlines the availability of community facilities in the Weston Creek district and this report highlights that approximately one-third of the community facilities available to the local community are provided in other districts. The closest library for the Weston Creek community is the Woden public library. This library has limited space available for community group meetings. As reported in the community facility needs assessment report, participants suggested that with the population ageing and limited public transport options the facility at Woden may not best serve the Weston Creek community, regardless of the fact of whether Woden library is sufficient to deal with the demand of the local area. A local mobile library service is currently provided but only visits the area once a fortnight for two hours. Similarly, there is currently no government shopfront in the area, which makes it difficult for residents to access central services.

Sporting and recreational facilities to service the local community are also lacking. A number of facilities currently provided in the area were built some time ago and issues of access are present. There is no swimming pool in the area and residents of the area have told me that this is something they would greatly appreciate. They believe that this service would be good for the health of an ageing population. In light of the number of drownings this past year, a facility to teach children how to swim is very important. Having to leave the area to allow for swimming lessons is demanding on the time of parents and provides a disincentive for ensuring that children receive swimming lessons.

Access to facilities is difficult for people with disabilities and we need to ensure that all existing and new capital works have adequate ramps, bathroom facilities and so on. It needs to be acknowledged that many of the facilities in Weston Creek are older and it needs to be seen with the big picture in mind whether they are adequately serving people with disabilities.

Access to health services is very important with an ageing population and at the other end with the growth in the number of young families. We need to ensure not only that there are sufficient general practice and other primary health facilities in the area but also that they are easily accessible by an ageing population.

The steep growth in the number of young families coming into the area due to the Molonglo Valley development means that this is an important time to investigate whether educational facilities in the area are adequate and sufficient. It is without a doubt that there will also be considerable demand placed on existing school facilities by the growth.

Public transport is an important element of ensuring access to facilities and mobility for the residents of Weston Creek. In previous comments to the Assembly, the Minister for Planning has outlined how the government plan to build a number of bus

stops in the Molonglo Valley. Whilst I acknowledge that this is important, these bus stops will be redundant unless we have adequate bus routes to service these shops. As I have discussed with local residents, Weston Creek is like a saucer, with Cooleman Court at its lowest point, so walking or cycling in the area can be difficult purely due to the geography. Having to walk uphill to or from Cooleman Court with shopping can be difficult, particularly for the elderly or people with young families. It must be acknowledged when looking at transport options for the area that the geography of the area is considerably different from that of north Canberra, for example.

Traffic developments will need to be monitored and planned for. A main arterial route into the Cooleman Court area is Streeeton Drive and controversial changes were made to this road late last year when a bike lane was modified and the road was reduced to one lane in parts. Developments in Molonglo and North Weston will only bring more people along this route, increasing traffic congestion.

Commercial development in Cooleman Court was recently completed and it is not surprising when you see the level of demand currently levied on the area and the increased demand that is projected. The centre itself was recently upgraded by its owners, Mirvac. The centre now boasts both a Woolies and an Aldi supermarket, an attractive prospect for people from outside the area.

There are a number of very good reasons why we need a master plan established for the Weston Group Centre. It has been articulated to me passionately by members of the community and I have outlined those reasons. The Weston Creek Community Council is one organisation that has been advocating for such a facility to receive a master plan for some time. I would like to acknowledge the work of the deputy chairman, Tom Anderson, who is also acting as chairman, who has provided me with some invaluable information and insight into the current developments and needs of the Weston Creek community in general; also the hard work of the members of the committee, including Simon Header, Heather Hughes, Mal Ferguson, Maisie Griffiths and Pat McGinn.

I understand that the government is producing a list and I understand that that will be tabled in the Assembly in June next year. But it is very important to make the point that the case for the Weston Group Centre needs to be made, it needs to be at the top of the list and we need that master plan in this Assembly next year.

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (7:56): I thank Mr Hanson for raising this matter and for the opportunity to talk about master plans, facilities and means of nurturing renewal in our city. I would also like to take the opportunity to advise the Assembly of the approach that the government is taking to the preparation of master plans in our important community hubs, most particularly group centres and town centres.

The government has committed considerable resources to an ongoing program of preparing and implementing master plans. In each case the government engages with local communities, local businesses and others who use the centres as part of their daily lives. In addition, we ensure that master plans deliver on the shared vision carefully crafted in close collaboration with local communities.

This is not to say that unanimity is always reached on what planning rules apply. And as everyone in this place knows, there are very strong views on planning policies in the ACT and many people take a close interest in planning. The job of the planning minister is to incorporate and accommodate these views, where possible, whilst also seeking to meet a range of competing and sometimes conflicting priorities. These, in turn, are based on what the ACT community demands of a representative government.

It is a difficult task at times but one I do not shy away from. Since 2008-09, the government, through the Planning and Land Authority, has worked closely with communities in Gungahlin, Dickson and Kingston to prepare master plans for these town and group centres. In each case open and clear dialogue has enabled the preparation of high-quality, robust master plans.

Only recently the Planning and Land Authority completed the final stages of community consultation on the draft Dickson and Kingston master plans. This final round of consultation will inform final consideration by government and ensure that we have captured the hopes and aspirations of these communities. They will also assist us in framing the best way to deliver the outcomes in coming years.

Similarly, the draft Gungahlin master plan and an associated draft territory plan variation will be released by government in coming months. The government continues to show leadership in conducting a robust and manageable approach to the review and master planning of centres in Canberra. And in each case the government and the ACT Planning and Land Authority are responding to a diverse range of issues and challenges associated with each particular centre. Members will recall that the government has continued this commitment through the budget in this financial year.

As we laid out in the budget, community workshops on the master plans for the Tuggeranong town centre and the Erindale group centre will be conducted this financial year. Ms Burch opened the first of these community workshops this weekend just past. To promote this workshop, ACTPLA advised the local area by distributing 10,000 newsletters and advertising in both newspapers and on the radio. I understand that the workshop was well attended.

The government has also committed to the preparation of a master plan for Pialligo and work will commence on this in the new year. ACTPLA is carefully scoping this work to ensure that proper and just consideration is given to the complex range of issues that the master plan will need to consider. The issues being examined will include the capacity of local infrastructure, the character of this hamlet and in particular heritage elements that need to be enhanced. I can assure colleagues that the master planning process being undertaken by ACTPLA will continue the commitment to develop a shared vision through open dialogue with the local community.

In 2011-12, the government will also undertake master plans for the outlying townships of Hall, Tharwa and Oaks Estate. I look forward to the community discussion on those master plans when the time comes. I encourage colleagues, of course, to be involved as well.

Turning to the specific motion that Mr Hanson has moved this evening, it does appear to be at odds with what Mr Smyth put before us earlier this year. Mr Speaker, you would recall that at that time we agreed to Mr Smyth's motion and an amendment moved by Ms Le Couteur that called on the government to prepare a priority list of centres to be master-planned over coming years. The motion also called on the government to report back to the Assembly by the end of June 2011.

I can assure Mr Hanson that the priority list will be premised on where growth pressures are the greatest and, after town centres, group centres and transport corridors will be the priority. We are working to prepare this priority list to ensure that we take a robust and evidence-based approach to the preparation of master plans.

I should note at this point that each master plan comes with a cost. We need to budget for them. They are not things that this Assembly can just pass motions on every couple of months and think that the Planning and Land Authority has the resources to do so. We must appropriate funds to enable the authority to do this and there are clearly only a certain number of plans that can be completed effectively in any given time period.

We did pass a motion in August calling for the preparation of a master plan for Kambah Village by the first sitting week in September 2011. This will of course have to be done in addition to the existing program. So there is simply no capacity within the existing budget and within existing human resources to undertake any more master plans in this time period. We are, of course, working towards the delivery of this plan and all of the others that I have just outlined. It must be stressed in this context that the Planning and Land Authority does not have endless resources.

In closing, we would like to advise members that clearly there are many issues that group and local centres have in common, regardless of where they are in the territory. I am indicating to members and the general public that the government will put forward a series of discussion papers and raise a series of questions that are common across all group centres in the territory, recognising that there are many things that group centres have in common and that they face similar issues as we move into our second century as a city. But I also recognise that there are specific local needs from group centre to group centre. That is why it is appropriate to have a master plan in process and, I think, a detailed process for each centre to respond to the unique aspects of each group centre within the city.

As I say, there are also many things they share in common and those common threads, those common elements, are something that I intend to have a further debate with the community about, particularly in relation to urban renewal density and the capacity for group and local centres to accommodate mixed use redevelopment that would enhance the residential populations within group and local centres. And this is something that I will obviously have more to say about in the near future.

In summing up the government will not be supporting Mr Hanson's motion today. However, I do not think it is necessary to defeat the motion, simply to defer it, to adjourn it, and acknowledge that the government will, according to the resolution

passed by the Assembly in August, provide a full list and a full schedule of master planning work for group centres, town centres and transport corridors according to the timetable of that motion.

MR SESELJA (Molonglo—Leader of the Opposition) (8.05): I commend Mr Hanson for bringing this motion forward tonight because this is part of a series of motions which we have seen in the Assembly, particularly driven by the Canberra Liberals, which are about focusing on local issues, which are about focusing on local centres. And there is no doubt that, when we look at core business for the ACT Assembly, core business for us as members of the ACT Assembly, our focus on our local centres, our focus on group centres, is a critical part of that. The master planning process is a critical part of that. I commend Mr Hanson for bringing this forward.

I commend also, in the discussion, Mr Smyth for his efforts in getting up a master plan for Kambah. As Mr Hanson said in his speech, if we were to look strategically around the ACT—and there is no doubt there is a case in a number of areas for master planning and better planning for local and group centres—and if we look at the last couple of debates that have been instigated by the Canberra Liberals in this place on these issues, these are two that very much stand out, and for a number of strategic reasons.

Kambah clearly stands out as an important centre. It is, I think, underutilised. It is a massive suburb which is not served by shops in the way that many other areas of Canberra are. That was one of the reasons why Mr Smyth was so forthright and so active in working for the people of Kambah in order to get that master plan up.

Likewise, Weston Creek has a particular strategic significance at the moment. As Mr Hanson has outlined, Weston Creek has a particular strategic significance because of the Molonglo development. The Molonglo development, being the only growth area, the only greenfield site, in the south of Canberra, has changed and will change the nature of Weston Creek. It will change the pressures. It will significantly add to the pressures on Weston Creek and particularly on the Weston Creek group centre.

As we know, in the early years of Molonglo—and blocks are now being released, blocks are being purchased—it is unlikely that we will see the kinds of facilities that people would desire and expect in their suburbs. That has been the case, as we have seen in developments in Gungahlin, and I think that is unlikely to change here. Whilst there may be some retail facilities, it is unlikely that they will give the kind of service that people would expect. Obviously Woden will be part of that answer but Weston Creek will be the most obvious answer to some of those concerns.

That is why it is particularly important that we look at a master planning process for Weston Creek. The Molonglo Valley has the potential to rapidly grow. And the first parts of the Molonglo Valley that we are talking about are really just extensions of Weston Creek. They are just adding to the size of Weston Creek.

Look at some of the numbers in terms of what we are looking at for Coombs and Wright. Coombs is projected to have a population of 5,500 by 2019, and Wright, a population of 2,500. They are effectively part of Weston Creek. We can call them

the Molonglo Valley but they will in effect be part of Weston Creek. They will be very close to the Weston Creek group centre.

Whilst it is clear that the shopping centre owners at Cooleman Court have responded to this partly through their refurbishment, the car parking and other aspects have certainly not kept up with what the projected demand would be for the use of this shopping centre. I have not lived in Weston Creek for many years. It is not since the early 1980s that I have lived in Weston Creek, in Stirling. It is fair to say that the shops have changed significantly since then, although it is also fair to say that in that almost 30 years there are aspects of that centre which have barely changed at all. I think for that reason alone it is in need of a significant refurbishment.

I think this has been touched on: Weston Creek has no library. We can look at that as an issue.

Weston Creek has one of the oldest populations in the city. In fact, at the last census, with 23,000 people living in the area, 27 per cent of the population were over the age of 55. The ACT population projection for suburbs and districts 2007 to 2019 predicts that Weston will become the district with the oldest population, with a median age of 41 years, in 2019. The median age will be driven by a high proportion of persons aged over 85 years. There will be a two per cent increase in people aged 70 to 80 years by 2019.

Given those demographics pressures, it is reasonable that we actually take a good look now at the future needs of Weston Creek. There is no doubt that the Weston Creek group centre is at the heart of that. There are some local shops in the Weston Creek area but they are at the smaller end of local shops, I think it is fair to say. If you look at, for instance, Holder as an example of the local shops, it is a relatively basic local centre. For a population of 23,000 people, which is now going to grow significantly, certainly in real terms due to the development of Molonglo, it is now time that we had a look at that.

Just on the general point, and where I started from, the reason that Mr Hanson is bringing this forward and the reason Mr Smyth brought forward the motion on the Kambah master plan are that these things matter to our community. The state of your local shops matters. Whether you can get a car park when you go down to your local shops matters. Whether you have basic facilities at your local shops matters. It makes a big difference to people's quality of life. There are a number of reasons why people move to certain areas—the quality of the group centres or the town centres that are nearby.

It is fair to say that in the ACT, as a general rule because we are a well-planned city, we have been well served by shops. But they have come under increasing pressure over recent years. So we do believe that Weston Creek should have a master plan. That is not to say that other centres are not worthy of consideration. But if you look at all those factors, if you look at the ageing of the population, the changing demographics, if you look at the lack of some of the basic facilities and the lack of some of the upgrades, if you look at some of the car parking pressures there and then if you look at the projected growth in the suburbs of Molonglo and of the Molonglo

Valley, which are sure to be using the Weston Creek group centre, I think for all of these reasons it is reasonable that we have a master plan for this area.

I would say to the government again that this is about priorities. We highlight time and again the amount of money that this government wastes. Every week we see stories of wasteful expenditure by this government. The people of Weston Creek, I am sure, would prefer to see their centre well planned. They would prefer to see the car parking situation at their centre resolved. They would prefer to see a situation where some money is spent on their local centre and on a master planning process so that they are ready for the growth that is coming and they are ready for the demographic changes rather than, I think, what we have seen.

We point to all sorts of expenditure. We point to the arboretum. We point to the overemphasis on public art. We point to the waste and mismanagement with individual agencies. We point to the cost blow-outs in projects. We point to all of these things where money is wasted. Where people want to see expenditure is in these core services. That is the feedback we get.

Jeremy Hanson is one of the most active local members in the Assembly. He is well known to the Weston Creek community, well known at Cooleman Court. If you go to any of the shops and you do a visit and a walk through Cooleman Court, most of them will tell you that they recently had Jeremy Hanson in their shops. Jeremy is doing an excellent job.

I commend this motion because I think it is about the core issues that the people of Weston Creek care about. It is about taking those issues to the Assembly and I therefore commend the motion to all members of the Assembly.

MS LE COUTEUR (Molonglo) (8.15): Firstly, let me say that I agree with the basic sentiment of Mr Hanson's motion. There are, in fact, many improvements that need to be made at the Weston Group Centre for the benefit of the residents living in this area. As Mr Hanson is a local resident, I appreciate that he has a particular interest in the area. I also understand his point that the establishment of Molonglo will increase the number of people using Cooleman Court and increase the pressures on the infrastructure of the group centre.

As an example, I held a public forum earlier in the year about active transport. The area around Cooleman Court was actually used as a case study during the forum by one of the speakers. The options for people visiting Cooleman Court to use footpaths, cycle paths and public transport are not good. There are paths that go nowhere, areas without paths at all and paths that are broken and dangerous. This makes it pretty hard for the ageing people in the area and for young mothers pushing prams to get about by foot. This, of course, contributes to the parking problems that Mr Hanson mentions in his motion and talked about at length in his speech.

As we have been saying, a crucial element of improving Weston Creek is delivering a public transport system that works for the people of Weston Creek. Currently Weston Creek bus services need to improve frequency and rapid connections to the major employment zone of the parliamentary triangle. It is heartening that the 2031 strategic

transport network plan identifies the need for a Weston Creek interchange and a rapid line travelling from Belconnen through Molonglo, Weston and to Woden. However, 2031 is a long time away and we need action before that. I would hope that everyone in this Assembly would agree about that. In particular, I know that one person would.

The ACT Greens, and in particular my colleague Ms Bresnan, have been consistently calling for the implementation of Redex-style services for the south of Canberra, in particular for Weston Creek and Molonglo, as soon as there are people there, as well as for Tuggeranong. The people of Weston Creek, as with other people, are vulnerable to oil price shocks as much as other Canberrans, and in an environment of volatile petrol prices and limited supply of fossil fuels, it is the responsibility of the government to ensure that a frequent, rapid and reliable public transport alternative is in place as soon as possible. In doing this it needs to look at contingency plans in case the demand for public transport increases considerably due to quite likely rapidly increasing petrol costs.

As I said, I do agree with Mr Hanson there are many issues facing Weston Creek and the planned growth of Molonglo will stress Weston Creek, as well as other existing areas of Canberra. I do have a difficulty, though, with Mr Hanson's motion. It calls on the government to commission a master plan of the Weston Group Centre. While I do understand why Mr Hanson is making this call, the motion would usurp a process of master planning which we all agreed on just three months ago. On 25 August, the Assembly passed a motion which called on the government to develop a process for consultation by:

- (ii) developing a priority list of areas on the basis of need, reflected through community consultation, to be master planned and subject to further localised planning;
- (iii) undertaking localised planning and consultation in suburban areas and town, group and local centres where significant changes are anticipated;
- (iv) incorporating these master plans and precinct plans into the Territory Plan; and
- (v) reporting back to the Assembly by end June 2011 with the results of the priority list."

This motion resulted from a motion introduced by Mr Smyth which called for a master plan for Kambah shops. It was amended by me to call for the master plan prioritisation process and this was then passed by the Assembly, the entire Assembly. The reason I introduced the amendment was to recognise that many people in our community are concerned about changes to their local environment and that they want a say. It was also to recognise that the current policy of piecemeal, one by one, DA by DA changes is not always giving the best results. Sometimes we need to be bold and look at the big picture. Master plans or precinct plans or neighbourhood plans—whatever you may call them—could be the vehicle for positive change in Canberra.

So for Mr Hanson to now call for a master plan for a specific area of Canberra disregards the clear intention of the Assembly of only three months ago. It does take

some time and government resources to conduct good consultation and technical planning resources if we are to create good master plans which will guide development in the future. We need to look at which areas of the ACT need master planning first. We need to look at the problems and the opportunities. That is why we have called upon the government to make a priority list.

While I believe that long-term planning is fundamentally a political process insofar as our plans reflect our objectives, our priorities and even our dreams, I do not think having debates about which area of Canberra is most in need of a master plan advances the debate. It just politicises it. It seems that in the Liberals' view of planning the way to get planning action is by getting your local member to move individual motions on the floor of the Assembly. This is not how we should run a planning system.

We cannot take the politics out of planning, but we should put our political effort, our political pressure, towards higher aims. We should not be using politics to potentially pit one suburb against another in a political race to get a master plan. The politics that we should be discussing in planning are issues like housing affordability, the impact of peak oil, climate change, the ACT's ecological footprint, which is four times the world's average, our ageing population, how to engage and to bring all the people of Canberra along with the planning system in the inevitable changes to Canberra over the next 10, 20, 30 years.

The government, after community consultation, is due to report back to the Assembly with this priority list for master plans in June 2011. I think we should go through the process which we have as an Assembly already agreed to. That process of consultation and prioritisation is already generating discussion. Community councils and residents' groups from different parts of Canberra have contacted me and pointed out the various needs of their own areas.

We have people from all over Canberra—Dickson, Chifley, Griffith, Woden, Wanniasa, Hawker and even my own suburb of Downer—all raising concerns about changes in their suburbs. I will not attempt to list all the suburbs where I have had representations about the need for more planning in this because, quite frankly, it is most suburbs of Canberra, especially those in the older suburbs of the inner north and the inner south.

Now that Mr Hanson has raised the real issues of Weston Creek I hope that he will be happy to see the government and the Assembly go through the process which was decided on in August. I look forward very much to seeing the list in June next year.

Motion (by **Ms Burch**) put:

That debate be adjourned.

The Assembly voted—

Ayes 10

Noes 5

Mr Barr	Ms Hunter	Mr Coe
Ms Bresnan	Ms Le Couteur	Mr Doszpot
Ms Burch	Ms Porter	Mr Hanson
Mr Corbell	Mr Rattenbury	Mr Seselja
Mr Hargreaves	Mr Stanhope	Mr Smyth

Question resolved in the affirmative.

Australian Capital Territory (Self-Government) Act 1988— proposed review

MS PORTER (Ginninderra) (8.27): I move:

That this Assembly supports:

- (1) the notion that the people and the parliament of the ACT should have the same rights as Australians living in the States to legislate on their own behalf upon matters within their legislative jurisdiction; and
- (2) a comprehensive review of the Australian Capital Territory (Self-Government) Act 1988, with a view to:
 - (a) allowing the ACT Legislative Assembly to determine its own size;
 - (b) removing provisions that allow the Commonwealth to overturn any ACT law through the exercise of Executive fiat; and
 - (c) making other such amendments necessary to deliver genuine self-government to the people of the ACT, consistent with the democratic rights enjoyed by Australians living in the States.

Today is an opportune time to again discuss the issue of self-government as our federal colleagues are also debating this important matter in the federal parliament. Unfortunately, our colleagues on the hill have got the matter embroiled in the morally sensitive issue of euthanasia. However, this issue is not about personal morals; it is about the nature of our democratic system.

Members will recall that on 17 June last year the Assembly passed a tripartisan motion asserting that it was timely, in the context of 20 years of self-government in the territory, that the ACT and the commonwealth undertake a joint review of the self-government act. It has long been the position of this government and this Assembly that a review of the self-government act is necessary to determine whether the ACT continues to provide the best model of effective, democratic governance in the ACT.

For over 20 years in this place, we have been charged with making laws for peace, order and good governance of the territory—the same kind of legislative power

granted to the states. Since 1989, the ACT Legislative Assembly has matured, as have the governments it has produced. This Assembly has made significant contributions to public policy and legislative history, notwithstanding the size and youth of our parliament. We have contributed to, and often led, the nation in social and environmental reforms.

We are now a community of over 350,000 people, servicing a growing region exceeding half a million people. The ACT's citizens are, on average, healthier, better educated and more prosperous than anywhere else in Australia. Today, self-government, in practice and in principle, is firmly embedded in the consciousness of our community.

Only the elected members of this Assembly can claim a legitimate mandate to represent the views of the people of the territory. I have been an elected member of the ACT for six years now, and this responsibility is something that I believe is a privilege. Yet it is an ongoing source of frustration to me that the constituents I represent, indeed all citizens of the ACT, do not enjoy democratic rights comparable with those in other jurisdictions. I am sure the citizens of the ACT, who have their democracy treated in such a dismissive way, are similarly unhappy about the situation.

The self-government act constrains the members of this place in their duties to legislate to reflect the needs, desires, values and aspirations of our constituents. I find it ironic that something entitled the "self-government act" actually works against the self-government of the territory. I can imagine that my colleagues from the states find this situation somewhat humorous. It is truly the Clayton's self-government act—the self-government act you are having when you do not have self-government.

Subsection 35(2) of the act allows the Governor-General, on advice from the commonwealth executive, to administratively disallow or amend enactments of this Assembly without prior scrutiny or debate in the Australian parliament. It is a direct attack on the democratic principle that others, with no claim to a mandate, may substitute their own views for the views of those elected to represent the people of the ACT.

Members would be aware that Senator Bob Brown has introduced a bill to repeal section 35 of the Australian Capital Territory (Self-Government) Act 1988, removing the power of the Governor-General, on advice of the commonwealth executive, to disallow or amend enactments of the ACT Legislative Assembly. The power of the commonwealth executive to disallow or amend enactments of the ACT Legislative Assembly is an unwarranted restriction on the democratic rights of ACT citizens and should be removed. I say this as an elected member who wants only that her constituents enjoy the same democratic rights as Australians residing outside the ACT. After all, the federal parliament may legislate to override ACT legislation under section 122 of the Australian constitution. This additional administrative power of the executive is unnecessary.

I support Senator Brown and commend him for his courage and leadership on this issue which is championing the democratic rights of the citizens of not only the ACT but also the Northern Territory and Norfolk Island. I also acknowledge the significant

advocacy the Chief Minister has undertaken over the past seven years to raise awareness of how the self-government act impacts on the democratic rights of our citizens and the need for a joint review of the act.

Senator Brown has also moved the Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2010, which, if successful, will restore the rights of territory assemblies to legislate in the area of euthanasia. The bill, if passed, would not legalise euthanasia, either here or in the Northern Territory. I think that is a very important point to make, because the debate about this has become somewhat confused of late. It would simply allow the citizens of the ACT to have this issue debated and their views represented in this place. The bill in question is one of democracy and genuine self-determination. The bill is not about euthanasia, and one should not view it in this vein. Unfortunately, the discussion so far in the media has tended to indicate that it is, and therefore to cloud the real issue.

This Assembly may not necessarily support voluntary euthanasia legislation, but it should have the right, on behalf of the people of the ACT, to do so if it so chooses. What justice is there in the current situation where the New South Wales parliament or the Tasmanian parliament may debate and legislate for euthanasia but not a territory parliament? Our citizens should have the same rights as other Australians to debate the issue of voluntary euthanasia. Our citizens of the ACT should have the same right to debate and legislate on any issues, for that matter. The commonwealth law is preventing us from exercising our democratic mandate and this is a legislative blunt instrument that should be removed.

The motion also mentions the issue of the size of the Assembly. This has been debated in previous assemblies and discussed openly with the community. Members would all know the breadth of concerns that we have to deal with each and every day. As a member for Ginninderra, the residents of Belconnen, I believe, should have access to their local member. This is a role I take very seriously. Through my regular mobile offices, I seek to ensure that I am accessible to my constituents. And whilst my door is always open, I am also determined to come to them. I visit people in their own homes, I talk with the community at the Belconnen markets and other shopping centres and I attend many community forums. We have an expanding population and an increasing complexity of issues, yet we as a parliament are powerless to determine the size of the Assembly to deal with such issues. (*Quorum formed.*)

Mr Stanhope: No Liberals responded to the call.

MR SPEAKER: Order, thank you. Ms Porter has the floor.

Mr Smyth: The bells did not ring for four minutes, Chief Minister.

Mr Stanhope: No Liberals responded to the call.

MR SPEAKER: Order, members!

Mr Smyth: Don't you know your standing orders? There are four minutes.

Mr Stanhope: No Liberals responded to the call.

MR SPEAKER: Order! Mr Stanhope, thank you.

Mr Smyth: Four minutes, Chief Minister.

MR SPEAKER: Order! Ms Porter.

MS PORTER: Shall I continue? Thank you. We have an expanding population and increasing complexity of issues, yet we as a parliament are powerless to determine the size of our Assembly to deal with such issues. Perhaps the people of Canberra would be better served with an Assembly of 21 or 25.

Importantly, we need the power to make decisions as an Assembly based on our experience and knowledge of our community and the feedback we receive on these issues as part of our day-to-day work. The inquiries have been held, the committees have reported. Now is the time to act on the issue.

Mr Speaker, this motion supporting reform of the self-government act is one issue that I am sure the whole Assembly will agree to. We have delivered tripartisan support for it in the past. I bring forward the motion today to continue that momentum and to signal to those in another place of this heartfelt desire for change. It is a situation that continues to deny the Assembly and, of course, the people of the ACT, the ability to have democracy and certainly denies us an opportunity to truly represent the community. This cannot continue. I commend the motion to the Assembly.

MS HUNTER (Ginninderra—Parliamentary Convenor, ACT Greens) (8.38): This is indeed a very important motion and one that captures the very essence of the notion of self-government in the territory, and I thank Ms Porter for moving this motion today. I also thank Mr Stanhope for his strong advocacy on the issue and his support for Senator Brown's bill, currently being debated in the Senate. I think it reflects just what a mature and developed democracy we are that so much attention has been given to the issue in this place and that members are prepared to put aside their political differences and address the issue of our rights as residents of the ACT to elect representatives to make decisions on our behalf, decisions on the same range of issues as occur in every other state parliament in the country. The Greens wholeheartedly support the motion today and we are very proud that we have been the ones driving the push in the commonwealth parliament for proper self-government.

As we all know, Senator Brown has tabled two bills that would address two of the concerns set out in this motion. About 18 months ago, for the 20th anniversary of the Assembly, I moved a motion and remonstrance on this issue. As amended, that motion called for a joint review of the self-government act and, despite the Chief Minister's approaches to Prime Minister Rudd and taking up the issue with Prime Minister Gillard, it is very unfortunate that this has not yet occurred. In light of the ongoing debate in the Senate this week, it is timely to revisit this issue and reconfirm our commitment to proper self-government for the people of the ACT.

It was disappointing that the Liberal Party did not support my motion last year and I am hoping that today they have decided to support Ms Porter's motion as it sends

a very important message that needs to be sent to the commonwealth parliament that all parties in this place support change. But I am unaware where the Canberra Liberals stand at this point.

It is wrong that the commonwealth executive, not even the parliament of the commonwealth but the executive alone, can overturn a validly made law of this Assembly. It is wrong that people who have no interest in and who are not affected by what happens in the territory have a say in the validity of laws passed by this Assembly.

I think it is worth considering the constitutional framework that we exist in. We are a federal system and central to that system is the delineation of powers between the levels of government. Professor Michael Crommelin from the University of Melbourne, in the book, *Essays on Law and Government*, edited by Paul Finn, put it very well. He wrote:

The values inherent in Australian Federalism are regional diversity, local participation and decentralisation. The framers of the Constitution sought to realise these values through the establishment of two levels of government with limited powers distributed by the Constitution.

Our federal system is predicated on regional parliaments exercising significant legislative authority over their respective jurisdictions. Indeed, the scope of their powers is unlimited and extends to everything not otherwise assigned to the commonwealth. Sections 51 and 52 of the constitution articulate and limit the legislative powers of the commonwealth parliament.

There has been some controversy in the High Court about whether these limitations apply to the plenary power given to the commonwealth by section 122. And this question was largely resolved only last year in the case *Wurridjal v the Commonwealth of Australia*. The High Court found that the constitutional limitations of section 51 of the constitution do apply to the territories. In effect, the residents of the Northern Territory and the ACT have the same rights as those in the states. We are not second-class citizens and it follows logically that we should have the same rights to legislate in our own interests as those in the states do. Our legislative jurisdiction should be the same as state parliaments.

I have not heard one argument why it is that this Assembly is not capable of legislating on the full gamut of responsibilities not allocated to the commonwealth by the constitution, as in the case of the states. This applies equally to the additional limitations created by section 23 of the self-government act and the offensive disallowance provision created by section 35. The time has certainly come for a comprehensive review of the self-government act. More than 20 years on, I think it is well and truly time that such a review was undertaken.

The Greens also support the issues identified for consideration in paragraph (2) of Ms Porter's motion and share the predisposition for change implied in the motion. Consistent with all other parliaments, we should be able to set the size of the parliament and we should not be subject to the disallowance provisions or any other unreasonable limitations on our democratic rights.

We are not an immature legislature that needs the supervision or oversight of the commonwealth executive. On the contrary, we can proudly say that we are a modern and representative democracy. Former Chief Justice of the High Court Sir Anthony Mason once said that modern democracy extends beyond simple majoritarianism to the protection of fundamental rights and the respect for the dignity of the individual. As the first jurisdiction to formally recognise human rights and establish a statutory mechanism for ensuring our human rights are protected, I think we can confidently say that we meet that additional requirement of a modern democracy. We have robust accountability mechanisms and a modern administrative system with accountability mechanisms that would overall be equal to any other state parliament.

I think in this evening's debate it is appropriate to consider the most recent example of the abuse of power given to the executive by section 35 of the self-government act, and I am of course talking about civil unions and the appalling disrespect shown by the commonwealth government not only to every gay, lesbian or transgender Australian but to every resident of the ACT and every member of this place.

The second reading speech on the self-government bill made by the Minister for Territories underscored in plain language the intention of the bill:

It will allow 270,000 people the same democratic rights and social responsibility as their fellow Australians ... In proposing self-government for the Territory, the Government has once again demonstrated its commitment to democracy for all.

Unfortunately we know now that that was not true, that in fact there is only democracy for some.

I would like to take the opportunity on behalf of the Greens to formally thank the Chief Minister for being so proactive on the issue, for writing to all members and senators of the commonwealth parliament, urging them to address the real issue at hand and to recognise the rights of the people of the ACT to conduct their own affairs. I would echo that call and ask both members and senators of the commonwealth parliament to reflect on whether or not they think it would be acceptable for the elected representatives of the ACT to be able to invalidate a law of their state parliaments, irrespective of the level of community support for that law. I suspect none would think that that was acceptable.

So once again I thank Ms Porter for bringing on this motion tonight, and the Greens fully support this motion.

MRS DUNNE (Ginninderra) (8.46): I move:

Omit all words after "That this Assembly", substitute:

“(1) supports the rights of people of the ACT to legislate on their own behalf upon matters within their legislative jurisdiction under the Constitution of Australia;

(2) supports the formation of a broad public consultation forum to discuss and debate changes requested to the Australian Capital Territory (Self-Government) Act 1988 as raised by the Assembly, the community and other stakeholders and develop a formalised agreed position to present to the Federal Parliament; and

(3) calls on the Government to investigate the timing and provision of a public forum on these reforms and report to the Assembly with options.”.

This is not the first time a motion of this sort has come before the Assembly and this is not the first time that there has been some level of agreement between all parties that the time is right to consider these questions. This is also not the first time that the discussion has exposed differences in approach to the details of those changes, and those details must be explored and reconciled before we commit to the momentous changes in our system of governance.

In June last year, the Canberra Liberals made comments on a very similar matter in a motion brought forward by Ms Hunter. Some of the issues that we raised then were the ability of the Governor-General to step in and dismiss the Assembly when the Governor-General deemed, in his or her opinion, that the Assembly was either incapable of effectively performing its functions or was conducting its affairs in a grossly improper manner, the override powers of legislation that can be dismissed on ministerial direction and the need to review issues around the ability of the Assembly to determine its size.

However, at that time we also talked about how, in any move to allow the Assembly this freedom and to remove any of these provisions in the self-government act, we needed to make sure that we got the checks and balances right. We must remember all the questions that arise when we remove one provision of our constitution.

Being a unicameral parliament, who keeps a majority government in check? If the Assembly can change its numbers and make-up, what stops majority government doing it to its own advantage? If we do not have a Governor-General, who can dismiss an unworkable parliament? Who does? Does Senator Brown want to substitute himself for our Governor-General? What would happen if the elected body in the ACT decided to build a large dam? I am not sure Bob Brown would be quite so keen to demand territory rights in that case. He was pretty keen to curtail states' rights in Tasmania when they wanted to build a dam.

If we remove these particular sections, do we need an administrator in the ACT, as exists in the Northern Territory? Even these simple examples show that changing these systems raises other important issues which we must discuss before we proceed. We have struggled with motions such as this one because they are too limited in scope, too isolated in consideration and too lacking in detail. They propose solutions when the problems have not been isolated or even properly defined.

The last time we looked at this issue, the debate was focused on section 53, as does the current bill before the federal Senate. Obviously, the Canberra Liberals believe that this is too limited. This time the scope has been broadened but has only picked up

a couple more sections without offering any alternative arrangements. The last time we had this debate, we proposed an alternative and our position has not changed. The essence of our amendment then was that the Assembly:

- (2) notes that the Australian Capital Territory (Self-Government) Act 1988 carries a number of provisions that now may be redundant or restrictive in terms of their impact on the government for and governance of the Territory;
- (3) resolves that the Assembly's Standing Committee on Justice and Community Safety undertake a review of the Australian Capital Territory (Self-Government) Act 1988 and related matters to:
 - (a) determine whether it continues to provide the best model for effective and democratic self-government for the ACT;
 - (b) consider what recommendations might be made and presented to the Commonwealth as a way forward for amendments to the Act; and
 - (c) report back to the Assembly ...
- (4) calls upon the Chief Minister to inform the Prime Minister of Australia and the Minister for Home Affairs of the resolution.

Tonight we are proposing a similar move but importantly an expanded version on the same theme and this is the gravamen of the amendment which I have moved.

What we are proposing is a way forward that involves all the people of the ACT, not just an Assembly committee as was previously suggested but a public forum essentially moving towards what could possibly be called a constitutional convention with input from the public, the Assembly, experts and stakeholders in all community sectors. It could discuss the way we could agree to go about the details of this issue, the way we could get past the consensus we have seen several times and move to a detailed solution that we as a territory, all of us, can actually take to the federal parliament and recommend that they adopt.

What would be a better anniversary present for the centenary of the ACT than our actually achieving some improvement to our constitution? I submit on behalf of the Canberra Liberals that this is the way forward; that we need to take the community with us. We need to be able to assure the community in the ACT that we have sufficient checks and balances before we can go to the federal parliament and ask for them to legislate in this area. We need to go with a highly agreed upon, high-level consensus on a way forward for a new self-government act for the people of the ACT.

It is interesting, in reflecting on the issues that Ms Porter has raised in this motion, that in the term of this Assembly, just this year, the ethics adviser, after being asked to advise on a particular issue, has pointed out the problems in the self-government act in terms of the conflict of interest provisions in the self-government act. It is a live issue before us at the moment. It is an issue that the Administration and Procedure Committee is taking advice on but it is not an issue which is discussed or even alluded to here. It is a problematic issue that has been highlighted by our ethics adviser but it is unfortunate that that issue has not been alluded to here.

The other problem is that Ms Porter's motion, whilst laudable in its generality, is so general that we are not quite sure of the mechanism by which any of this might be done. We are saying that we support a comprehensive review but there is no mechanism in this motion to bring about that comprehensive review. The Canberra Liberals' amendment which I have moved brings forward a mechanism to start that comprehensive review process.

It would be a true test of what the core of this motion suggests to see whether the members of this Assembly are really ready to take a step forward. That we can think through our issues and come to a mature, considered and agreed position would be a true test of this Assembly. That we can act in concert for the benefit and the future of the parliament of the people would be a true test of our position.

Before we agree to one-off, knee-jerk reactions, we urge, once again, that this Assembly show true leadership by taking the community with us instead of imposing ourselves upon them. In saying that, I commend our amendment to the Legislative Assembly.

MR STANHOPE (Ginninderra—Chief Minister, Minister for Transport, Minister for Territory and Municipal Services, Minister for Business and Economic Development, Minister for Land and Property Services, Minister for Aboriginal and Torres Strait Islander Affairs and Minister for the Arts and Heritage) (8:54): Mr Speaker, I do wish to contribute to the debate but having regard to the time I wonder whether or not it might be appropriate to adjourn now so that I might have my full time when we next debate this matter in a couple of weeks time, at 10 in the morning.

Mrs Dunne: Could I put on the record, before the Chief Minister moves the adjournment, that the Canberra Liberals will guarantee leave for the Chief Minister to speak again in this debate when it comes back.

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

Adjournment

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

That the Assembly do now adjourn.

Cricket championships—over 60s

MR BARR (Molonglo—Minister for Education and Training, Minister for Planning, Minister for Tourism, Sport and Recreation and Minister for Gaming and Racing) (8:55): I would like to take this opportunity in the adjournment debate to draw attention to a significant sporting event that occurred in the city between 7 and 11 November. The Australian Over 60s Cricket Championships were held in Canberra. The championships are held annually and hosted by each state and territory on a rotation basis. In 2010 it was Canberra's turn. The first championships were held in 2006, when six teams competed. Since then, over 60s cricket has taken off and there

are now 18 teams representing the ACT, New South Wales, Victoria, South Australia, Tasmania, Queensland and New Zealand who contested this year's championships. An estimated 350 to 400 participants, family members and supporters converged on Canberra for the four-day event.

The event was played in two divisions and the ACT had teams in both. The ACT's division 1 team played against Queensland, Tasmania, South Australia and New South Wales and performed exceptionally well, finishing equal second on the ladder—its best performance at the championships to date. They beat Queensland, who took out the division 1 title by two runs in what I am told was a very closely fought game, and they also overcame Tasmania. Had the games against New South Wales and South Australia not been affected by the rain, they may well have won the championships. The ACT's performance was all the more meritorious, particularly given that most of the opposition teams contained former international and Sheffield Shield players such as Jeff Dymock and Queensland leg spinner Dennis Lillie.

The division 2 team unfortunately lost several key players to injury over the course of the championships, which affected their overall performance. However, although they did not record a win, they were competitive and performed very well in all of their games.

The ACT teams received generous support and assistance from a range of organisations. I was very pleased that the ACT department of sport and recreation was able to support the championships, together with the CWA, Cricket Australia, Cricket ACT and major sponsors including the Australian Seniors Insurance Agency, Helen King Hearing Centres and the Dickson tradesmen's club. Without these organisations' help, it would not have been possible to organise and successfully run an event of this magnitude.

Feedback from the participating states and our visitors from New Zealand has been very positive, with many saying it was the best-run championships yet, in spite of Canberra's inclement weather.

I was very pleased to officially open the championships at a function hosted at the Dickson tradesmen's club. I understand there was a final dinner and presentation night held at the Woden Southern Cross Club. Those who attended the dinner were entertained by cricketing legend and commentator Keith Stackpole, former international umpire Max O'Connell, and former Australian and Queensland left-arm quick bowler Geoff Dymock. I am advised that a great night was had by all.

At the conclusion of the championships, a fully representative Australian over 60s team was selected to play in a three-test series against England and Wales, plus games in Singapore and Malta, between 10 and 29 August 2011. I am very pleased to advise the Assembly that there were two ACT players named in the team. One of those ACT players is with us in the chamber this evening, Mr Denis Axelby. Congratulations, Denis, on your selection, and also to your brother, Ron, who is the other ACT representative. I can advise the Assembly that Ron was appointed captain of the touring team and that ACT wicket-keeper Peter Howes was also named as a reserve.

In closing, I would like to congratulate the organising committee for the Over 60s Cricket Championships for putting on a fantastic event for all of the players. I know they did Canberra proud in hosting a fantastic cricket competition. It certainly appears, from all of the reports and my attendance at the opening night, that people had a fantastic time. Again, my congratulations, and I am sure those of all Assembly members, go to Denis and Ron Axelby on their selection in the Australian over 60s team. We wish them all the best for the tour.

ACT Students—community service

MR COE (Ginninderra) (9.00): I rise this evening to put on the record the tremendous work undertaken by school students in the ACT as recognised by the Order of Australia Association ACT branch. A few weeks ago, on 27 October, I spoke in this place about the association and the great work they do. I saw further evidence of this great work earlier today, when I had the pleasure of attending the presentation of the ACT Student Awards for Citizenship and Community Service at University House, ANU.

At today's event, we were welcomed by Ray Newcombe OAM and Trish Keller OAM, while Derek Robson AM led us through the proceedings. Before presenting the awards, the patron of the ACT branch, General Peter Gration AC OBE, spoke about the significance of good citizenship and community service, including the notions of a fair go and mateship, in addition to the moral obligation to help out those that are less fortunate.

The awards of the association are designed to recognise worthy examples in schools and colleges that will promote these values. I am sure, in the instance of each award recipient, such potential acknowledgement was by no means a motivator for undertaking the service they have done. However, the association's recognition will help provoke thoughts in others about what they might be able to do and how they might be able to contribute more greatly to our community.

The following recipients were acknowledged today. Phoebe Davies: this week, Phoebe completed year 12 at St Francis Xavier college in Florey. She was presented with an individual award in recognition of her commitment to social justice and ending poverty and the leadership she has demonstrated through leading a house at school, in addition to her work with the school's Young Christians group.

Radford college, Merici college and Black Mountain school: students at Radford and Merici are playing a significant role in the lives of the students, families, friends and staff at the Black Mountain school. Radford and Merici were presented with the award for meritorious group activity and Black Mountain received a certificate of commendation. Radford students regularly visited the Black Mountain school and contributed to team support in the classes, helping out with sporting, social, individual and team activities. Merici students went to the Black Mountain school each Monday to assist with hydrotherapy, meals, gardening, hospitality and other social activities.

What is particularly special about the relationship between the schools is that everyone involved from each school was able to develop and take encouragement

from the activities they undertook together. Students from Merici, Radford and Black Mountain take strength from the time together and the challenges and opportunities that were presented. The friendships between the schools and students are strong, and ones that will surely grow.

The final meritorious group activity award was presented to students at Kaleen primary school. The Kaleen Kangas skipping team have been great ambassadors for their school and, in doing so, raised more than \$8,000 for the Heart Foundation. The skipping team undertake displays at their school as well as at Raiders and Brumbies games, Canberra community walks and other events around Canberra. The dedication and commitment of the year 6 students is exceptional and something that I think sets a great example for others to follow.

I never cease to be amazed by the exceptional work being undertaken in our community. Of course, I extend my utmost thanks and congratulations to the students for going above and beyond to make these things happen. However, I also want to thank the teachers for their organising, support, encouragement and for the genuine leadership they provide to help the students understand the importance of active citizenship.

In conclusion, again, I congratulate and wholeheartedly thank the students at Radford, Merici, Black Mountain and Kaleen primary schools and the individual award winner, Phoebe Davies, for their contributions to making Canberra a better place.

Question resolved in the affirmative.

The Assembly adjourned at 9.04 pm.